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NOTICE OF MEETING

Meeting:	Planning Committee
Date and Time:	Wednesday 13 December 2023 7.00 pm
Place:	Council Chamber
Enquiries to:	committeeservices@hart.gov.uk
Members:	Quarterman (Chairman), Oliver (Vice-Chairman), Blewett, Butcher, Cockarill, Kennett, Makepeace-Browne, Radley, Southern, Wildsmith and Worlock

Chief Executive

CIVIC OFFICES, HARLINGTON WAY
FLEET, HAMPSHIRE GU51 4AE

AGENDA

This Agenda and associated appendices are provided in electronic form only and are published on the Hart District Council Website.

Please download all papers through the Modern.Gov app before the meeting.

- At the start of the meeting, the Lead Officer will confirm the Fire Evacuation Procedure.**
- The Chairman will announce that this meeting will be recorded and that anyone remaining at the meeting has provided their consent to any such recording.**

1 MINUTES OF PREVIOUS MEETING (Pages 3 - 6)

The Minutes of the meeting held on 11 October 2023 to be confirmed and signed as a correct record.

2 APOLOGIES FOR ABSENCE

To receive any apologies for absence from Members*.

***Note:** Members are asked to email Committee Services in advance of the meeting as soon as they become aware they will be absent.

3 DECLARATIONS OF INTEREST

To declare disposable pecuniary, and any other interests*.

***Note:** Members are asked to email Committee Services in advance of the meeting as soon as they become aware they may have an interest to declare.

4 CHAIRMAN'S ANNOUNCEMENTS

5 MINUTES OF QEB TRANSPORT STEERING GROUP (Pages 7 - 13)

The Committee to note the Minutes from the Queen Elizabeth Barracks (QEB) Transport Steering Group meeting held on 11 September 2023.

6 UPDATE FROM PLANNING (ACTION) SUB-COMMITTEE

An update regarding a Planning (Action) Sub-Committee resolution regarding application 22/03050/FUL former Virgin Media site at 280 Bartley Wood Business Park, Bartley Way, Hook.

7 DEVELOPMENT APPLICATIONS (Pages 14 - 19)

To consider the planning reports from the Executive Director - Place, and to accept updates via the Addendum.

8 22/01859/FUL - MARSH FARM, BOWLING ALLEY, CRONDALL, FARNHAM, HAMPSHIRE, GU10 5RJ (Pages 20 - 64)

9 23/01662/TPO - BROOMHILL, EWSHOT, FARNHAM, HAMPSHIRE, GU10 5BE (Pages 65 - 67)

Date of Publication: Tuesday 5 December 2023

PLANNING COMMITTEE

Date and Time: Wednesday 11 October 2023 at 7.00 pm

Place: Council Chamber

Present:

Quarterman (Chairman), Oliver (Vice-Chairman), Blewett, Butcher, Cockarill, Kennett, Makepeace-Browne, Southern and Wildsmith

In attendance:

Councillor Worlock

Officers:

Katherine Fitzherbert-Green, Interim Development Management and Building Control Manager

Fehintola Otudeko, Shared Legal Services

Paul Cross, Senior Tree Officer

Aimee Harris, Senior Planner

Jenny Murton, Committee and Member Services Officer

31 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 13 September 2023 were confirmed and signed as a correct record.

Proposed by Councillor Quarterman and seconded by Councillor Oliver.

32 APOLOGIES FOR ABSENCE

Apologies had been received from Councillor Radley. Councillor Worlock was attending virtually.

33 DECLARATIONS OF INTEREST

No declarations made.

34 CHAIRMAN'S ANNOUNCEMENTS

The Chairman had the following announcements:

- The Planning Enforcement Sub-Committee which was due to be held on 18 October has been cancelled as there were no items requiring a decision. The Interim Development Management and Building Control Manager confirmed that an update on current live cases is hoped to be sent to all Members of the Planning Committee by 20 October.

- The latest Planning engagement evening with Parish and Town Councils took place on Wednesday 4 October. This was well attended and the next one will be in January 2024.
- On Monday 25 and Thursday 28 September Dr Stefan Kruczkowski provided urban design training to some Members of Planning Committee and officers, and focused on the framework 'Building for a Healthy Life'. This included a tour of a number of completed sites in Odiham, Risley, Hartley Wintney and Edenbrook. A similar tour of completed sites is expected to be held again in the Spring of 2024. The Chairman highlighted that next time, greater notice is hoped to be given.
- The Queen Elizabeth Barracks Transport Steering Group met on Monday 11 September and the minutes are due to be published with the next Planning Committee agenda.
- November's Planning Committee meeting will be chaired by Vice-Chairman of Planning, Councillor Oliver.

35 DEVELOPMENT APPLICATIONS

The planning reports from the Executive Director, Place were considered and the updates via the Addendum report were accepted.

36 23-01964-S106 - MIDDLE OF THE WORLD FARM, VICARAGE LANE, HOUND GREEN, HOOK, HAMPSHIRE, RG27 8TE

The Senior Planner summarised that the application is a request to discharge a legal agreement relating to the planning application, referenced 03/00812/FUL granted planning permission on 22 December 2003.

Members had no questions for the Senior Planner.

Members questioned how the Council monitors if these conditions are being compiled to and respected. The Development Management and Building Control Manager confirmed that like other conditions, it would only be investigated if it is brought to the Council's attention. She highlighted that all planning decision notices are on the Council's website www.hart.gov.uk

Members debated:

- If Parish Councils could help and be notified if certain new conditions are made in their area. The Interim Development Management and Building Control Manager confirmed that they currently do not notify parish councils directly, but this suggestion would be considered.
- The periods of time from when breaches of development are immune from action. This application relates to 10 years as a breach of condition, but others are four.

Shared Legal Services agreed that if the Authority does not know about the breach it would not investigate.

Councillor Southern proposed the officer's Recommendation and this was seconded by Councillor Wildsmith.

The Committee undertook a recorded vote which was unanimous and APPROVE was carried.

DECISION - APPROVE

Notes:

There were no speakers and no site visit by Members.

37 ORD/23/00006 - LAND ADJACENT TO COVE ROAD, COVE ROAD, FLEET - THE DEMARA, WOODSIDE, DAPPLEWOOD, KONNIKI AND SILVERLEA

The Senior Tree Officer summarised the application as an Area Tree Preservation Order.

He updated the Committee that since publication of the officer report, the Provisional Tree Preservation Order has been modified to split Group 1 into two groups, now Group 1 and Group 6 following the removal of six Holly trees and one Scots Pine from the Order. These trees are located within the curtilage of Woodside, outside of the area subject to potential threat from development therefore it is not expedient to include the trees within the Order.

Because of the reduced site area, the title of the Order is additionally amended from 'Land at Woodside, Southwood, Konniki and Silverlea' to 'Land at Southwood, Konniki and Silverlea'.

The Committee were shown photographs of the site.

There were no questions for the Senior Tree Officer.

Members debated:

- If the trees had physically been visited by officers - the Senior Tree Officer confirmed they had.
- The condition of the trees and if they had any diseases or minor structural defects.
- The impact on the Tree Preservation Order considering that a previous planning application within this site was previously refused and is now at an Appeal stage.

Councillor Wildsmith proposed the officer's Recommendation, and this was seconded by Councillor Butcher.

The Committee undertook a recorded vote which was unanimous and CONFIRMED WITH MODIFICATIONS was carried.

DECISION – that having taken into consideration the representation received, that Tree Preservation Order ORD/23/00006 is CONFIRMED WITH MODIFICATIONS.

Notes:

There were no speakers and no site visit by Members.

The meeting closed at 7.21 pm

QEB TRANSPORT STEERING GROUP

Meeting notes

Date and Time: Monday 11 September 2023, 10:00

Place: Committee Room 1, Hart District Council

Present:

Hart District Council

Cllr Alan Oliver (Chair)	- AO
Cllr Wendy Makepeace-Browne	- WMB
Mark Jaggard (Executive Director – Place)	- MJ
Katherine Fitzherbert-Green (Interim Development Management & Building Control Manager)	- KFG
Rachel Poulter (Planning Projects Officer)	- RP
Emma Evans – Notes	

Hampshire County Council

Cllr Stephen Parker	- SP
Cllr Bill Withers	- BW
Hayley Thorn (Transport Team Leader)	- HT
Martin Gibson (Strategic Transport Manager)	- MG
Tracey Haskett	- TH

Church Crookham Parish Council

Cllr Peter Collings	- PC
Cllr Gareth Saunders	- GS

Apologies

Cllr James Radley

Item		Action
1.0	<p>Introductions</p> <p>The attendees introduced themselves. One apology was received from Cllr James Radley.</p>	
2.0	<p>Notes from the last meeting</p> <p>The notes were agreed as an accurate record.</p>	

<p>3.0</p>	<p>Matters Arising</p> <p>Section 3 (Action 2): It was noted that although several versions of the funding breakdown were circulated but that a final version was not received.</p> <p>ACTION - To circulate the final list of expiry dates for funds.</p> <p>Section 3 (Action 1): The Transport Team Leader explained that further information had been requested from the HCC Arboriculture Team, but they had been unable to provide a breakdown of the £204,000 spend of trees. It was stated that the question whether this was a legitimate spend of s106 monies remains. A District Councillor urged HCC to improve record keeping in relation to the QEB funds.</p> <p>ACTION – HT to forward the details of the enquiries to the County Councillors to pursue further and update the group as necessary.</p> <p>Section 4 (Action): The Transport Team Leader has circulated a link to the new replacement trees policy. It was recommended that the complex policy be read in its entirety.</p> <p>The group wishes to know how this policy affects the Norris Hill development specifically. A County Councillor informed the group that it has been challenging dealing with the Ministry of Defence in relation. It was explained that the scheme costs have increased since initial agreement with the developers, also that negotiations on deviance from policy were taking place for other areas of the scheme. The Executive Director – Place queried why the policy appears to be being applied retrospectively as this is adding significantly to the cost.</p> <p>ACTION – County Councillors agreed to establish how the application of the tree policy is affecting the Norris Hill development and report back to the group.</p> <p>A Church Crookham Parish Councillor expressed his frustration at their council not being invited to previous meetings and not receiving the relevant documentation. The Councillor also questioned how a scheme for the Hartland Village area was benefiting the residents of Church Crookham.</p> <p>The Executive Director – Place stated that no QEB funds are allocated for the Norris Hill development.</p> <p>A Church Crookham Parish Councillor noted the extended period between initial consultation with parishes in 2015 and then none until 2023. The group discussed how evidence was gathered for schemes in relation to the impact on QEB area residents and the wider effect on areas such as the train station and town centre.</p>	<p>3.1 HT</p> <p>3.2 HT and SP/BW</p> <p>3.3 SP/BW</p>
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	<p>Section 6 (Action 1): The list of available s106 funding was circulated after the January Steering Group. ACTION - To recirculate the list of available s106 funding to all attendees.</p> <p>Section 6 (Action 2): A County Councillor confirmed that most roads around Naishes Lane were still in Taylor Wimpey ownership apart from between Sandy Lane and Leipzig Road and the pinch points which are maintained by HCC. A Hart District Councillor queried whose responsibility it was to replace damaged street furniture. HCC confirmed it was Taylor Wimpey's. A Hart District Councillor questioned if HCC could adopt the roads and how is the Parish Council involved. A Church Crookham Parish Councillor confirmed that they had been working tirelessly to ensure Taylor Wimpey met their duties with little success.</p> <p>ACTION – A meeting would be arranged between HCC, HDC and CCPC Councillors to agree a way forward with Taylor Wimpey.</p> <p>Section 7 (Action): The costings spreadsheet for Fleet to be recirculated to all attendees.</p> <p>Section 8 (Action): The date of the last traffic survey was confirmed as in March 2023. Previously conducted in 2022 and 2021 with a baseline in 2017. The group requested that the survey results be shared with HDC and CCPC.</p> <p>ACTION – Traffic survey results to be shared with HDC and CCPC.</p>	<p>3.4 HT</p> <p>3.5 WMB</p> <p>3.6 HT</p> <p>3.7 HT</p>

4.0**Fleet and Surrounding Areas Transport Schemes Update**

The Transport Team Leader gave a presentation outlining the decision report outlining the shortlist of schemes that are being taken forward for further study. The scheme development and delivery process were discussed. Questions were asked about the decision-making process. It was confirmed that all the schemes are currently in the concept assessment/feasibility phase. Parish Councils are usually involved at the preliminary design stage.

Potential transport schemes**1. Installation of pedestrian crossings on Reading Road South**

2 possible locations have been identified at Florence Road and Haywood Drive/Velmead Road. Speed surveys are being conducted on 13/14 September to inform a feasibility study.

A District Councillor highlighted that this has been discussed for 10 years and that he had previously been advised that a light-controlled option was not possible. All options will be considered, but that a parallel or zebra crossing were the most likely options.

A County Councillor stated that the Local Cycling and Walking Infrastructure Plan (LCWIP) should empower us to deliver more ambitious projects to support community needs.

2. Improved walking and cycling routes on Hitches Lane between Elvetham Road roundabout and Emerald Avenue roundabout

The whole route is being assessed, the option of widening the footway to include shared usage is being considered. The expense of the removal of trees was discussed. A Parish Councillor questioned the justification of using QEB funding at this location. It was confirmed that these works were partially funded from the Hareshill development and that the justification of QEB fund usage in this instance relates to the mitigation of an increase in traffic across a wide area resulting from the development.

3. Improved walking and cycling links between Church Crookham and Calthorpe Park School

The project is in the very early stages, possible route options are being considered, there is no obvious easy option. Data already held is being examined to inform a focused feasibility study, A District Councillor emphasised the need to include previous analysis of Gally Hill Road. It

was acknowledged that crossing the canal was the key difficulty and that a 100% route may not be possible. No timescales have been set but this is a priority project.

4. Banning right turns from the supermarket on Beacon Hill Road and the petrol station on Reading Road South

The project is at the design assessment stage. It was stated that the quickest and easiest option would be to reinstate a large sign on existing infrastructure combined with a traffic order.

5. Safety improvements at the Albert Street, Clarence Road and Connaught Road junctions with Upper Street

A County Councillor advised that the initial conclusions that could be drawn from the existing data were that the issues were arising from excessive speed and traffic flow problems. This project is now moving to the feasibility stage. The area will be looked at as a whole and in conjunction with the work on the Fleet station area to maximise the opportunities from both schemes. A District Councillor stated that the use of QEB s106 monies should be considered fully and that the very residential nature of the area could mean that options may be unpopular. Options including one-way sections, physical blocks were discussed that could reduce the flow of traffic.

6. Safety improvements at the junction of Tweseldown Road and Beacon Hill Road

The scheme is moving to the site development team shortly.

7. Review of traffic arrangements and pedestrian crossing facilities on the approach to Fleet Station

The project is ongoing, the initial assessment with preliminary design is for light touch measures. The aim is to improve pedestrian access to the station focusing on entrance to the business park. There was much support for improvements with a District Councillor highlighting the need for any works not to impact further up Fleet Road.

8. Installation of a pedestrian crossing on Hitches Lane to enable crossing between the Hart Leisure Centre and Calthorpe Park School

Preliminary designs have been produced however stakeholders have been unable to agree on an exact location for the crossing. The school want to move the crossing further up the road away from the roundabout. It was clarified that this is a separate scheme to the Hareshill funded crossing but that the two schemes needed to work together. The safety of the children was of paramount importance. A District Councillor emphasised that expectations were that the crossing would support children

	<p>being dropped in the Leisure Centre car park and then crossing to the school. If the crossing is moved up the road it would not support the wider Green Grid or LCWIP programmes. The funding for the scheme is made up of £150K QEB funds and £250K from the Active Travel Fund Tranche 4 (Department for Transport).</p> <p>ACTION – Stakeholder group to be arranged.</p> <p>The Steering Group stated its clear preferences in relation to the pedestrian crossing on Hitches Lane (school).</p> <ul style="list-style-type: none"> • The crossing should be nearer the roundabout. • This is to facilitate the drop off of children from Crookham park in the Leisure Centre car park and enable them to cross safely. • HCC and HDC Councillors need to be included in any discussions, specifically Cllrs Delaney and Forster. <p>ACTION - The Group asked for clarification on which scheme funds from the Hareshill development were being allocated to.</p> <p>A Parish Councillor raised safety concerns about children crossing Sandy Lane to access Church Crookham Juniors School. There is no longer a crossing patrol officer in place. Children and parents are crossing between the existing junior school and the infant's school (Tweseldown) that was built as part of the Crookham Park development. It was stated that a proper crossing between the two schools should have been put in place many years ago. The Steering Group agreed that a crossing would be supported by them, however, it cannot just be added to the list as this list has been agreed by Executive Decision. The group discussed the options available to move this forward.</p> <p>ACTION - It was agreed that HCC would look at a mechanism to progress this.</p>	<p>4.1 HT</p> <p>4.2 HT</p> <p>4.3 HT</p>
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<p>5.0</p>	<p>Update on S106 funds from QEB</p> <p>The Transport Team Leader provided an update on the QEB contributions held and spent to date.</p> <p>The funding is allocated in phases and for the most part is provisionally aligned to each phase. The Fleet Access Plan is a holding pot for funds pre-allocation. It was confirmed that none of the funding that had been allocated to transport projects has expired.</p> <p>A discussion took place around the need for a comprehensive and clear breakdown of what has been spent to date from each phase on all projects. The Transport Team Leader explained that the numbers would become more specific once projects entered the survey stage, they were keen not to limit or pre-empt design options by allocating arbitrary amounts.</p> <p>3 phases are due to expire in May 2026</p> <ul style="list-style-type: none"> • £500K, £287K left to spend. • £1M, £918K left to spend • £1.6M, allocated to Hitches Lane scheme <p>1 phase is due to expire in 2032, this is for £78K.</p> <p>ACTION – Circulate the breakdown of all QEB spend to all.</p>	<p>5.1 HT</p>
<p>6.0</p>	<p>Any Other Business</p> <p>The Executive Director – Place stated that the LCWIP consultation has now closed, the data is being collated and analysed by HCC and Sustrans. There was a very good response, and we are currently assessing if this will affect the previously agreed timeframe of end of 2023.</p>	
<p>7.0</p>	<p>The next meeting is scheduled for Monday 22 January 2024 – 2pm at Hart District Council, Civic Offices, Harlington Way.</p>	

Meeting ended at 12.00pm.



EXECUTIVE DIRECTOR - PLACE
REPORT TO THE PLANNING COMMITTEE OF
2023-24

1. INTRODUCTION

This agenda considers planning applications submitted to the Council, as the Local Planning Authority, for determination.

2. STATUS OF OFFICER'S RECOMMENDATIONS AND COMMITTEE'S DECISIONS

All information, advice, and recommendations contained in this agenda are understood to be correct at the time of preparation, which is approximately two weeks in advance of the Committee meeting. Because of the time constraints, some reports may have been prepared before the final date for consultee responses or neighbour comment. Where a recommendation is either altered or substantially amended between preparing the report and the Committee meeting or where additional information has been received, a separate "Planning Addendum" paper will be circulated at the meeting to assist Councillors. This paper will be available to members of the public.

3. THE DEBATE AT THE MEETING

The Chairman of the Committee will introduce the item to be discussed. A Planning Officer will then give a short presentation and, if applicable, public speaking will take place (see below). The Committee will then debate the application with the starting point being the officer recommendation.

4. SITE VISITS

A Panel of Members visits some sites on the day before the Committee meeting. This can be useful to assess the effect of the proposal on matters that are not clear from the plans or from the report. The Panel does not discuss the application or receive representations although applicants and Town/Parish Councils are advised of the arrangements. These are not public meetings. A summary of what was viewed is given on the Planning Addendum.

5. THE COUNCIL'S APPROACH TO THE DETERMINATION OF PLANNING APPLICATIONS

When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. This means that any discussions with applicants and developers at both pre-application and application stage will be positively framed as both parties work together to find solutions to problems. This does not necessarily mean that development that is unacceptable in principle or which causes harm to an interest of acknowledged importance, will be allowed.

The development plan is the starting point for decision making. Planning applications will be

determined in accordance with the development plan, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date the Council will seek to grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Local Plan taken as a whole; or
- Specific policies in the development plan indicate that development should be restricted.

Unsatisfactory applications will however, be refused without discussion where:

- The proposal is unacceptable in principle and there are no clear material considerations that indicate otherwise; or
- A completely new design would be needed to overcome objections; or
- Clear pre-application advice has been given, but the applicant has not followed that advice; or
- No pre-application advice has been sought.

6. PLANNING POLICY

The relevant development plan documents are:

- Hart Local Plan (Strategy & Sites) 2032, adopted April 2020,
- Saved Policies from the Hart Local Plan (Replacement) 1996-2006 (updated May 2020),
- Policy NRM6 (Thames Basin Heaths Special Protection Area) of the South East Plan (adopted May 2009),
- Hampshire, Portsmouth, Southampton, New Forest National Park and South Downs National Park Minerals and Waste Local Plan 2013,
- 'Made' Neighbourhood Plans for the following Parishes and Towns: Crondall; Crookham Village; Darby Green and Frogmore, Dogmersfield; Fleet; Hartley Wintney; Hook; Odiham and North Warnborough; Rotherwick; Winchfield, and Yateley.

Although not necessarily specifically referred to in the Committee report, the relevant development plan will have been used as a background document and the relevant policies taken into account in the preparation of the report on each item.

7. THE NATIONAL PLANNING POLICY FRAMEWORK AND PLANNING PRACTICE GUIDANCE

Government statements of planning policy are material considerations that must be taken into account in deciding planning applications. Where such statements indicate the weight that should be given to relevant considerations, decision-makers must have proper regard to them.

The Government has also published the Planning Practice Guidance which provides information on a number of topic areas. Again, these comments, where applicable, are a material consideration which need to be given due weight.

8. OTHER MATERIAL CONSIDERATIONS

Material planning considerations must be genuine planning considerations, i.e., they must be related to the purpose of planning legislation, which is to regulate the development and use of land in the public interest. Relevant considerations will vary from circumstance to circumstance and from application to application.

Within or in the settings of Conservation Areas or where development affects a listed building or its setting there are a number of statutory tests that must be given great weight in the decision-making process. In no case does this prevent development rather than particular emphasis should be given to the significance of the heritage asset.

The Council will base its decisions on planning applications on planning grounds alone. It will not use its planning powers to secure objectives achievable under non-planning legislation, such as the Building Regulations or the Water Industries Act. The grant of planning permission does not remove the need for any other consents, nor does it imply that such consents will necessarily be forthcoming.

Matters that should not be taken into account are:

- loss of property value
- land and boundary disputes
- the impact of construction work
- need for development (save in certain defined circumstances)
- ownership of land or rights of way
- change to previous scheme
- or matters that are dealt with by other legislation, such as the Building Regulations (e.g., structural safety, fire risks, means of escape in the event of fire etc.). - The fact that a development may conflict with other legislation is not a reason to refuse planning permission or defer a decision. It is the applicant's responsibility to ensure compliance with all relevant legislation.
- loss of view
- matters covered by leases or covenants
- property maintenance issues
- the identity or personal characteristics of the applicant
- moral objections to development like public houses or betting shops
- competition between firms,

The Council will base its decisions on planning applications on planning grounds alone. It will not use its planning powers to secure objectives achievable under non-planning legislation, such as the Building Regulations or the Water Industries Act. The grant of planning permission does not remove the need for any other consents, nor does it imply that such consents will necessarily be forthcoming.

9. PLANNING CONDITIONS AND OBLIGATIONS

When used properly, conditions can enhance the quality of development and enable development proposals to proceed where it would otherwise have been necessary to refuse planning permission, by mitigating the adverse effects of the development. Planning conditions should only be imposed where they meet all of the following tests:

- necessary;
- relevant to planning;
- Relevant to the development to be permitted;
- enforceable;
- Precise; and
- reasonable in all other respects.

It may be possible to overcome a planning objection to a development proposal equally well by imposing a condition on the planning permission or by entering into a planning obligation. In such cases the Council will use a condition rather than seeking to deal with the matter by means of a planning obligation.

Planning obligations mitigate the impact of unacceptable development to make it acceptable in planning terms. Planning obligations must only be sought where they meet all of the following tests:

- necessary to make the development acceptable in planning terms,
- directly related to the development, and
- fairly and reasonably related in scale and kind.

These tests are set out as statutory tests in the Community Infrastructure Levy Regulations 2010 and are reflected in the National Planning Policy Framework.

10. PLANNING APPEALS

If an application for planning permission is refused by the Council, or if it is granted with conditions, an appeal can be made to the Secretary of State against the decision, or the conditions. Reasons for refusal must be:

- Complete,
- Precise,
- Specific
- Relevant to the application, and
- Supported by substantiated evidence.

The Council is at risk of an award of costs against it if it behaves “unreasonably” with respect to the substance of the matter under appeal, for example, by unreasonably refusing or failing to determine planning applications, or by unreasonably defending appeals. Examples of this include:

- Preventing or delaying development which should clearly be permitted, having regard to its accordance with the development plan, national policy and any other material considerations.
- Failure to produce evidence to substantiate each reason for refusal on appeal.
- Vague, generalised or inaccurate assertions about a proposal’s impact, which are unsupported by any objective analysis.
- Refusing planning permission on a planning ground capable of being dealt with by conditions risks an award of costs, where it is concluded that suitable conditions would enable the proposed development to go ahead.
- Acting contrary to, or not following, well-established case law
- Persisting in objections to a scheme or elements of a scheme which the Secretary of State or an Inspector has previously indicated to be acceptable.
- Not determining similar cases in a consistent manner
- Failing to grant a further planning permission for a scheme that is the subject of an extant or recently expired permission where there has been no material change in circumstances.
- Refusing to approve reserved matters when the objections relate to issues that should already have been considered at the outline stage.
- Imposing a condition that is not necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects, and thus does not comply with the guidance in the NPPF on planning conditions and obligations.
- Requiring that the appellant enter into a planning obligation which does not accord with the law or relevant national policy in the NPPF, on planning conditions and obligations.
- Refusing to enter into pre-application discussions, or to provide reasonably requested information, when a more helpful approach would probably have resulted in either the appeal being avoided altogether, or the issues to be considered being narrowed, thus reducing the expense associated with the appeal.
- Not reviewing their case promptly following the lodging of an appeal against refusal of planning permission (or non-determination), or an application to remove or vary one or more conditions, as part of sensible on-going case management.
- If the local planning authority grants planning permission on an identical application where the evidence base is unchanged and the scheme has not been amended in any

way, they run the risk of a full award of costs for an abortive appeal which is subsequently withdrawn.

Statutory consultees (and this includes Parish Council's) play an important role in the planning system: local authorities often give significant weight to the technical advice of the key statutory consultees. Where the Council has relied on the advice of the statutory consultee in refusing an application, there is a clear expectation that the consultee in question will substantiate its advice at any appeal. Where the statutory consultee is a party to the appeal, they may be liable to an award of costs to or against them.

11. PROPRIETY

Members of the Planning Committee are obliged to represent the interests of the **whole** community in planning matters and not simply their individual Wards. When determining planning applications, they must take into account planning considerations only. This can include views expressed on relevant planning matters. Local opposition or support for a proposal is not in itself a ground for refusing or granting planning permission unless it is founded upon valid planning reasons.

12. PRIVATE INTERESTS

The planning system does not exist to protect the private interests of one person against the activities of another, although private interests may coincide with the public interest in some cases. It can be difficult to distinguish between public and private interests, but this may be necessary on occasion. The basic question is not whether owners and occupiers of neighbouring properties would experience financial or other loss from a particular development, but whether the proposal would unacceptably affect amenities and the existing use of land and buildings that ought to be protected in the public interest. Covenants or the maintenance/ protection of private property are therefore not material planning consideration.

13. OTHER LEGISLATION

Non-planning legislation may place statutory requirements on planning authorities or may set out controls that need to be taken into account (for example, environmental legislation, or water resources legislation). The Council, in exercising its functions, also must have regard to the general requirements of other legislation, in particular:

- The Human Rights Act 1998,
- The Equality Act 2010.

14. PUBLIC SPEAKING

The Council has a public speaking scheme, which allows a representative of the relevant Parish Council, objectors and applicants to address the Planning Committee. Full details of the scheme are on the Council's website and are sent to all applicants and objectors where the scheme applies. Speaking is only available to those who have made representations within the relevant period or the applicant. It is not possible to arrange to speak to the Committee at the Committee meeting itself.

Speakers are limited to a total of three minutes each per item for the Parish Council, those speaking against the application and for the applicant/agent. Speakers are not permitted to ask questions of others or to join in the debate, although the Committee may ask questions of the speaker to clarify representations made or facts after they have spoken. For probity reasons associated with advance disclosure of information under the Access to Information Act, nobody will be allowed to circulate, show or display further material at, or just before, the Committee meeting.

15. LATE REPRESENTATIONS

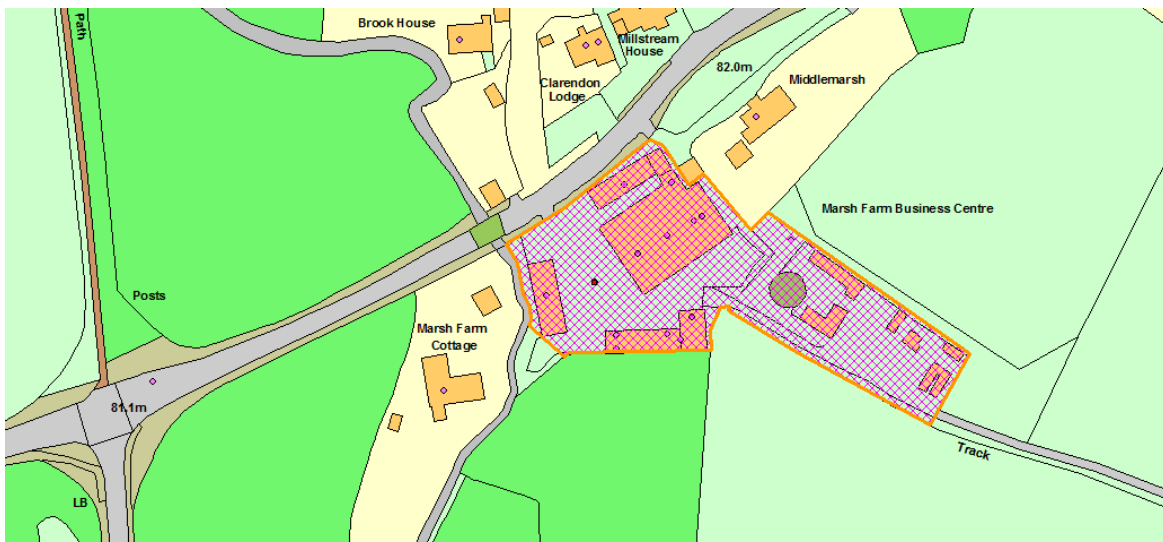
To make sure that all documentation is placed in the public domain and to ensure that the Planning Committee, applicants, objectors, and any other party has had a proper opportunity to consider further, or new representations no new additional information will be allowed to be submitted less than 48 hours before the Committee meeting, except where to correct an error of fact in the report. Copies of individual representations will not be circulated to Members.

16. INSPECTION OF DRAWINGS

All drawings are available for inspection on the internet at www.hart.gov.uk

COMMITTEE REPORT

APPLICATION NO.	22/01859/FUL
LOCATION	Marsh Farm, Bowling Alley, Crondall, Farnham, Hampshire, GU10 5RJ
PROPOSAL	Demolition of existing buildings and erection of 2 x 2-bedroom, 2 x 3 bedroom and 5 x 4-bedroom dwellings with associated works including relocated access to the public highway (Amended description of development).
APPLICANT	Forays Limited
CONSULTATION EXPIRY	14 November 2023
APPLICATION EXPIRY	21 July 2023
WARD	Odiham
RECOMMENDATION A	Subject to the completion of a Section 106 agreement to secure Suitable Alternative Natural Green Space (SANG) at Naishes Lane and payment of the Strategic Access and Management and Monitoring (SAMM) fee, permission be Granted subject to conditions.
RECOMMENDATION B	In the event that Council-owned SANG and relevant SAMM payment are not completed within 2 weeks OR private SANG is secured and a section 106 agreement and SAMM payment are not completed within 6 weeks of the date of the resolution to granted, or at timeframe as agreed by the Executive Director for Place, permission be REFUSED under delegated powers.



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BACKGROUND

This is a full planning application for the erection of nine dwellings. The application is brought to Planning Committee in accordance with the Council's Constitution (Appendix A 1a) due to the number of objections received and the officer's recommendation for approval. Consideration is additionally given to whether this proposal is a departure from the development plan (Appendix A 1c).

DESCRIPTION OF THE SITE

The application site extends across 0.49 hectares within a broad 'P' shaped plot, stretching southeast from Bowling Alley. The site is located to the south of Bowling Alley, which provides access from the A287 to Crondall.

The site is split into two parts. The northwestern portion contains former agricultural buildings now in commercial use fronting onto Bowling Alley, split over three blocks. The eastern end of the site sits at a higher level to the western portion and contains a stable block and storage containers. Informal parking is provided across the site upon hardstanding.

The site is demarcated to the public domain of Bowling Alley by trees and hedgerow sitting adjacent to a roadside drainage ditch with fencing behind. The remainder of the site is additionally enclosed by trees and hedgerow separating the site from woodland to the south, residential curtilages to the southwest and northeast and agricultural land to the remaining boundaries. The River Hart runs along the western side of the of the application site.

The surrounding area comprises dispersed detached residential properties sitting in good sized plots of differing designs and scale commensurate with the architectural period at the time of construction. Properties have elevations of brick, render, and with tile hanging sitting under pitched tiled roofs.

PROPOSAL

The application seeks planning consent for the demolition of the existing buildings and the erection of two 2-bedroom, two 3 bedroom and five 4-bedroom properties, a total of nine dwellings. The proposals include relocation of the access to the public highway to sit broadly central across the highway frontage.

The proposed development has been amended during the course of the application process, with change including a decrease in site area and a change to the mix of proposed dwellings.

RELEVANT PLANNING HISTORY

20/01439/PREAPP - Erection of 12 no. dwellings and associated works. Opinion Issued 03.11.2020

19/00706/PRIOR - (Unit 3) - Notification of Prior Approval for the Change of Use from office (class B1(c)) to residential (class C3) to provide two 3-bedroom dwellings. Prior Approval Given 03.06.2019

18/02864/PRIOR - Units 1 and 2 - Notification for Prior Approval for a Change of Use from premises in Light Industrial Use (Class B1 (c)) and any land within its curtilage to dwellinghouses (Class C3). Prior Approval Given 13.02.2019

18/02863/PRIOR - Units 4, 5 and 6 - Notification for Prior Approval for a Change of Use from premises in Light Industrial Use (Class B1 (c)) and any land within its curtilage to dwellinghouses (Class C3). Prior Approval Given 13.02.2019

18/02862/PRIOR - (Unit 3) - Notification for Prior Approval for a Change of Use from premises in Light Industrial Use (Class B1 (c)) and any land within its curtilage to dwellinghouses (Class C3). Prior Approval Refused 13/2/2019

05/00217/AMCON - Use of other than in association with the residential occupation of Marsh Farm Bungalow (relief from condition 1 of planning appeal decision reference T/APP/C/97/N1730/647772-3). Refused 06.04.2005

96/00933/COU - Change of use of stables to B1(c) use (Light Industry).
Granted 03.03.1997

95/00768/LDCEX - The use of land for hardstanding for storage of forage, agricultural vehicles and machinery, vehicles related to equestrian business, area for the walking of horses and equipment. Withdrawn 16.05.1996

95/00446/COU - Change of use to B1 (c) and poodle parlour. Refused 31.07.1995
Appeal allowed 23.04.1998

94/00200/COU - Change of use to B1 (c) and poodle parlour. Refused 15.02.1995

93/22344/FUL - Replacement Stables. Granted 21.04.1993

92/21396/FUL - (Unit 1) - Change of Use of Building to Class B1(c) Use.
Granted 22.12.1994

91/21170/FUL - (Units 2,3,4 and 5) – Change of use of buildings to class B1 (c) use.
Withdrawn 18.12.1991

91/20523/FUL - (Unit 1) – Change of use of building to Class B1(c) use.
Refused 06.09.1991

91/20524/FUL - (Units 2,3,4, & 5) - Change of use of buildings to Class B1(C) Use.
Refused 06.09.1991

Enforcement Planning History

An Enforcement Notice was issued in May 1995 relating to a change of use of agricultural buildings to a Class B1 use and poodle parlour. The same appeal decisions (APP/C/95/N1730/638999, 639080 and 639181) considered a refusal of planning permission. The Enforcement Notice was corrected and quashed therefore granting permission for a change of use of an agricultural building on the southern boundary. The permission also stated that space must be laid out within the site for thirty-two vehicles in accordance with details shown on the site layout plan for 95/00446/COU. These spaces appear to be at the front of the site. Further parking is provided elsewhere within the site boundary.

Two further Enforcement Notices were issued on the 22 May 1997 which form the most recent planning history for the site. The Notices were appealed (PINS ref: T/APP/C/97/N1730/647772-5) and the appeals determined on the 11 February 1998. One notice related to the erection of a block of stables; the Notice was quashed subject to the conditions that the stables only be used for the benefit of the residential occupier of Marsh Farm bungalow and no external lighting should be installed.

Paragraph 9 of the appeal decision sets out that the appeals on this ground are on the basis that the buildings would be permitted development if used solely for agriculture. The buildings are designed and used primarily for stabling horses and not within the definition of agriculture therefore required planning permission. Paragraph 12 stated that the Appellant trained equestrian teams and the horse were kept for that purpose.

The second Enforcement Notice related to change of land use from agricultural land to a hard surface area used for vehicle parking. The Notice was upheld at appeal with corrections and required cessation of the use of the land for the parking of vehicles other than in connection with the use of Marsh Farm for agriculture or with the use of the land for the keeping of horses.

An overlay of the plan that accompanies the 1997 Enforcement Notices and the application site has been provided. This shows the Enforcement Notice to relate to the land where the stables are currently located and approximately 15.5 metres to the east.

RELEVANT PLANNING POLICY

Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant Development Plan for the District includes the Hart Local Plan (Strategy and Sites) 2032 (HLP32), saved policies from the Hart Local Plan (Replacement) Saved Policies 1996-2006 (HLP06), Saved Policy NRM6 of the South-East Plan 2009 (SEP) and Crondall Neighbourhood Development Plan (CNP) 2017- 2032 made in May 2021.

The National Planning Policy Framework (2023) sets out a presumption in favour of sustainable development. For decision-taking on individual proposals, at paragraph 11d it sets out the scenarios where this presumption is disapplied, including where the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (this includes habitats sites and designated heritage assets).

Hart Local Plan (Strategy and Sites) 2016-2032 (HLP32)

Policy SD1 - Sustainable Development
Policy SS1 - Spatial Strategy and Distribution of Growth
Policy H1 - Housing Mix: Market Housing
Policy H2 - Affordable Housing
Policy H3 – Rural Exception Sites
Policy H6 - Internal Space Standards for New Homes
Policy ED2 - Safeguarding Employment Land and Premises (B - Use Classes)
Policy NBE1 - Development in the Countryside
Policy NBE2 - Landscape
Policy NBE3 - Thames Basin Heaths Special Protection Area
Policy NBE4 - Biodiversity
Policy NBE5 - Managing Flood Risk
Policy NBE8 – Historic Environment
Policy NBE9 - Design
Policy NBE10 – Renewable and Low Carbon Energy
Policy NBE11 - Pollution
Policy INF1 - Infrastructure
Policy INF2 - Green Infrastructure
Policy INF3 – Transport

Hart Local Plan (Replacement) 1996 - 2006 Saved Policies (HLP06)

Policy GEN1 - General Policy for Development
Policy CON8 - Trees, Woodlands & Hedgerows: Amenity Value

South East Plan 2006 - 2026 (SEP)

Saved Policy NRM6 - Thames Basin Heaths Special Protection Area

Crondall Neighbourhood Plan 2017- 2032 (May 2021) (CNP)

Policy 1 - Spatial Plan
Policy 2c - CRON 22 Marsh Farm
Policy 2d - Thames Basin Heaths Special Protection Area
Policy 3 - Good Design
Policy 6 - The Natural Environment

Other Material Considerations

National Planning Policy Framework (NPPF) (2023)
National Planning Practice Guidance (PPG)

National Design Guide (NDG)
Thames Basin Heaths Special Protection Area Delivery Framework (2009)
Hart District Council Planning Technical Advice Note: Cycle and Car Parking in New Development (August 2022)
Hart District Planning Technical Advice Note: Biodiversity Hart District Landscape Assessment (HDLA,1997)
Hart Landscape Capacity Study (HLCS)
Hart's Strategic Flood Risk Assessment 2016
Hart's Climate Change Action Plan
Hart's Equality Objectives for 2021-2023

CONSULTEE RESPONSES

Crandall Parish Council

Comments of 30 October 2023 - 'Objection on the basis that housing mix is not in accordance with Neighbourhood Plan Policy 2c CRON 22 Marsh Farm and that CPC would prefer to see a housing mix of:

- 2 x 2 bed
- 5 x 3 bed
- 2 x 4 bed

Comments of 29 June 2023 'Objection: On the basis that housing mix is not in accordance with Neighbourhood Plan Policy 2c CRON 22 Marsh Farm and that CPC would prefer to see a housing mix of: 2 x 2 bed 5 x 3 bed 2 x 4 bed.'

Comments of 30 September 2022 - 'Objection on the basis that housing mix is not in accordance with Neighbourhood Plan Policy 2c CRON 22 Marsh Farm.'

Environment Agency (EA)

Comments of 09 November 2023 - Due to resourcing issues the EA are currently behind reviewing consultations. Aim to respond in 8-10 weeks.

Officer Note: The EA have been updated that the planning application is to be reported to the December Planning Committee and highlighted their consultation response earlier in the year and the reduction in site area immediately adjacent to the river.

Comments of 05 July 2023 - No objection subject to a condition being imposed. This development is covered by flood risk standing advice (FRSA) being more vulnerable shown to be in flood zone 2. The EA note that although the site is in flood zone 2, it doesn't mean the flood risk is limited to this event. The flood map for planning the flood zones are derived from Jflow, there is no detailed modelling available for the River Hart. Jflow does not consider the channel or any structures. There is a culvert or bridge adjacent just downstream of the site which is not considered. This may mean that the true flood risk to the site is unknown, and the site could potentially be at risk from more frequent flood events with a greater extent than currently shown in the flood map for planning. However, the EA understand FRSA applies to this development.

The EA previously objected based on the development being 2 metres away from the main river where we asked for the development to be moved away from the river.

The revised information shows that the footprint of the development has been moved further away from the river as requested and will sit 8 metres away from the top of bank. The garden of plot 4 and the parking area is situated within the 8 metres buffer. Plots 3 and 4 are revised to be 2-bedroom dwellings instead of three-bedroom dwellings.

The FRA section 5.1 confirms that existing ground levels will be maintained. The EA recommends a condition that the built development is 8 metres away from the top of bank and existing ground levels will be maintained especially within the 8 metres zone.

The EA concludes that the proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if the following planning condition is included.

Walls and fences can have a significant impact on the flow and storage of flood water, especially if they are constructed across a flood flow route. This can lead to higher levels of flood water on the upstream side of the fence or wall which will potentially increase the flood risk to nearby areas. Therefore, walls and fences should be permeable to flood water.

The EA recommend the use of post and rail fencing, hit and miss fencing (vertical slats fixed alternately on each side of horizontal posts) or hedging. If a solid wall is proposed there must be openings below the 1% annual probability (1 in 100) flood level with an appropriate allowance for climate change to allow the movement of flood water. The openings should be at least 1 metre wide by the depth of flooding and there should be one opening in every 5-metre length of wall.

Officer Note: Description of development refers to the previous description of development, but the text refers to the latest drawing.

Comments of 04 October 2022 – Objection.

The proposed development falls within Flood Zones 1 and 2 which is land defined in the PPG as being at low and medium risk of flooding respectively. The proposal site is immediately adjacent to the River Hart (Statutory designated Main River) and the application includes development within 8 metres of the top of the bank of this watercourse.

Objection as it involves works within 2 metres of a watercourse designated as a main river. As submitted, it is unlikely that we would grant a flood risk activity permit for this application.

The proposed development may restrict essential maintenance and emergency access to the watercourse. The permanent retention of a continuous unobstructed area is an essential requirement for future maintenance and/or improvement works. The proposed development may obstruct flood flows, thereby increasing the risk of flooding to neighbouring properties. The proposed development is likely to adversely affect the construction and stability of the embankment which will compromise its

function. The proposal will therefore increase the risk of flooding to neighbouring properties and the site itself. The building/structure may interfere with natural geomorphological processes and could be placed at risk of damage arising from channel migration/erosion. The proposal is therefore not in line with paragraphs 167 and 174 of the NPPF.

In order to overcome the EA objection, the development should be redesigned such that built development is set further back from the top of the riverbank. The EA would expect at least a 4-metre distance between top of bank and the development. The EA would like to see the development 8 metre away from the top of bank. Otherwise, an assessment to show that building within 2 metres of the top of bank will not affect the stability or integrity of the bank during construction or after the development has been built, will need to be provided. We would like to advise any fencing proposed would need to be permeable to flood waters.

Further information on Flood Risk Standing Advice and Environmental Permits is provided.

Hampshire County Council (Highways) (Local Highway Authority (LHA)

Comments of 24 October 2023

Aware of June 2023 consultation response, which confirmed the LHA had no objection subject to a revised visibility splay drawing. Such drawing has been provided and reviewed and is acceptable subject to conditions and a Note to Applicant.

Comments of 15 June 2023

The only issue outstanding from the LHA's previous response was confirmation of the 85th%ile speed of approaching traffic. This information has now been provided and the Consultant has carried out the appropriate calculation to the satisfaction of the Highway Authority. The visibility splay to the right/traffic side of the access, towards the northeast needs to be marginally amended so that it is tangential to the edge of carriageway to ensure all the carriageway is forward of the visibility splay line.

It is recommended any new planting is provided a minimum of 1m. behind the visibility splay lines and at no point on the existing highway.

The level of the development is below the threshold for which the LHA would expect the on-site access works to be adopted. The layout confirms this and if offered is unlikely to be acceptable to the Highway Authority.

Subject to an amended visibility splay drawing and details of the planting scheme being amended if necessary to comply with the above and the following conditions and note to the applicant the Highway Authority have no objection to this proposal.

The LHA recommends that conditions be imposed requiring the submission of Construction Traffic Management Plan, a condition on the provision of the visibility splays, a condition limiting use of a gate at the proposed new access, requiring the existing access to be closed before the new access and details of turning for refuse vehicles to be provided.

Comments of 26 October 2022 - Objection

The LHA considered the trip information provided and was satisfied that this development would not have a significant impact on the operation of the local highway network in terms of traffic generation. The LHA highlight that parking is for consideration by HDC.

The LHA set out the Technical Guidance for visibility splays on a 40-mph road. The proposal was lower than the guidance. A speed survey was requested to calculate the required visibility splays in the interests of highway safety.

Holding Objection until the requested information was provided and reviewed.

Natural England

Comments of 27 October 2023 - Refer to response dated 16.09.2022

Comments of 08 June 2023 - Refer to response dated 16.09.2022.

Comments of 16 September 2022 - Thames Basin Heaths Special Protection Area (TBH SPA): No objection to appropriate mitigation being secured.

Drainage (Internal)

Comments of 22 November 2023 - No objection subject to conditions

Since the earlier response the layout of the site has been altered but the Drainage Assessment has not been updated to reflect the changes to the proposed development. Conditions are recommended to ensure the surface water drainage for the site is reconsidered and a suitable drainage strategy is developed for the development, reflects concerns regarding the foul drainage and ensure that all options for foul water discharge are reviewed before a solution is determined.

Comments of 06 October 2022

No objection subject to a condition relating to the development being carried out in accordance with the submitted Flood Risk and Drainage Assessment.

Ecology (Internal)

Comments of 02 November 2023 - No further comment relating to the amended plans and proposals on the grounds of biodiversity.

Comments of 30 June 2023 - No further comments refer to original consultation response.

Comments of 27 September 2022 -

Thames Basin Heaths SPA - The proposed development is located within the zone of influence (i.e. Located between 400m and 5km away from) Bourley & Long Valley Site of Special Scientific Interest (SSSI) which forms part of the Thames Basin Heaths Special Protection Area (TBH SPA). TBH SPA is designated for its populations of internationally important ground nesting birds, which can be impacted by recreational

disturbance associated with an increase in residential development within the zone of influence. Therefore, it will need to comply with Policy NBE3 and the TBH SPA avoidance and mitigation strategy.

Bats - The submitted Ecology Report considers that there is negligible potential for bats in the properties, with no evidence found within the buildings of bats, or of other protected species within the wider site. There is no requirement for a European Protected Species Licence in this case providing the works are carried out in line with best practice. The Council's Ecologist supports the approach.

No objection on the grounds of biodiversity subject to a condition to compliance with the submitted Ecology report.

Environmental Health (Internal) (EH)

Comments of 19 October 2023 - No further comments to make on this planning application, apart from those submitted previously on 12.06.23

Comments of 12 June 2023 - No objection subject to a contaminated land condition.

The application is accompanied by a Phase 1 Desk Study, considering the report findings and intended use for the site, EH recommends a condition requiring the submission of a detailed contaminated land report to assess potential contaminants has been prepared, submitted and agreed in writing with the Local Planning Authority in accordance with the 3-stage strategy.

Radon - Contrary to section 2.6 of the Phase 1 Desk Study Report, the UK maps have since been updated, and are available here: <https://www.ukradon.Org/information/ukmaps>. When new buildings are constructed in high radon areas, the Building Regulations require that protective measures be taken against radon entering the building. Depending on the probability of buildings having high radon levels, the Regulations may require either: No protective measures, Basic protective measures, or Full protective measures. As the updated available radon maps have indicated, the site is located within a location such that basic protection measures may likely be required.

Private Sewerage Treatment Plant - EH does not support the use of private sewage treatment plants unless there is no viable alternative or reasonable prospect of connecting to the public sewer network. If the system is not emptied, maintained or serviced for extended periods of time it may be at risk of polluting the environment with untreated sewage.

It is recommended that the Applicant check with the EA if a new environmental permit is required for the creation of the sewerage treatment plant.

The EHO recommends in view of the proposed development works and nearby residential premises, an hours of construction condition and a site-specific Construction Management Plan.

Comments of 08 September 2022 - No objection, subject to conditions including construction hours due to noise and a site-specific Construction Management Plan. Considering the report findings and intended use for the site a standard contaminated land condition is recommended.

Trees (Internal)

Comments of 25 August 2023

Before being in a position to fully evaluate a realistic shade assessment will need to be submitted as it would appear that plots 5 and 6 will be permanently shaded by woodland trees to the south. Similarly plots 8 and 9 will be impacted by a group of trees identified as G12.

There are concerns over the loss of trees aligning the northwest boundary of the site and lack of opportunity to mitigate loss to help soften the built form and provide screening to plots 3 and 4. Similarly there are concerns about tree loss (not specific to the loss tree species i.e. of Leyland cypress) to the east and south of plot 7.

Scaled – cross section construction diagrams of intended of current and planned hard surfaces to be introduced in the root protection areas of trees have not been provided so their impact cannot be currently assessed.

The tree protection plan will need to be updated to include existing and proposed overhead and underground utility services including associated structures (e.g. manhole covers, meters, access points, vertical supports) so their impact upon on/off site trees can be assessed.

Comments of 03 October 2022

The submitted documents provide a fair and accurate reflection of trees present on the site. This includes retention of a group of good quality oak (G12) with utilisation of the existing hard surfacing for site access and reasonable spatial separation from nearby plots 8 and 9.

Question the misplaced retention of poor quality (category C, 10 years retention value) Leyland cypress and willow to the eastern boundary and other similarly poor specimens to the roadside. This is likely to result in a poor-quality environment in the long term and would result in a missed opportunity for replacement with better trees in these areas that could form the long-term amenity with a longer retention span.

There is some hint of new planting on the submitted site layout, but this is not reflected in the tree information or Tree Protection Plan.

Concern also arises from proximity of G8 and the need for extreme pruning/partial group removal to achieve the proposed site layout. Again, better here to consider robust replanting as a strategy approach rather than a requirement for tree works, outside the realm of reasonable practice, leaving a somewhat ugly view of disfigured retained specimens in this area.

The loss of trees through inappropriate tree work presents a risk of future tree loss, as does future pressure from proximity. In addition, the retention of poor specimens rather

than developing a strategy of improving the green environment is considered an incorrect approach.

As such the proposals fail to demonstrate that harm to trees will be suitably mitigated and thus, a HOLDING OBJECTION is raised pending receipt of updated tree information that shows a suitably revised site layout with provision of robust new planting with adequate soil volumes to ensure trees reach independence in the landscape.

Streetcare Officer (Internal)

Comments of 31 October 2023

The Bin Collection Point (BCP) for plots 8 and 9 should be relocated to a point closer to where the refuse collection vehicle would stop on the spine road. As a minimum, in-between plots 6 and 7 to ensure the minimum possible distance for the bins to be wheeled by the collection operatives is achieved. The current proposed location is not in-between plots 6 and 7 as originally requested. All bins should be in clear view of the closest point of the highway that the Refuse Collection Vehicle can access.

Comments of 03 July 2023

The Council operate a kerbside waste collection service. This is operated via wheeled containers, which must be left adjacent to the nearest adopted highway for collection on the specified waste collection day. The proposed development will be required to leave wheeled containers on the spine road for collection by 0600hrs (May-August) and 0630hrs (September-April) on the specified collection day and removed from the bin collection point and returned back to the property as soon as possible following collection.

Plots 8 & 9: The specified bin collection point should be sited at the nearest point to which the Refuse Collection Vehicle (RCV) can reach. As the swept path indicates the RCV can only access the spine road at plots 1-7. The Streetcare Officer suggests the bin collection point should be sited closer to this point between plots 6 & 7.

Comments of 09 September 2022

The Joint Waste Client Team has major reservations, which must be addressed prior to approval:

- 1 - There is no Swept path provided for a 26 tonne Refuse Collection Vehicle (RCV).
- 2 - It is unclear where plots 1-7 will place their waste containers for collection.
- 3 - It is unclear whether the site is private land and whether the surface is suitable a 26 tonne RCV.

Until these points are addressed, the Joint Waste Client Team will not support waste collection services from the proposed site.

Hart District Council operates a kerbside waste collection service. This is operated via wheeled containers, which must be left adjacent to the nearest adopted highway for collection on the specified waste collection day. The proposed development will be required to leave wheeled containers on the spine road running through the development for collection by 0630hrs on the specified collection day and removed

from the highway and returned back to the properties as soon as possible following collection

PUBLIC COMMENTS

The first round of consultation received five public objections setting out concerns (in summary) relating to:

- Potential support but have concerns.
- Amount of development.
- Impact on character of the area (loss of openness).
- Insufficient visitor car parking.
- Safe pedestrian access to Crondall
- Increase in traffic
- Lack of pavement on Bowling Alley and speed of traffic along road.
- Proximity of Plot 4 to river and impact on flooding.
- Loss of trees.
- Boundary Treatments.
- Overlooking.
- Foul Drainage.
- Construction disturbance.
- Access to services from adjoining sites crossing the site.
- Climate Change.

The second round of consultation received two objections and one neutral comment relating to (in summary):

- Inaccurate plans relating to accesses opposite and presence of a building outside of the site boundary which is not there. (Officer Note: Revised drawing received).
- Location of sewage treatment plan required.
- Further information on sewage treatment plan required.
- Insufficient car parking provision including visitor spaces.
- Lack of safe pedestrian route to access services in Crondall.

CONSIDERATIONS

Principle of Development

The purpose of the planning system is to help achieve sustainable development and applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) confirms that there are three dimensions to sustainable development: economic, social and environmental.

Paragraph 68 of the NPPF continues by setting out that there should be a clear expectation that the sites identified in the Development Plan should make adequate provision to meet housing supply needs. Paragraph 15 of the NPPF confirms the principle that planning should be genuinely plan-led unless material considerations indicate otherwise.

Hart Local Plan 2032 (HLP32)

The starting point for determination of any proposal is the Development Plan, which is set out above. Policy SD1 of the HLP32 states that planning applications which accord with the policies in the development plan, including neighbourhood plans where relevant, will be approved unless material considerations indicate otherwise.

HLP32 Policy SS1 (Spatial Strategy and Distribution of Growth) states that development will be focused within defined settlements, on previously developed land (PDL) in sustainable locations and on allocated sites. The application site is located within the countryside as designated within the Hart Local Plan 2032 (HLP32) proposals map.

HLP32 Policy NBE1 relates to development in the countryside, the policy sets out 11 criteria a) to n) where development in the countryside is allowed. When it comes to housing in the countryside, Policy NBE1 is clear on the instances that would allow housing (subject to meeting other policies), these are:

- housing for a rural worker where there is a proven essential need;
- affordable housing (subject to requirements of Policy H3);
- specialist housing (subject to requirements of Policy H4);
- replacement dwellings.
- housing of exceptional or truly innovative design which significantly enhances its immediate setting and is sensitive to the local character.

The proposal is not stated to be either a rural exception site (criterion e) or for specialist housing (criterion f) and is not for replacement dwellings (criterion g), nor a conversion (criterion h). The proposal is also not for rural working housing (criteria a) and the design does not meet the highest specification to constitute exceptional or truly innovative design (criteria m).

Policy NBE1 however also includes criteria j) which supports development 'located on suitable previously developed land appropriate for the proposed use'. Whilst other criteria to this policy are supported by definition of 'appropriate uses' (i.e. uses consistent with other development plan policies) by virtue of a footnote, Policy NBE1 does not apply this footnote to criteria j). As such residential development is not explicitly excluded from consideration.

Turning also to the supporting text to Policy NBE1, there is commentary addressing the redevelopment of suitable previously developed land in the countryside. This simply states that development 'will be encouraged provided that the proposal would not cause harm to areas of high environmental value and that the proposed use and scale of development is appropriate to the site's rural context.' Again, this does not explicitly exclude residential development on previously developed land.

Separate consideration is therefore required as to whether the previously developed land is appropriate for the proposed use having regard to other policies of the development plan and guidance within the NPPF (2023) as a material planning consideration.

Crondall Neighbourhood Plan 2017- 2032 (May 2021) (CNP)

Policy 2 of the CNP relates to Housing Site Selection. The policy states that the Neighbourhood Plan supports residential development at three sites including Marsh Farm where the specifics of the allocation are set out within Policy 2c CRON22.

Policy 2c CRON22 has identified 0.48 hectares of Marsh Farm, the western part of the application site, for development subject to criteria. This part of the site is currently let as commercial buildings. The Policy sets out that the site has capacity for approximately seven dwellings from the conversion of the existing buildings.

The application site however contains a larger site area of 0.49 hectares and includes both the area of land identified within Policy 2c of CRON22 of the CNP and land to the southeast which sits outside of the Neighbourhood Plan site allocation under Policy 2c CRON22 and within a countryside location. Whilst Policy 2c CRON22 of the CNP identifies residential development on the site through the conversion of the existing buildings, this proposal is for re-development of the site and the provision of nine dwellings across a larger site area. The scheme is therefore contrary to this site allocation and the policy of the Neighbourhood Plan. The acceptability of the development will therefore again require a balance against other material planning considerations.

Material planning considerations

- Status of the land

Criterion j) of HLP32 Policy NBE1 allows for development located on suitable previously developed land (PDL). It is therefore important to consider whether the site would constitute PDL.

The revised NPPF (2023) provides a definition of PDL which is replicated within the HLP32 glossary as follows:

"Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape."

The western portion of the site (which is allocated in the Neighbourhood Plan) contains three commercial buildings which benefit from planning permission for changes of use to Class B1(c) (Light Industry) and stables.

The application has also been accompanied by an overlay of the appeal decision pursuant to the February 1998 Enforcement Notice which covers the land where the

stables are currently located and approximately 15.5 metres to the east. This is the land where plots 8 and 9 are proposed. Based on the February 1998 appeal decision and the stables being for equestrian use rather than agricultural use, it is accepted that the land where the stables are located is previously developed land in accordance with the above definition.

The application site however also contains further land beyond that allocated in the Neighbourhood Plan for development. The same appeal considered change of use of land from agricultural to a hard surface area used for vehicle parking. The Notice was varied to cease use for the parking of vehicles other than in connection with the use of Marsh Farm for agriculture or with the use of the land for the keeping of horses.

The Applicant also refers to use of the land by a scaffolding company, this is to the east of the existing stables. There are also storage containers on the land. The Applicant has provided four declarations, which sets out third party accounts of the use of the land. This information is given some weight, but these are not statutory declarations. Aerial photos of the land show it to be in use. The agricultural use of the land has been superseded for more than 10 years. Again, on balance, it is accepted that the land where plots 8 and 9 are proposed is also PDL to enable consideration of the development against criteria j) of the Local Plan.

- National Planning Policy Framework (2023)

The NPPF promotes sustainable development in rural areas and states that housing should be located where it will enhance or maintain the vitality of rural communities (paragraph 79), and as stated within paragraph 80, where isolated homes can be avoided unless certain criteria apply. Such criteria are consistent with those listed in HLP32 Policy NBE1 as addressed above and are relevant when determining if the location of the site is 'appropriate for the proposed use'.

The starting point of paragraph 80 is whether this development is 'isolated'; of which there is no definition of what constitutes isolated development within the NPPF. Reliance is therefore upon case law. The Court of Appeal's judgment in *Bramshill v SSHCLG* [2021] forms the most recent case law addressing the interpretation of 'isolated dwellings' in the countryside. This upheld a previous interpretation by the Court of Appeal in *Braintree District Council v SSCLG* [2018] that the term 'isolated' should be given its ordinary meaning as being 'far away from other places, buildings and people; remote' and that in determining whether a particular proposal is for 'isolated homes in the countryside', the decision-maker must consider 'whether [the development] would be physically isolated, in the sense of being isolated from a settlement'. What is a "settlement" and whether the development would be 'isolated' from a settlement are both matters of planning judgment for the decision-maker on the facts of the particular case.

In having regard to the application site, whilst it is located outside of the settlement boundary, it is acknowledged that part of the application site is allocated for residential development within the Neighbourhood Plan. The Neighbourhood Plan sets out that the location was deemed to be sustainable being within a mile of the village centre. The proposal would therefore contribute towards the rural community. The site would therefore be appropriate for the proposed use.

- Planning history

The existing buildings are not of particular merit and are of agricultural/commercial appearance given their current and historic uses. There have also been prior approval applications for the conversion of the existing buildings to residential use under permitted development rights, but these have now lapsed without being implemented. As such, there is a history of considering residential use on the land to the west of the site which is additionally supported by the Neighbourhood Plan. It is therefore appropriate to weigh this positively in the overall planning balance.

Conclusion on principle of development.

In concluding on the principle of development, HLP32 Policy SD1 and the NPPF apply a presumption in favour of development that accords with the development plan. In this instance, the proposal comprises previously developed land which is supportive of redevelopment if the land is suitable for the proposed use. There is however no definition of an appropriate use specifically against this criterion. Housing therefore could be deemed acceptable.

Turning to the Neighbourhood Plan, this provides for redevelopment of this site through the conversion of the buildings. This proposal is therefore contrary to this policy given the redevelopment of the allocated site and additional land beyond to the southeast. The redevelopment however would bring an improved quality of dwellings and address the site comprehensively, making efficient use of land.

Further material considerations also weigh in favour of the development in the form of the planning history where residential use has been accepted and with the Neighbourhood Plan also accepting the location as being sustainable. It is therefore considered that, on balance, there are sufficient material planning considerations weighing in the planning balance for the principle of development to be deemed acceptable against Policy NBE1 criteria j. It therefore remains for the development to be assessed against other relevant policies of the development plan.

Loss of Employment Land

Policy ED2 of the Local Plan states, inter alia, that development which would result in the loss of an existing employment use within the Use Class B will only be permitted where the loss of that use can be justified.

Ordinarily, there would be a requirement to justify the loss of an existing employment site as set out in Policy ED2 of the Local Plan. This would normally involve a marketing exercise to demonstrate that the premises/site are unlikely to be utilised for employment use.

The Application form notes that there are c.15 employees at the site; this varies so is difficult to place an exact figure. The application is accompanied by an Economic Statement which highlights:

- The allocation of the site in the Neighbourhood Plan for redevelopment.
- The buildings would require significant investment to be retained in their employment use, with this being uneconomic and render the buildings as

redundant for employment purposes in the near future as they do not meet regulatory standards.

- The existing buildings contain 726 square metres of Class E (Light Industrial) floor space, 42 square metres of D2 floor space and 164 square metres of sui generis floor space.
- The buildings were converted from agricultural over 27 years ago.
- Require c. £500,000 to remove and replace roof, insulate and reconstruct walls and roller shutter doors.

It is noted in the planning history that Prior Approval has been given for a total of seven residential units, however these have now lapsed. In addition, the Neighbourhood Plan has identified this site as suitable for residential development and that the site has capacity for approximately seven dwellings.

As such, the principle of the loss of the existing employment use has already been deemed as acceptable through the Neighbourhood Plan. It would therefore be unreasonable to now resist this loss within the context of this planning application.

Housing Mix

Policy H1 of the Local Plan states, inter alia, that proposals for new homes will be supported where they provide an appropriate mix of dwelling types and sizes. Supporting text to Policy H1 of the HLP32 sets out that the 2016 Strategic Housing Market Assessment confirms that a mix of property sizes will be required with the highest proportion to be three-bedroom dwellings.

Policy 2c CRON 22 of the Crondall Neighbourhood Plan states, inter alia, that development proposals should provide a mix of housing sizes and types suited to small households.

The existing mix of housing in the immediate area is mainly large, detached dwellings. The site is situated in a cluster of approximately seven detached residential properties which are approximately 2.2 dwellings per hectare. The proposed development would create 18.75 dwellings per hectare.

The application was originally submitted as 4 x 3-bedroom dwellings and 5 x 4-bedroom dwellings. Crondall Parish Council have objected to the application on the basis of the proposed housing mix, stating that there should be 2 x 2-bedroom dwellings, 5 x 3-bedroom dwellings and 2 x 4-bedroom dwellings. Hence, a greater number of 3-bedroom properties than 4-bedroom. The proposal has been amended to introduce a quantum of two-bedroom dwellings.

The Applicant also highlights the text on page 16 of the CNP which states “During consultation, concerns were expressed about the availability of affordable housing for those wishing to remain in the village, particularly young adults wishing to move home and for young families. A mixture of housing types particularly 2- and 3-bedroom houses rather than large 5- bedroom houses is required. There is also a need for housing for older residents to downsize to.” The proposed mix of dwellings is considered to be appropriate to accord with the requirements of Policy H1 of the HLP32.

Accessible housing

HLP32 Policy H1 states that on sites of 5 or more dwellings, 15% of new market homes should be accessible and adaptable homes as set out in the Building Regulations. This enables residents to stay in their homes as their needs change. This is secured by planning condition.

Affordable Housing

Policy H2 of the HLP32 relates to affordable housing and states on major developments (i.e. development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more) the Council will require 40% of the new homes to be affordable. There is no provision for affordable housing on the grounds that the development does not meet the required thresholds for seeking such provision.

Impact on the character of the area

The site lies in the Redlands Character Area of the Hart Landscape Assessment 2007 (HLA).

Policy NBE2 of the HLP32 states, among other things, that development proposals must respect and wherever possible enhance the special characteristics, value or visual amenity of the District's landscapes. In addition, development proposals will be supported where there will be no adverse impact to the visual amenity and scenic quality of the landscape. Policy NBE9 of the Local Plan states, among other things, that all developments should seek to achieve a high-quality design and positively contribute to the overall appearance of the local area. In addition, it should respect local landscape character and enhance views into and out of the site.

Policy 3 of the Crondall Neighbourhood Plan states that development affecting the transitional edges between a settlement and countryside should be softened by landscaping to complement the character of the adjacent or surrounding countryside.

The proposed development would bring a wholesale change to the appearance of the site through the loss of historic and typically styled former agricultural buildings and associated structures, such as shipping containers. This change would be readily apparent to the public domain along Bowling Alley through the creation of a higher density and regularised form of development with its associated infrastructure and new landscaping. The northern section of the site is at a raised level compared to the southern section where the existing commercial buildings are located.

It is acknowledged that the existing stable and associated activity on this part of the site do not contribute positively to the character of the area. The proposed dwellings and residential curtilage would introduce further built development to the rear part of the site but there are already buildings and containers, so it is not virgin land. Furthermore, overall, the proposed development would not detract from the landscape significantly more than the existing development. On this basis the landscape character would be preserved, the scheme forms the next evolution of the site.

In the absence of overriding demonstrable harm to the character and appearance of the area and the wider landscape setting of the site as visible to the public domain, the proposal accords with criteria a) and b) of Policy NBE2 and Policy 3 of the Neighbourhood Plan.

Design

Policy GEN1 of the HLP06 refers to the need for new development to be in keeping with the locality. Policy NBE9 of the HLP32 also states, inter alia, that development will be supported where it promotes, reflects and incorporates the distinctive qualities of its surroundings in terms of proposed scale, density, mass and height of development and choice of building materials. Development will also be supported where the layout of new buildings reinforces any locally distinctive street patterns.

Policy 3 of the Crondall Neighbourhood Plan states, inter alia, that development should complement and be well integrated with neighbouring properties in the immediate locality in terms of scale, density, mass, separation, layout, materials and access.

The NPPF states that creating high quality buildings and places is fundamental to achieving good planning and places an emphasis on quality with a requirement to apply the National Design Guide in the absence of locally adopted design guides and codes. The National Design Guide sets ten characteristics that cumulatively contribute towards the cross-cutting themes for good design to be applied to any forms of development. The themes are reflected within the requirements of the aforementioned policies.

Adjacent houses vary in size and design and there is no particular architectural style, with the properties of a form and appearance commensurate with the period of build. Properties are also set within mature verdant plots at varying distances from the public highway with on plot parking.

The proposed development would result in a higher density of properties compared to the wider area along with associated internal highway to provide access and servicing. This would bring a suburban form of development to the location contrasting to the nearby plots containing single large dwellings. However, in accordance with the NPPF, the development is making efficient use of previously developed land and the impact can be ameliorated through landscaping and quality designed properties. Furthermore, the proposal provides a mix of properties and is of a level of development that has regard to the character of the area without resulting in a cramped appearance.

The proposal is for a central access into the site and for the proposed four dwellings adjacent to Bowling Alley to front into the site, the internal road would be T-shaped and for the proposed three dwellings along the southern boundary to face the four dwellings adjacent to the road. There would be a further road in the south-west of the site.

The submitted Design and Access Statement sets out the difficulty in designing a layout which addresses Bowling Alley and the acknowledgement of the need for native planting and hedging along the site's northern boundary. The design of the rear elevations of the plots immediately adjacent to Bowling Alley take account of this. The

proposed development would not address the main road and the development would be inward facing.

The Design and Access Statement also highlights an ordered architectural form with clear legibility, variety in house types whilst offering a materials pallet which provides continuity in the forms of porches, extruding plinths and soldier/dental courses with brick cills and features around windows, traditional roof pitches to reflect the local vernacular, use of gables and hip forms to provide variety in the street, soft planting at the frontage to relive the parking areas and surface treatment and visibility of mixed dwelling types from the road frontage.

Whilst contrasting to the surrounding built environment, the proposal is considered to provide a scheme which is appropriate to the location. It is however necessary to secure the final details of samples and materials to be used in the construction of the external surfaces by condition for final approval. It is also considered necessary to remove permitted development rights for extensions and alterations to the dwellings to ensure that the development retains adequate space about the properties and an appropriate design. With conditions in place, the proposal accords with Policy GEN1 of the HLP06, Policy NBE9 of the HLP32 and Policy 3 of the Neighbourhood Plan.

Historic Environment

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision-makers to have special regard to the desirability of preserving listed buildings and their settings. Locally Policy NBE8 of the HLP32 states that all developments should conserve or enhance the settings of heritage assets, taking into account their significance. This is considered in conjunction with Saved Policy GEN1 of the HLP06 which permits development where, amongst other requirements, include provision for the conservation or enhancement of the District's historic heritage.

To the north-east of the application site, further along Bowling Alley is the Horns Public House, which is a Grade II listed building that has been converted to a dwelling. The proposed development is considered to be sufficiently distanced (approximately 40 metres further along the street) so to reduce any direct visual relationship. As such, it is considered that the development would preserve the setting of the listed building in a manner appropriate to its significance. Due regard has therefore been given to the duties of Section 66 and would accord also with the respective policies of the development plan.

Amenity for future occupiers

Policy NBE9 of the HLP32 requires proposals to take account of the health and well-being of future residents and visitors, taking an inclusive design approach with considerations as to how all potential users would use the new spaces (paragraph 303). Paragraph 130 of the NPPF (2023) requires planning decisions to ensure that developments will function well over the lifetime of the development. This aim clearly relates to use and functionality over an extended timeframe.

The Nationally Described Space Standards (NDSS) conforms with Government aspirations to achieve better places to live. The NDSS has been adopted as part of the adopted HLP32 under planning Policy H6. The development has been considered against the space standards and found to comply as illustrated below.

Plot	Number of Bedrooms	Number of bed spaces shown	NDSS minimum gross internal floor area	Proposed Floor Space	Complies
1	3	6	102	133	Yes
2	3	6	102	133	Yes
3	2	4	79	100	Yes
4	2	4	79	100	Yes
5	4	7	115	202	Yes
6	4	7	115	186	Yes
7	4	7	115	186	Yes
8	4	8	124	135	Yes
9	4	8	124	135	Yes

Furthermore, the shape, access, layout and overall quality of external amenity space will be determined by its ability to provide functional amenity purposes for future occupiers. All of the proposed dwellings are shown to have outdoor amenity space which is proportionate to the proposed dwelling. Garden sizes vary between 60 and 352 square metres, with a minimum of depth of 8 metres. The smallest proposed garden would serve Plot 3. The development would therefore accord with Policy NBE9 of the HLP32.

Impacts upon Neighbouring Amenity

Saved Policy GEN1(iii) of the HLP06 requires proposals to avoid any material loss of amenity to neighbouring residents. The NPPF seeks to create places with a high standard of amenity including good layouts with effective landscaping for existing and future users (paragraph 130).

The nearest residential properties to the development site are on the opposite side of Bowling Alley to the northwest (over 35 metres) and to the west beyond the watercourse. Middlemarsh lies to the east (approximately 25 metres from the side elevation of Plot 1) and Marsh Farm Cottage to the west (approximately 30 metres). The proposed dwellings would be sited at sufficient distances from existing residential development for the relationship to be considered acceptable in terms of residential amenity impacts on neighbouring residential occupiers. There would be no resultant overlooking, loss of sun light or daylight or overbearing impacts.

Within the site, the closest arrangement of dwellings would be plots 3 and 4 with plot 5 opposite. The separation distance between front elevations would be approximately 11.3 metres which is acceptable with views also across public spaces as opposed to rear garden areas. In addressing rear garden amenity, Plots 7 – 8 have a contiguous

boundary with an intervening distance of approximately 20m which is again considered acceptable in design terms.

Whilst the relationships between properties are considered acceptable, it is recommended that the first-floor side windows on plots 6 and 7 be obscure glazed and non-opening (below 1.7 metres) to protect residential amenity from oblique views across rear gardens. With the condition in place, the proposal is considered to accord with Saved Policy GEN1(iii) of the HLP06.

Highway Safety, Access and Parking

Policy INF3 of the HLP32 and Saved Policy GEN1 of the HLP06 require adequate access and parking (vehicular and cycle) arrangements to be provided with developments. The location and design of vehicular and cycle parking should be accessible and well designed. Saved policy GEN1 (General Development Policy) of the HLP06 also seeks to ensure that development has adequate arrangements on site for access and servicing and does not give rise to traffic flows in the surrounding area that would have a detrimental impact on nearby properties.

These requirements are considered in conjunction with the NPPF which states that "Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".

- Traffic Generation

The proposed development is for a traffic generating use which would bring new vehicular movements to the site; however this is a site already generating vehicular movements. As such, the Local Highway Authority is satisfied that the proposal would not have a severe impact on the operation of the local highway network in terms of traffic generation.

- Access

The residential use of the site will attract a variety of vehicle types, to include cars through to larger servicing and refuse vehicles. The proposal is for a cul-de-sac layout with an internal access road providing access to plots 8 and 9 to the southeast.

The site currently has a single access onto the public highway. The proposal is for this to be repositioned to sit broadly central across the frontage of the site, with this aspect of the proposal having been subject of review by Hampshire County Council as the Local Highway Authority (LHA). No objection has been raised subject to conditions including visibility splays, no gates and to secure closure of the original access. The site plan has also been updated to show the updated access arrangements opposite the application site.

Increased visibility splays have been provided following the submission of a speed survey. The Local Highway Authority have raised no objection to the information provided, subject to the imposition of conditions which are recommended to be attached.

- Car and Cycle Parking

Policy 3 of the CNP identifies that car parking should be well integrated within its wider curtilage so as not to dominate the public realm and refers to the district's adopted standards or guidelines.

The Council's adopted 'Cycle and car parking in new development' Technical Advice Note (TAN) requires:

- A four-bedroom dwelling to provide 3 allocated and 0.5 unallocated car parking spaces.
- A three-bedroom dwelling to provide 2 allocated and 1 unallocated car parking spaces or 3 allocated and 0.5 unallocated.
- A two-bedroom dwelling to provide 2 allocated and 0.5 unallocated car parking spaces.

The proposal is for 2 x two-bedroom dwellings, 2x three-bedroom dwellings and 5 x four-bedroom dwellings. This housing mix would generate a requirement of either 23 allocated and 5.5 unallocated or 25 allocated and 4.5 unallocated spaces. The proposed site plan shows 25 car parking spaces and plots 1, 2, 5, 6 and 7 are shown to have garages, a total of 5. This is sufficient car parking for the proposed development.

The Council's adopted 'Cycle and car parking in new development' Technical Advice Note (TAN) requires:

- A four-bedroom dwelling to provide a minimum of 5 cycle spaces.
- A three-bedroom dwelling to provide a minimum of 4 cycle spaces.
- A two-bedroom dwelling to provide a minimum of 3 cycle spaces.

The application includes details of a bike shelf and details of a bike store, which appears to have been included in plots 8 and 9. However, it is not clear how cycle provision would be made for all of the units. However, there does appear to be sufficient space on site for cycle storage within all of the plots. Accordingly, it is recommended that details and provision of cycle storage be dealt with via condition. With conditions in place, the development accords with the highway requirements of Policy INF3 of the HLP32 and Saved Policy GEN1 of the HLP06.

Flood Risk and Drainage

Policy NBE5 (Managing Flood Risk) of the HLP32 sets out criteria when development would be permitted, in this case the applicable criteria are:

- Over its lifetime it would not increase the risk of flooding elsewhere and will be safe from flooding;
- If located within an area at risk from any source of flooding, now and in the future, it is supported by a site-specific flood risk assessment and complies fully with national policy including the sequential and exceptions tests where necessary.

The site is largely located within flood zone 1 (the lowest risk area) which, in accordance with flood risk vulnerability classifications, is acceptable for housing. There is however a small section of the application site, adjacent to the river, located

within flood zone 2 (medium probability of flooding) as designated by the Environment Agency and confirmed by their Flood Map for Planning.

The EA highlight that although part of the site is in flood zone 2, it doesn't mean the flood risk is limited to this event. There is no detailed modelling available for the River Hart and consideration hasn't been given to the channel or any structures. There is a culvert or bridge adjacent just downstream of the site which is not considered. This may mean that the true flood risk to the site is unknown, and the site could potentially be at risk from more frequent flood events with a greater extent than currently shown in the flood map for planning.

During the course of considering the application the proposals haven been amended, and the positioning of the dwellings have been reviewed to take account of the initial consultation response from the Environment Agency. The site layout was therefore updated and the footprint of the development moved further away from the river and will sit 8 metres from the top of the bank. The garden of plot 4 is situated within the 8-metre buffer. The Flood Risk Assessment confirms that existing ground levels will be maintained.

The EA, as the statutory consultee, have no objection to the development subject to a condition that built development is 8 metres from the top of bank and existing ground levels will be maintained. This requirement is built into the proposal and permitted development rights for outbuildings are removed by planning condition. Walls and fences can have a significant impact on the flow and storage of flood water; accordingly, it is also recommended that details of wall and fences as part of boundary treatments need to be submitted and approved.

The submitted Drainage Assessment includes an outline drainage strategy, with surface water using below ground pipe network which discharges into the River Hart. A package sewage treatment plant is also indicated. However, the drainage assessment is not based on the latest proposals so further details on foul drainage would need to be provided via a pre-commencement condition. Environmental Health do not support private sewage treatment plant unless there is no viable alternative or reasonable prospect of connecting to the public sewer network. This has not been confirmed and details of the treatment plant would need to be provided.

Subject to the requested condition, the application would meet the requirements of HLP32 Policy NBE5 and the NPPF and is acceptable in terms of floor risk and drainage.

Impact on the natural environment

HLP32 Policy NBE2 supports proposals where there will be no adverse impacts upon important local, natural and historic features such as trees, woodlands, hedgerows, water features e.g., rivers and other landscape features and their function as ecological networks.

Policy CON8 of the HLP06 states that where development is proposed which would affect trees, woodlands or hedgerows of significant landscape or amenity value planning permission will only be granted if these features are shown to be capable of being retained in the longer term.

The site is not located within any area designated for its landscape qualities or tranquillity, nor does the site contain any trees protected by Tree Preservation Orders. The site has limited on site natural features due the current site uses with any interest primarily contained within the boundary hedgerows which also contain trees.

- Trees

Paragraph 130 of the NPPF sets out that trees make an important contribution to the character and quality of environments, helping mitigate and adaptation to climate change.

The front boundary of the site, adjacent to Bowling Alley, is largely obscured from view by a mixture of Leyland Cypress and mixed cypress. The sites other boundaries also have vegetation. The existing boundary vegetation is a mixture of both on and off site. An updated topographic survey has been submitted to reflect the latest position. Further information in respect of trees provided including shade plans.

The tree report submitted with the application identifies one group of category A trees, 1 category B tree and 10 trees/groups of trees category C trees. The proposed development would require the removal of G1, a section of G2, T3, G5, a section of G8, G9 and a section of G10, all of which are category C. The submitted tree protection does show some additional planting around the site boundary.

Whilst the Tree Officer expressed concern over the overshadowing of plots 5 and 6 for much of the day. The Applicant's have submitted a shade plan and identified that some of the trees along the southern boundary have been cut back. On balance, whilst plots 5 and 6 will be subject to shading for much of the day, the trees would not be under significant threat as they are outside of the site boundary and there is some separation to the site boundary and plots 5 and 6. Prospective purchasers will be able to conclude whether this arrangement is acceptable for their needs. Similarly, there shade plan indicates shading for some of the other plots and the same would apply.

A landscaping condition is recommended as there is further opportunities for landscaping within the site.

- Biodiversity

The Council has a duty under the Natural Environment and Rural Communities (NERC) Act 2006 to have full regard to the purpose of conserving biodiversity, which extends to being mindful of the legislation that considers protected species and their habitats and to the impact of the development upon sites designated for their ecological interest.

Policy NBE4 of the HLP32 relates to biodiversity and seeks to conserve and enhance biodiversity ensuring that new development does not result in the loss or deterioration of irreplaceable habitats, unless the need for, and benefits of, the development in that location clearly outweigh the loss. There is also a requirement to protect and enhance biodiversity and contribute to wildlife and habitat connectivity where possible. All development proposals will be expected to avoid negative impacts on existing biodiversity and provide a net gain where possible.

The application is accompanied by an Ecological Survey. The survey considers there to be negligible potential for bats with no evidence found within the building of bats, or other protected species within the wider site. This has been reviewed by The Council's Ecologist who has no objection subject to the recommendations and mitigation outlined in the conclusions and recommendations of the Ecological Survey being undertaken, it is recommended that such a condition is imposed.

The proposed development should incorporate features to enhance the biodiversity value of the site. In order to secure biodiversity net gain, an assessment and net gain plan should be submitted indicating the proposed location of habitat features (e.g., bat and bird boxes, log piles etc), details of proposed native planting and / or areas of habitat creation, in addition it is recommended that all new dwellings in Hart incorporate swift bricks into the design. This requirement is secured by condition.

With conditions in place, the proposal would not have overriding demonstrable harm upon features of the natural environment and would accord with Policies NBE2 and NBE4 of the HLP32 and CON8 of the HLP06.

Thames Basin Heaths Special Protection Area

The Thames Basin Heaths Special Protection Area (TBHSPA) is a network of heathland sites which are designated for their ability to provide a habitat for the internationally important bird species. The area is designated as a result of the Birds Directive and the European Habitats Directive and protected in the UK under the provisions set out in the Habitats Regulations.

The proposed development is located within the zone of influence (i.e. Located between 400m and 5km away from) of the Thames Basin Heaths Special Protection Area (TBH SPA). The proposal is for additional residential development that would, either on its own or in combination with other plans or projects, have a detrimental on the nature conservation status of the TBHSPA.

South East Plan Policy NRM6 and Policies NBE3 and NBE4 of the HLP32 require adequate measures to avoid or mitigate any potential adverse effects on the SPA. The Habitats Regulations 2017 requires Local Planning Authorities (as the Competent Authority) to consider the potential impact that a development may have on a European Protected Site. In this case the TBHSPA.

Natural England has advised that it would have no objection subject to appropriate mitigation being secured. The applicant has indicated that they began discussions to secure a private Suitable Alternative Natural Greenspace (SANG) allocation at Naishes Lane. Recommendation B reflects for the application to secure SANG via

either method. In respect of Council-owned SANG, the allocation criteria document is clear that this should be expedited and this is the reason for the 2-week timeframe. As the Council would require a s106 legal agreement for confirmation of a private SANG access having been secured, this process would undoubtedly take longer which is the reason for a 6-week timeframe. If SANG were not secured, then Recommendation B covers the delegated refusal on the basis of lack of mitigation. The Applicants have also confirmed a willingness to secure a Strategic Access Management and Monitoring (SAMM) payment via a legal agreement.

Waste and Recycling

The development provides for kerbside refuse collection with the exception of Plots 8-9 which have a collection point adjacent to Plot 7. The distance of the proposed refuse store from the public highway has been raised. It is recommended that details of waste and recycling therefore be provided via condition to ensure compliance with HLP32 Policies NBE9 and INF3.

Equality

The Council has a responsibility to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. The Case Officer has reviewed the proposed development and documentation and considers that the proposal is not likely to have any direct equality impacts.

Climate Change

On 29th April 2021 Hart District Council agreed a motion which declared a Climate Emergency in Hart District. Policy NBE9 of the HLP32 requires at criteria (i) and (j) for proposals to demonstrate that they would:

- reduce energy consumption through sustainable approaches to building design and layout, such as through the use of low-impact materials and high energy efficiency; and
- they incorporate renewable or low carbon energy technologies, where appropriate.

The Applicant makes reference to sustainable construction via achieving Building Regulations where energy efficiency forms an inherent element of the latest regulatory updates. As a separate legislative process, new developments, such as residential properties, must produce 30% less carbon dioxide emissions than previous standards and provide an electric vehicle charging point.

Planning Balance and conclusion

The proposal is for nine dwellings, five x 4 bedroom dwellings, two x three bedroom dwellings and two x two bedroom dwellings. The application site is located within the designated countryside and part of the site is allocated within the CNP for residential development and part of the site is PDL.

The development plan and the NPPF place an emphasis upon delivering sustainable development incorporating objectives for social, economic and environmental protection. In terms of social benefits, the provision of additional dwellings would make a modest contribution to the Council's housing land supply and this would support the NPPF objective of significantly boosting the supply of homes (paragraph 59). This social benefit is given limited weight because the Council can demonstrate a very robust 10.9 years supply. Occupants of the development would however also contribute towards the local community and therefore the proposal would meet the social objective.

Economically, the development would result in the loss of a rural employment site but would continue to have economic benefits. The proposal would provide some economic benefits through employment at the construction stage, wage spending of construction workers and supplier sourcing. Once occupied the properties would contribute to the local economy with consumer spending on goods, for instance to make a house a home as well as on services within the local and wider area. These benefits to the local economy are therefore positive attributes of the development to be given moderate weight in the planning balance.

Finally, environmentally the location of the with a likely reliance upon motorised transport does weigh against the development. However, there are new opportunities for bringing environmental benefits through landscaping and biodiversity enhancements. The properties would also be required to meet energy efficient standards set out in Building Regulations as a minimum and incorporate water efficiency measures. These measures would therefore contribute towards environmental sustainability.

Both singularly and cumulatively the three objectives of sustainable development would be met. With the proposal providing efficient reuse of previously developed land and, in the absence of evidenced overriding demonstrable harm against the built, natural and historic environments, it is concluded that the proposal would be acceptable for a positive recommendation having regard to the policies of the development plan.

OFFICER RECOMENDATION:

RECOMMENDATION A Subject to the completion of a section 106 agreement to secure Suitable Alternative Natural Green Space (SANG) at Naishes Lane and payment of the Strategic Access and Management and Monitoring (SAMM) fee, permission be Granted subject to conditions.

CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Site Block Plan (drawing no 22.003.L(PA)001 PA4)
Site Location Plan (drawing no 22.003.L(PA)001 PA4)
(received by the Local Planning Authority on the 24 October 2023)
Proposed Site Plan – showing roof plans (drawing no 22.003.L(PA)010 PA7)
Proposed Site Plan – showing site dimensions (drawing no 22.003.L(PA)011 PA7) (received by the Local Planning Authority on the 22 November 2023)

Proposed Floor Plan Plot 5 (drawing no 22.003.L(PA)016 PA2)
Proposed Elevations Plot 5 (drawing no 22.003.E(PA)022 PA2)
Proposed Floor Plans Plots 6 and 7 (drawing no 22.003.L(PA)017 PA2)
Proposed Elevations Plots 6 and 7 (drawing no 22.003.E(PA)023 PA2)
(received by the Local Planning Authority on the 6 September 2022)
Proposed Elevations Front and Side (SW) Plots 1 and 2 (drawing no 22.003.E(PA)020 PA3)
Proposed Elevations Rear and Side (NE) Plots 1 and 2 (drawing no 22.003.E(PA)021 PA3)
Proposed Floor Plans Plots 1 and 2 (drawing no 22.003.L(PA)015 PA3)
Proposed Elevations Plots 3 and 4 (drawing no 22.003.E(PA)028 PA2)
Proposed Floor Plans Plots 3 and 4 (drawing no 22.003.L(PA)019 PA1)
Proposed Elevations Plots 8 and 9 (drawing no 22.003.L(PA)024 PA3)
Proposed Floor Plans Plots 8 and 9 (drawing no 22.003.E(PA)018 PA3)
Proposed Street Elevation (drawing no 22.003.E(PA)025 PA3)
Arboricultural and Planning Integration Report dated 26 May 2023 Ref: GHA/DS/162210:23

Arboricultural Impact Assessment Rev B October 2023
Shade Plan (12 pages)
Tree Protection Plan Rev D May 2023
(received by the Local Planning Authority on the 11 October 2023)

Proposed Access Arrangements (2111001-05 Rev B)
(received by the Local Planning Authority on the 26 June 2023)

The development shall be carried out in accordance with the approved details unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.
Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the associated details hereby approved.

3. No development or other operations (excluding demolition), shall commence on site until a detailed contaminated land report to assess potential contaminants has been prepared, submitted and agreed in writing with the Local Planning Authority in accordance with the 3-stage strategy below.

A. Site Characterisation

The investigation and risk assessment must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site,

whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

1. a survey of the extent, scale and nature of contamination;
2. an assessment of the potential risks to:
human health,
property (existing or proposed) including buildings, service lines and pipes, adjoining land, groundwaters and surface waters,
ecological systems,
3. an appraisal of remedial options, and proposal of the preferred option(s). This must be conducted in accordance with DEFRA and the Environment Agency's Land contamination risk management (LCRM) guidance.

B. Submission of Remediation Scheme

A detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

C. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works. Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that any contamination of the site is identified at the outset to allow remediation to protect existing / proposed occupants of the properties on the site and adjacent land and to comply with Policy NBE11 of the Hart Local Plan (Strategy & Sites) 2032.

4. No development above ground floor slab level approved as part of this application shall commence on site until full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. All hard and soft landscape works shall be carried out in accordance with the approved details following the completion of the development and retained thereafter in accordance with the approved details.

A) Hard landscaping - These details shall include a detailed hard landscape specification and supporting plan(s) to a recognised scale illustrating the proposed positions, dimensions, materials and finished levels of means of enclosures (e.g. embankments, fences, walls and gate piers); vehicular and pedestrian access; hard surfaces (e.g. driveways, car parking, footpaths, patios, decking); outdoor structures (e.g. outbuildings, garages, carports) minor structures (e.g. sheds, refuse and storage areas, cycle storage);

B) Soft landscaping - These details shall include; A) a detailed soft landscaping plan to a recognised scale clearly illustrating the location of all trees/shrubs/hedges/plants to be planted and areas of turf to be laid; B) a detailed written soft landscape specification detailing the quantity, density, size, species, position and the proposed time or programme of the planting of all trees/shrubs/hedges/plants. This specification shall include details of ground preparation/cultivation within and adjacent to root protection areas of retained on/off-site trees, and other operations associated with, tree/shrub/hedge/plant establishment.

If within a period of five years from the date of the planting of any tree/shrub/hedge/plant shown on the approved plan(s), or any tree/shrub/hedge/plant in replacement for it is removed, uprooted, destroyed, dies, or becomes seriously damaged or defective, another tree/shrub/hedge/plant of the same species and size as that originally planted, shall be planted in the immediate vicinity.

Reason: To ensure a form of development that maintains, and contributes positively to, the character and appearance of the area and to ensure adequate planting in the interests of visual amenity in accordance with Policy GEN1 of the Hart Local Plan (Replacement) 1996-2006 Saved Policies and Policy 6 of the Crondall Neighbourhood Plan 2017- 2032 (May 2021).

5. No development or other operations (including demolition, site preparation and groundworks) until full details of a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, shall be submitted to and approved in writing by the local planning authority. The scheme shall also include:
- 1) Where infiltration is proposed, full infiltration tests in accordance with BRE 365 including groundwater strikes.
 - 2) Detailed drawings of the proposed drainage system including details as to where surface water is being discharged to.
 - 3) Calculations confirming that the proposed drainage system has been sized to contain the 1 in 30 storm event without flooding and any flooding in the 1 in 100 plus climate change storm event will be safely contained on site.
 - 4) Calculations showing the existing runoff rates and discharged volumes for the 1 in 1, 1 in 30 and 1 in 100 storm events and calculations for the proposed runoff rates and discharged volumes for the 1 in 1, 1 in 30 and 1 in 100 plus climate change storm events. To be acceptable proposed runoff rates and discharge volumes must be no higher than existing.

5) Provision of a Maintenance plan setting out what maintenance will be needed on the drainage system and who will maintain this system going forward.

The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent onsite and offsite flood risk increasing from the proposed development and in accordance with Policy NBE5 of the Hart Local Plan (Strategy and Sites) 2032.

6. No development or other operations (including demolition, site preparation and groundworks) on site details of a scheme to manage the foul drainage must be submitted to, and approved in writing by, the local planning authority. The scheme shall contain the following mitigation measure listed below:

1) If treated effluent is being discharged to soakaway, Infiltration Test results provided in accordance with BRE 365.

2) Infiltration test results shall be undertaken in the location of the proposed soakaway.

3) Calculations based on the above obtained infiltration tests results shall be provided demonstrating that the soakaway has been suitably sized to contain maximum likely volume of treated effluent for all properties discharging to this soakaway.

4) If treated effluent is being discharged on site carbon filtration, or a suitable alternative, must be provided on the vent stack to minimise odours.

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

Reason: To ensure that the foul drainage as proposed is viable and in accordance with Policy NBE5 of the Hart Local Plan (Strategy and Sites) 2032.

7. No development shall take place, including site clearance, demolition or ground works, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall detail practicable measures to mitigate noise, vibration and dust transmission.

Measures to include, but not necessarily restricted to:

1. Times of operation. Written approval to be sought from Local Planning Authority to operate outside of specified times.

2. The parking of vehicles for site operatives and visitors.

3. Loading, unloading of plant and materials to/ from site.

4. The erection and maintenance of hoarding to site boundary.

5. Water suppression during dusty activities.

6. Wheel washing facilities.

7. A scheme for the storage and disposal of waste, providing maximum recycling opportunity.

8. Community liaison and notification.

9. Details of site monitoring and logging of results.

10. Details of all other measures to keep noise, vibration and dust to a practicable workable minimum

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

Reason: In the interests of highway safety and convenience and neighbour amenity and in accordance with Local Plan Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies.

8. No development shall commence above ground floor slab level of the dwellings hereby approved until samples and details of the materials to be used in the construction of the external surfaces of the buildings shall have first been submitted to and approved in writing by the local planning authority. Development shall not be carried out other than in accordance with the approved details.

Reason: To ensure that the external appearance of the dwellings hereby approved are satisfactory in accordance with Policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032, Saved Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies and Policy 3 of the Crondall Neighbourhood Plan 2017- 2032 (May 2021).

9. No development shall commence above ground floor slab level until a Biodiversity Management Plan to ensure that there is a minimum 10% net gain in biodiversity within a 30-year period as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity metric as applied in the area in which the site is situated at the relevant time and the Biodiversity Management shall include:

1. Proposals for on-site biodiversity net gain and / or off site off setting;
2. A management and monitoring plan for any onsite and offsite biodiversity net gain including 30-year objectives, management responsibilities, maintenance schedules and a methodology to ensure the submission of regular monitoring reports covering up to a period of 30 years from commencement of development, demonstrating how the Biodiversity Net Gain is progressing towards achieving its objectives, evidence of arrangements and any rectifying measures needed.
3. A methodology for the identification of any site(s) to be used for offsetting measures; The identification of any such offsetting site(s)
4. Details of any payments for offsetting measures including the biodiversity unit cost and the agreed payment mechanism.

Biodiversity measures shall include use of swift bricks.

The development shall be implemented in full accordance with the requirements of the approved Biodiversity Management Plan.

Reason: In the interest of ensuring measurable net gains to biodiversity and in accordance with Policy NBE4 Hart Local Plan (Strategy and Sites) 2032 and Policy 6 of the Crondall Neighbourhood Plan 2017- 2032 (May 2021).

10. No development or other operations (including demolition, site preparation and groundworks) commencing a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The plan will confirm the routing of lorries to and from the application site, and the provision of parking spaces for operatives to a level that accommodates the maximum number of operatives working on the site at any one time. The development shall be carried out in accordance with the approved details.

Reason: To prevent queuing and parking off site, in the interests of highway safety and convenience and in accordance with Saved Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies.

11. The development hereby permitted shall be carried out in accordance with the following mitigation measures:

- No ground level changes within 8m of the top of riverbank
- All built development to be located 8 metres or more away from the top of riverbank.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants. To ensure the structural integrity of the riverbank thereby reducing the risk of flooding. In accordance with Policy NBE5 of the Hart Local Plan (Strategy & Sites) 2032.

12. Prior to the first use of the new access, the visibility splays shown on the approved plan (Proposed Access Arrangements (2111001-05 Rev B) shall be provided such that from the eye height (1 metre) at the start of the visibility splays to the object height (0.6 metres) at the end of the visibility splays any obstruction up to 3 metres above the carriageway level shall be cleared and maintained in that condition at all times thereafter.

Reason: In the interests of highway safety and convenience and in accordance with Local Plan Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies.

13. There shall be no gate or other obstruction to the passage of vehicles within 6 metres of the nearside edge of carriageway of Bowling Alley. At least this length of access road shall be surfaced in a non-migratory material and these conditions shall be maintained at all times thereafter.

Reason: In the interests of highway safety and convenience and in accordance with Local Plan Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies.

14. Upon the first use of the new access the existing access shall be physically and permanently closed.

Reason: In the interests of highway safety and convenience and in accordance with Local Plan Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies.

15. Prior to occupation of the dwellings hereby approved, details of secure and covered parking for cycles shall be provided and agreed in writing by the Local Planning Authority. The cycle parking shall be carried out in accordance with the approved drawing(s)/details. The cycle parking/storage shall be permanently retained for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided to encourage the use of sustainable modes of travel in

accordance with Policy INF3 of the Hart Local Plan (Strategy and Sites) 2032.

16. Prior to installation of all boundary treatment(s), details of all boundary treatments shall first be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented prior to the first occupation of the development or phased as agreed in writing by the local planning authority. The scheme shall be maintained in the approved form for so long as the development remains on the site.
Reason: In the interest of amenity, highway safety and to prevent increased flood risk and in accordance with Local Plan Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies and Policy NBE5 of the Hart Local Plan (Strategy & Sites) 2032.
17. No construction or demolition activity shall be carried out and no construction related deliveries shall occur, taken at or dispatched from the site except between the hours of 7:30 hours and 18:00 hours on Monday to Friday and 08:00 hours and 13:00 hours on Saturday except in the case of Bank or Public Holidays when no such activities or deliveries shall take place. No such activities or deliveries shall take place on Sundays.
Reason: In the interests of residential amenity and in accordance with Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies.
18. Notwithstanding the provisions of Classes A, AA, B, C, D, E, F and G of Part 1 of the Second Schedule of Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no buildings, enlargement or alterations permitted within those classes shall be carried out without the express permission in writing of the local planning authority.
Reason: To safeguard the character of the area and to prevent increased flood risk and in accordance with Policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 Saved Policies and Policy NBE5 of the Hart Local Plan (Strategy & Sites) 2032.
19. Notwithstanding the provisions of the Town and Country Planning, (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no additional windows or similar openings shall be constructed in the first-floor level or above in the east elevation of the extension hereby permitted except for any which may be shown on the approved drawing(s).
Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policy of GEN1 Hart District Local Plan (Replacement) 1996-2006 Saved Policies.
20. The first-floor window in the eastern elevation of Plot 7 of the development hereby permitted shall be fitted with obscure glass and shall be permanently so-retained. The window shall be non-opening unless parts of the window which can be opened are more than 1.7 metres above the finished floor level

of the room in which the window is installed and shall be permanently so-retained.

Reason: To safeguard the residential amenities of neighbouring properties in accordance with Policy of GEN1 Hart District Local Plan (Replacement) 1996-2006 Saved Policies.

21. No development or other operations (including demolition, site preparation and groundworks) shall commence on site until a plan showing the location of all existing and proposed utility services that avoids conflict with the trees to be retained has been submitted to and approved in writing by the Local Planning Authority. This shall include gas, electricity, communications, water and drainage and external lighting and include details of associated structures (e.g. manhole covers, metres, access points, vertical supports), ditches, drains and other earthworks (e.g. land profiling, excavations/soil mounding). Where proposed hard surfaces/structures/ground levels are to be altered within, or introduced into the root protection areas of retained on/off-site trees, scaled cross-section construction drawings and supporting method statement will be required to support the hard landscape plan/specifications. No development or other operations shall take place other than in complete accordance with the Utility Plan.

Reason: To ensure that reasonable measures are taken to safeguard the retained tree in the interests of local amenity and the enhancement of the development itself, in accordance with Policy NBE9 of the Hart Local Plan (Strategy & Sites) 2032.

22. A minimum of one of the dwellings hereby approved shall be built to accessible and adaptable standards. No development above ground level (excluding demolition of existing buildings and removal of existing hardstanding and any underground infrastructure) shall commence on site until details of which properties are to be built to such standards are submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure an appropriate co-ordinated high quality form of development and to enable people to stay in their homes as their needs change in accordance with Policy H1 of the Hart Local Plan (Strategy & Sites) 2032.

Informatives

1. The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance: The applicant was advised of the necessary information needed to process the application and, once received, the application was acceptable and no further engagement with the applicant was required.
2. Before undertaking any work which affects a public highway you must obtain specific written approval from the Director of Universal Services at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a

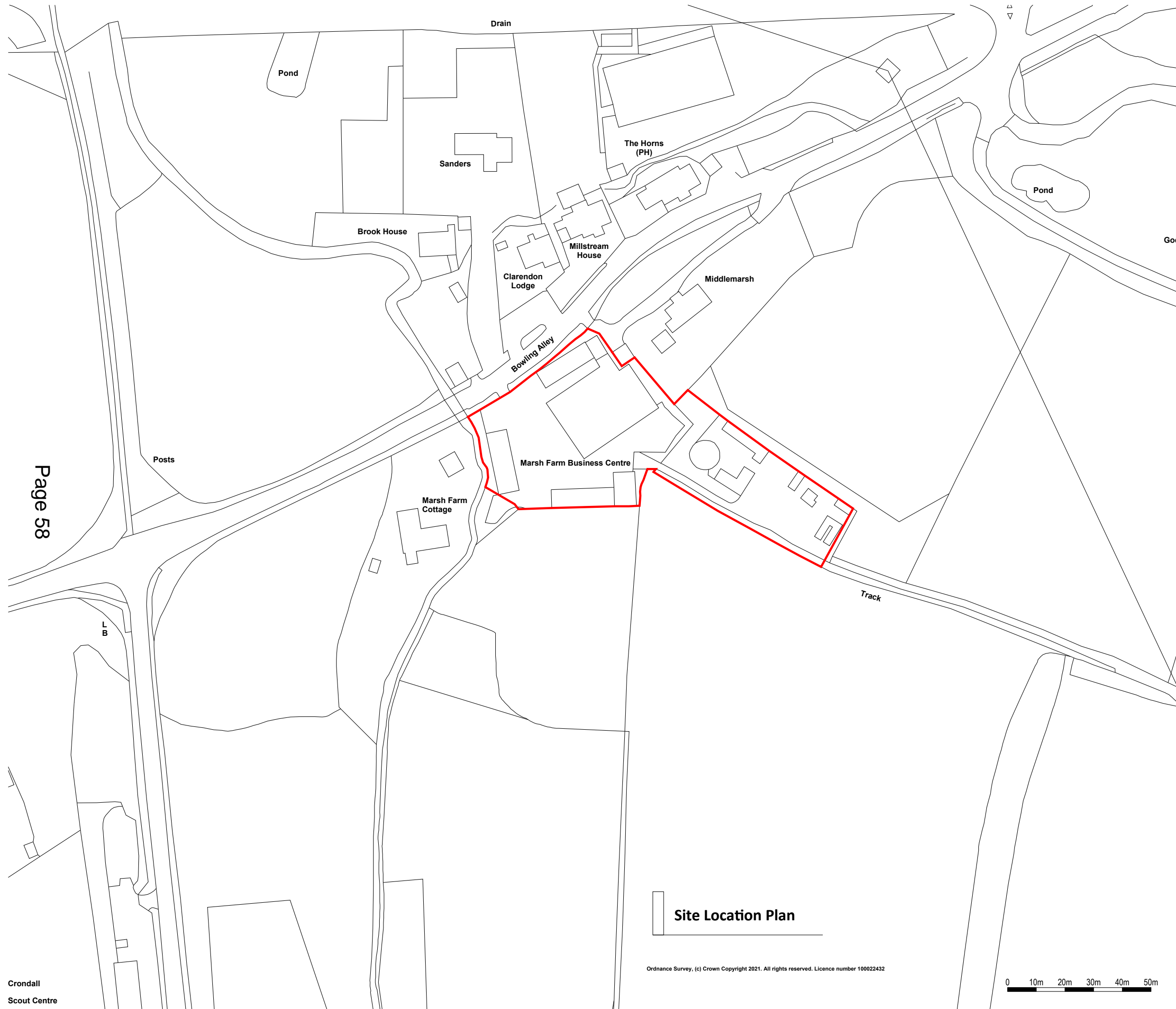
footway, verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact roads@hants.gov.uk Apply for a licence to excavate the highway | Hampshire County Council (hants.gov.uk)

3. Hart District Council has declared a Climate Emergency. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider district. The applicant is encouraged to explore all opportunities for implementing the development approved by this permission in a way that minimises impact on climate change.

RECOMMENDATION B In the event that Council-owned SANG and relevant SAMP payment are not completed within 2 weeks OR private SANG is secured and a section 106 agreement and SAMP payment are not completed within 6 weeks of the date of the resolution to granted, permission be **REFUSED** under delegated powers.

Reason for refusal

1. The application fails to secure mitigation in order to mitigate the recreational pressures arising from the development on the Thames Basin Heath Special Protection Area. In the absence of such mitigation, the application does not meet the requirements of the Habitats Regulations and it has not been demonstrated that the development would not have a likely significant effect on the Thames Basin Heaths Special Protection Area. The application is therefore contrary to South East Plan Saved Policy NRM6 and Policies NBE3 and 4 of the Hart Local Plan (Strategy & Sites) 2032.

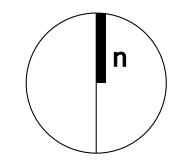


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AREA CALCULATIONS
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Revisions

PA4	OS data amended to show second driveway to Clarendon Lodge	24.10.2023
PA3	Boundary amendment	05.10.2023
PA2	Licence number added	25.08.2022

Project

**Marsh Farm Business Centre
 Bowling Alley
 Crondall
 Farnham
 GU10 5RJ**



Title

Site Location Plan

Drawing No.	Revision
22.003.L(PA)001	PA4

Scale @ A3	Drawn
1:1250	SC

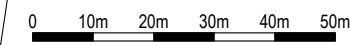
Date	Checked
01.07.2022	*

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Site Location Plan

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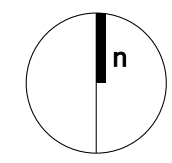


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Revisions

PA7	Plots 8 and 9 refuse collection point adjusted	22.11.2023
PA6	OS data amended to show second driveway to Clarendon Lodge	24.10.2023
PA5	Boundary adjustment	05.10.2023
PA4	Boundary adjustment	28.09.2023
PA3	Plots 3, 4, 8 and 9 adjusted	20.04.2023
PA2	Refuse points added, cycle storage to plots 8 and 9 added	25.08.2022

Project

Marsh Farm Business Centre
Bowling Alley
Crondall
Farnham
GU10 5RJ

Client



Title

Proposed Site Plan
- Showing roof plans

Drawing No.	Revision
22.003.L(PA)010	PA7

Scale @ A3	Drawn
1:500	SC
Date	Checked
01.07.2022	*



Proposed Site Plan



Front Elevation - Plots 1-2



Side Elevation - southwest

- Materials
1. Red Brick - Rural Blend Stock
 2. Grey Feature brick
 3. Clay Roof tile
 4. UPVC doors and windows - grey/green
 5. Timber effect cementitious panels - grey/green
 6. UPVC fascia and soffits - grey/green
 7. Black rainwater goods



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Revisions

PA3 Reference to plots 3 and 4 removed

20.04.2023

Project

Marsh Farm Business Centre
Bowling Alley
Croddall
Farnham
GU10 5RJ

Client



Title

Proposed Elevations

- Plots 1-2

Drawing No.	Revision
22.003.E(PA)020	PA3

Scale @ A3	Drawn
1:100	SC

Date	Checked
04.07.2022	*

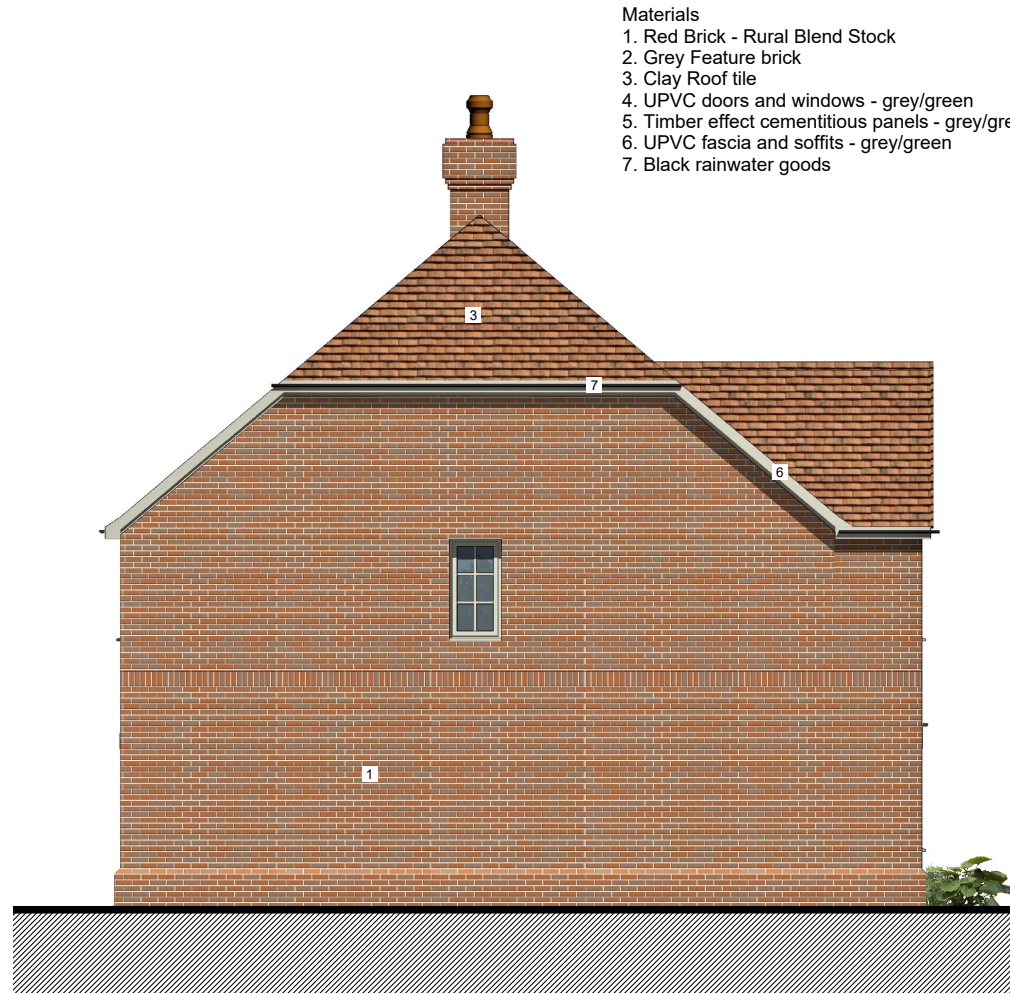


Front Elevation - Plots 3-4

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Rear Elevation - Plots 3-4



Side Elevation - southwest



Side Elevation - northeast

- Materials
1. Red Brick - Rural Blend Stock
 2. Grey Feature brick
 3. Clay Roof tile
 4. UPVC doors and windows - grey/green
 5. Timber effect cementitious panels - grey/green
 6. UPVC fascia and soffits - grey/green
 7. Black rainwater goods

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AREA CALCULATIONS
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Revisions

PA2 Reduced to two bedrooms houses

20.04.2023

Project

**Marsh Farm Business Centre
 Bowling Alley
 Crondall
 Farnham
 GU10 5RJ**

Client



Title

Proposed Elevations

- Plots 3-4

Drawing No.	Revision
22.003.E(PA)028	PA2

Scale @ A3	Drawn
1:100	SC

Date	Checked
20.04.2023	*



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- Materials
1. Red Brick - Rural Blend Stock
 2. Grey Feature brick
 3. Clay Roof tile
 4. UPVC doors and windows - grey/green
 5. Timber effect cementitious panels - grey/green
 6. UPVC fascia and soffits - grey/green
 7. Black rainwater goods

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Page 62

Front Elevation

Side Elevation - northeast

Revisions

Project

Marsh Farm Business Centre
 Bowling Alley
 Crondall
 Farnham
 GU10 5RJ

Client

FORAYS
 HOMES

Title

Proposed Elevations

- Plot 5

Drawing No.

22.003.E(PA)022

Revision

PA2

Scale @ A3

1:100

Drawn

SC

Date

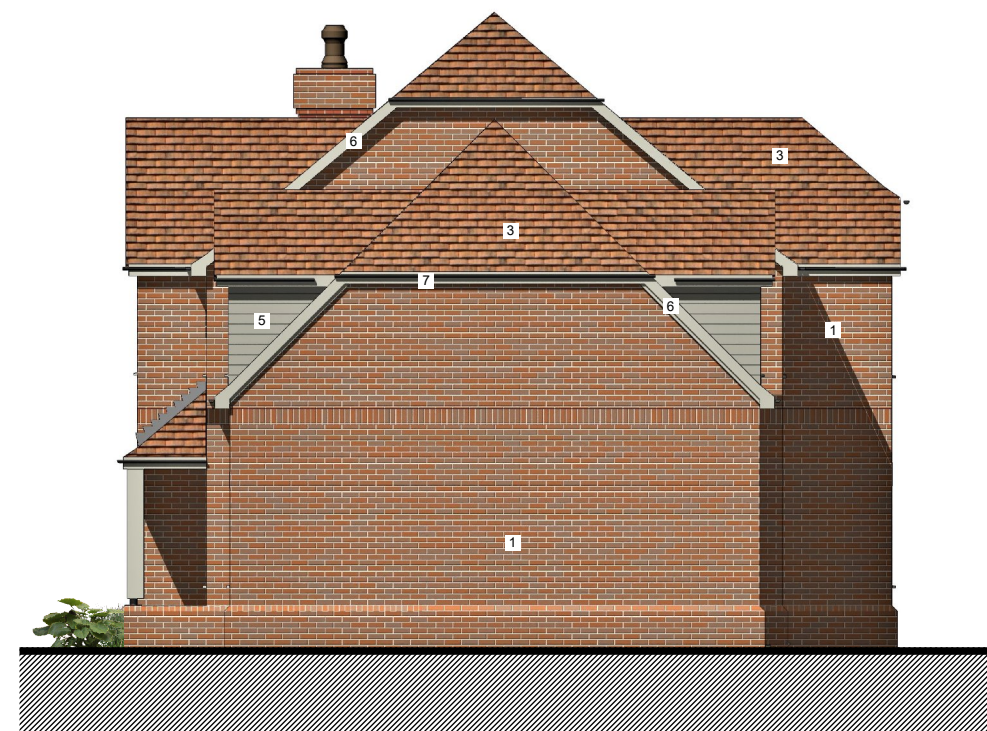
04.07.2022

Checked

*



Rear Elevation



Side Elevation - southwest



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- Materials
1. Red Brick - Rural Blend Stock
 2. Grey Feature brick
 3. Clay Roof tile
 4. UPVC doors and windows - grey/green
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Front Elevation

Side Elevation - northeast

Plot 6 - elevations handed

Revisions

Project
Marsh Farm Business Centre
Bowling Alley
Crandall
Farnham
GU10 5RJ

Client



Title

Proposed Elevations

- Plots 6 and 7

Drawing No.	Revision
22.003.E(PA)023	PA2

Scale @ A3	Drawn
1:100	SC

Date	Checked
04.07.2022	*



Rear Elevation

Side Elevation - southwest



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- Materials**
1. Red Brick - Rural Blend Stock
 2. Grey Feature brick
 3. Clay Roof tile
 4. UPVC doors and windows - grey/green
 5. Timber effect cementitious panels - grey/green
 6. UPVC fascia and soffits - grey/green
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Front Elevation



Side Elevation - northeast



Rear Elevation



Side Elevation - southwest



Revisions

PA3 Elevations handed

20.04.2023

Project

**Marsh Farm Business Centre
 Bowling Alley
 Crondall
 Farnham
 GU10 5RJ**

Client



Title

Proposed Elevations

- Plots 8 and 9

Drawing No.

Revision

22.003.E(PA)024

PA3

Scale @ A3

Drawn

1:100

SC

Date

Checked

04.07.2022

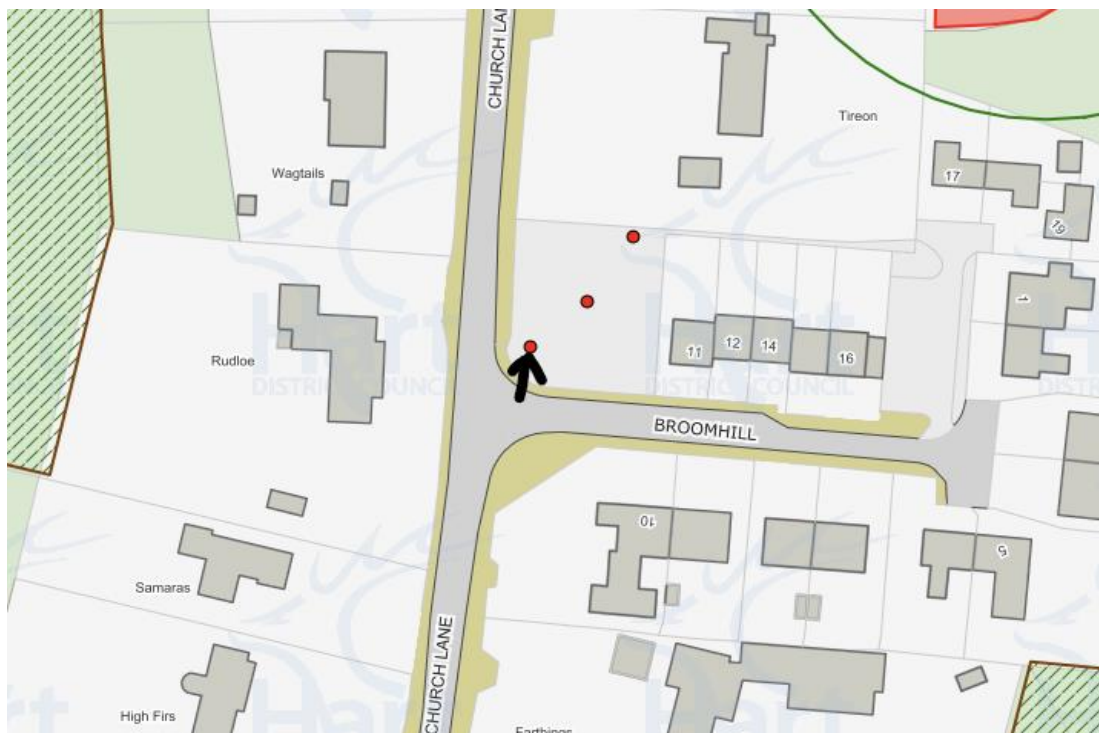
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COMMITTEE REPORT

APPLICATION NO.	23/01662/TPO
LOCATION	Broomhill Ewshot Farnham Hampshire GU10 5BE
PROPOSAL	1. English oak - Crown reduce the remaining canopy by 3-4m to reshaping and balance.
APPLICANT	Mr Steven Lyons
CONSULTATIONS EXPIRY	N/A
APPLICATION EXPIRY	26 September 2023
WARD	Church Crookham West And Ewshot
RECOMMENDATION	Approve



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Please Note: Map is not to scale

BACKGROUND

This application is presented to Planning Committee in accordance with the Council's Constitution Appendix A, Clause 1d) because the District Council is the applicant and landowner.

DESCRIPTION OF SITE

The tree is within the ownership of Hart District Council and stands within an area of public open space on the corner of Church Lane and Broomhill, Ewshot. The open space is broadly level and partly enclosed by picket fencing from the public highway to the south and west with the curtilage of a residential property sitting to the east. The wider area is verdant characterised by residential properties of differing character with the street scene dominated by street trees and hedgerows.

PROPOSAL

Permission is sought to reduce the crown of an English Oak tree protected by a Tree Preservation Order by 3-4m to re-shape and balance the tree following storm damage.

The works have been carried out as there was an increased risk of branch failure, therefore this request is now retrospective.

CONSULTEES RESPONSES

Not applicable.

NEIGHBOUR COMMENTS

None received.

PLANNING POLICY CONTEXT

Applications for works to trees subject to a Tree Preservation Order are considered under the:

- Town and Country Planning Act 1990 (as amended)
- Town and Country Planning (Tree Preservation)(England) Regulations 2012

CONSIDERATIONS

The English oak tree subject of this application is protected by Tree Preservation Order number ORD/09/00019 which was made on the 7 September 2009.

The subject tree recently shed a large limb onto the highway during stormy weather which was subsequently cleared and emergency works undertaken to minimise risk from damaged parts of the tree. The damage resulted in the tree having an exposed open canopy and remaining long limbs were exposed to high winds due to the prevailing wind direction, with potential for further failure. The request therefore sought to reduce the remaining canopy of the tree by 3-4m in order to reshape and rebalance the tree, with the works deemed necessary to stabilise the tree's impaired

physical structure.

Since the submission of the application, the works proposed within the application have been undertaken prior to the consent being issued. Anyone who contravenes an Order by damaging or carrying out work on a tree protected by an Order without getting permission from the local planning authority is guilty of an offence and may be fined.

Notwithstanding that these works were carried out at the applicant's risk, had the application been determined within the original timescale, it is considered that the arboricultural operations proposed would not have a detrimental impact on public visual amenity within the local and wider landscape, or tree health. The pruning work ensures that the tree can be retained on this prominent corner and should promote further growth. As such the tree should flourish and continue with its contribution to the street scene and ecosystem services.

It is therefore considered that the proposed tree pruning is acceptable, and it would not be expedient to pursue any offence. It is therefore recommended that the works are granted consent.

CONCLUSION

The proposed tree pruning works are considered to be reasonable and proportionate to the amenity value that the tree affords in the public domain.

Had the works not already been undertaken, a decision would have been subject to a condition to requiring the works to be carried out in accordance with BS3998:2010 Tree Work – Recommendations. It is not necessary to now impose this condition.