



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. Proposals that accord with the development plan will be approved without delay. Development that conflicts with the development plan will be refused unless other 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 plans are, the Saved policies Hart District Council Local Plan Replacement and First Alterations 1996 – 2006, Policy NRM6 South East Plan, Hampshire, Portsmouth, Southampton, New Forest National Park and South Downs National Park Minerals and Waste Local Plan 2013, Dogmersfield Neighbourhood Plan, Odiham and North Warnborough Neighbourhood Plan, Rotherwick Neighbourhood Plan, Winchfield Neighbourhood Plan, Fleet Neighbourhood Plan, Hartley Wintney Neighbourhood Plan.

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 are:

- necessary;
- relevant to planning and;
- 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. Obligations should meet the tests that they are

- 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. There are also legal restrictions as to the number of planning obligations that can provide funds towards a particular item of infrastructure.

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

Item No: 101**Page: 7 – 17****20/01008/HOU**

Stoney Cottage, The Bury, Odiham, Hook, RG29 1LY

Demolition of existing timber conservatory and erection of a single storey rear extension and associated internal alterations.

Item No: 102**Page: 18 – 28****20/01009/LBC**

Stoney Cottage, The Bury, Odiham, Hook, RG29 1LY

Demolition of existing timber conservatory and erection of a single storey rear extension and associated internal alterations.

Item No: 103**Page: 29 – 60****19/02541/FUL**

Burford, West Street, Odiham, Hook, RG29 1NX

Construction of 16 no. dwellings (8 x 2-bedroom, 6 x 3-bedroom and 2 x 4-bedroom) with associated access, landscaping, and parking (following the demolition of existing dwelling house).

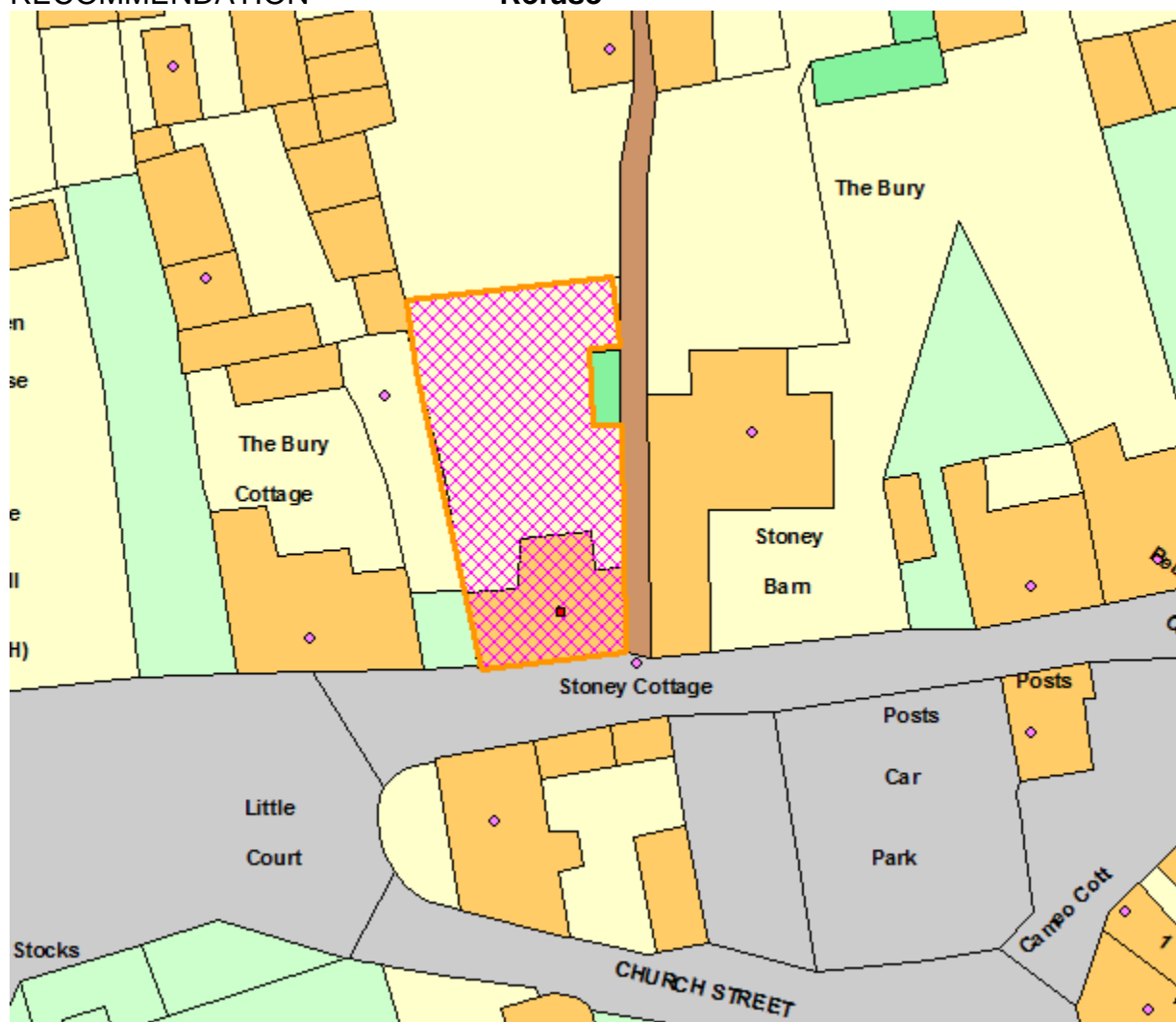
Item No: 104**Page: 61 – 69****20/02436/FUL**

Bramshot Farm Country Park, Bramshot Lane, Fleet, GU51 2RU

Creation of wetland and alterations to existing footpaths to enhance visitor facilities in the Suitable Alternative Natural Greenspace (SANG).

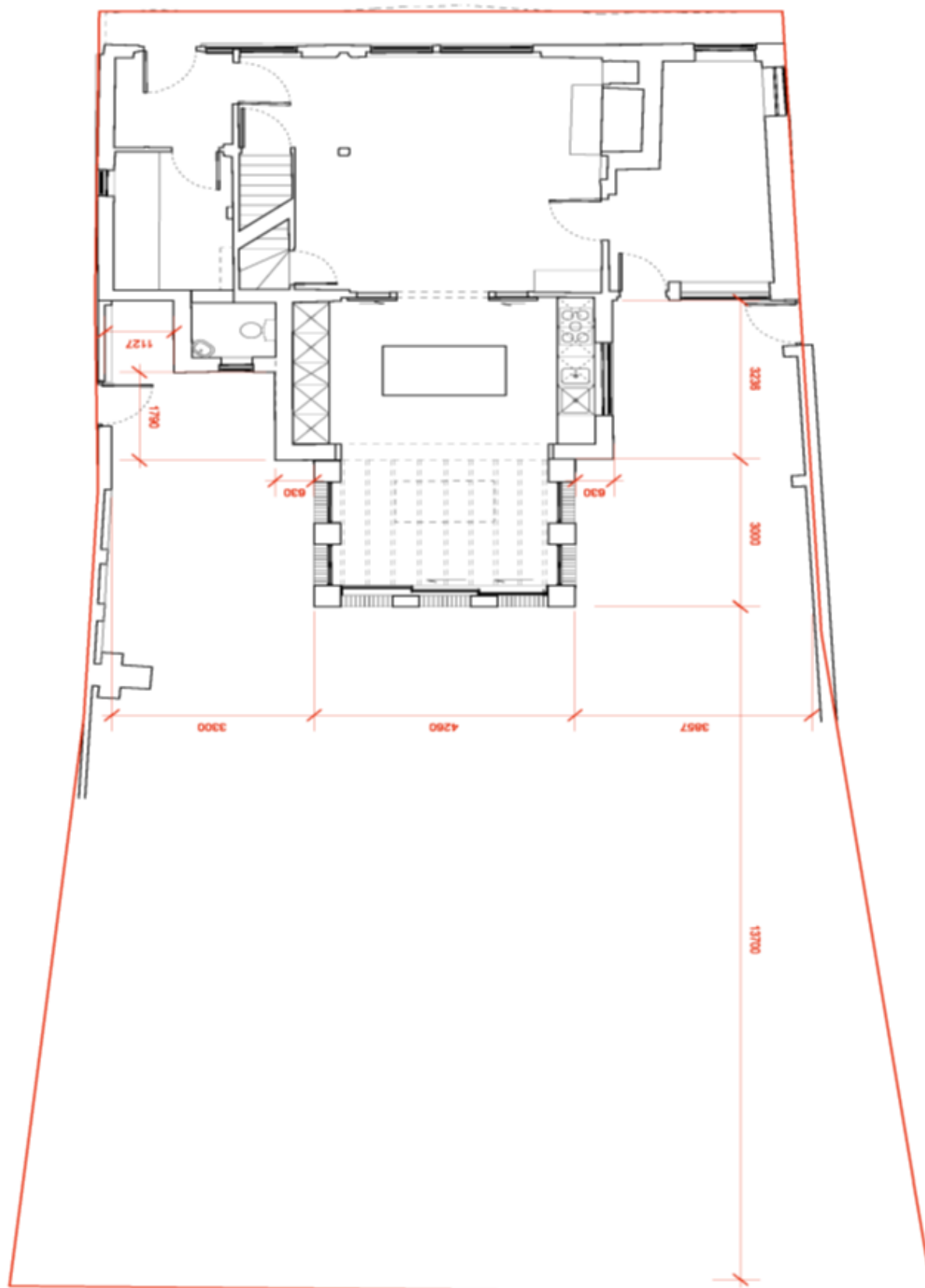
COMMITTEE REPORT**ITEM NUMBER: 101**

APPLICATION NO.	20/01008/HOU
LOCATION	Stoney Cottage The Bury Odiham Hook RG29 1LY
PROPOSAL	Demolition of existing timber conservatory and erection of a single storey rear extension and associated internal alterations.
APPLICANT	Mr and Mrs Osmond
CONSULTATIONS EXPIRY	23 November 2020
APPLICATION EXPIRY	2 July 2020
WARD	Odiham
RECOMMENDATION	Refuse



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office
 © Crown Copyright 2000. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Please Note: Map is not to scale

Proposed site plan



Proposed side and rear elevations



1. BACKGROUND

The application is being presented at Planning Committee for the following reason:
This application was subject to pre application advice (19/02557/PREAPP) which identified that a change in design of the proposed extension was required. Officers have sought to negotiate to achieve a more appropriate proposal, however, notwithstanding the changes made objections remain to the proposal. The agents for the applicants advise it is not possible to amend the scheme further, accordingly a decision needs to be reached.

2. THE SITE

The application site is located within the settlement of Odiham and is a detached two-story dwelling which is located within the Odiham Conservation Area, which is further subject to Article 4 Directions.

A public right of way runs directly adjacent to the eastern boundary of the site. The site is in Flood Zone 1 and there are protected trees in the rear garden of the property.

Listing description

C16, and modern. 2 storeys, irregular fenestration, of 2 above 4 windows. Exposed timber frame, with jetty to the south front, curved braces, some restoration. Red tile roof, 1/2-hipped. Infill of frame is mainly red brickwork, new at ground floor, some upper panels rendered, and some painted brickwork. Modern casements. Boarded door.

3. PROPOSALS

Demolition of an existing timber conservatory and erection of a single storey rear extension with associated alterations.

4. RELEVANT PLANNING HISTORY

19/02557/PREAPP: Replacement of 1990s extension with tiled pitched roof extension. Opinion issued: changes to design required

18/02353/HOU and 18/02354/LBC: Demolition of existing timber conservatory and erection of a ground floor extension to rear. Refused, dismissed at appeal. Appeal decisions APP/N1730/W/19/3223747 and APP/N1730/W/19/3223746 refer.

18/01855/PREAPP: Demolition of existing modern conservatory to the rear of the property and replace with contemporary oak framed extension. Opinion issued.

17/01065/LBC: Replacement of the oak bressummer beam on the external face of Western flank of the Cottage Permitted 16.06.2017

15/02248/PREAPP: Addition of an orangery style extension. Opinion Issued 22.10.2015

05/00895/LBC: Installation of wooden framed window to west wall of dining room. Repositioning of downstairs cloakroom/utility room wall together with new boiler venting duct through wall.

Installation of en-suite bathroom to replace dressing area in master bedroom. Permitted

93/22755/FUL and 93/00951/LBC: Construction of a Conservatory. Permitted

89/18506/FUL and 89/00653/LBC: Two storey rear extension. Permitted

81/08834/HD: Ground and first floor extensions to form utility room, bedroom and en-suite bathroom. Permitted

76/02625/LB: Extensions to provide utility room, bedroom and en suite to bathroom (planning permission and listed building consent). Permitted

57/02642/H: Conversion of two cottages into one residence. Permitted

5. CONSULTEES RESPONSES

Odiham Parish Council

OPC does not object to the principle of an extension to this property but the submitted design fails to enhance or respect the special character of the listed building and its setting and is incongruous and unsympathetic to its surroundings.

Tree Officer (Internal)

The dawn redwood in the rear garden is protected by TPO ref: ORD/19/00012, also within the Odiham Conservation Area.

No arboricultural details have been supplied. However, from past visits, the tree is of sufficient distance from the proposed rear extension that it is unlikely to be directly impacted. However, the root system could become damage and/or the soil compacted through the inappropriate storage/mixing of materials.

I have no objection on arboricultural grounds. Should permission be granted, please make this conditional upon the supply/approval of a tree protection plan, specifying the means and location of protective measures, and providing suitable space for the storage/mixing of materials.

Environmental Health (Internal)

This Department would raise NO Objections

Conservation/Listed Buildings Officer (Internal)

This is a Grade II listed building dating from the C16, situated in Odiham Conservation Area which is subject to article 4 directions. It is surrounded by other statutory listed buildings on all sides.

The special interest of the cottage lies primarily in the surviving historic building, its overall form, including historic plan form, its construction methods, its surviving historic fabric and detailing. The surrounding historic environment contributes positively to its setting and context.

Amended plans have been submitted. The newly proposed design does not address my concerns at all. The extension now proposed still fails to preserve, enhance or respect the special character of the listed building and its setting, the setting of other listed buildings, and also the surrounding conservation area. It is instead discordant and incongruous, and generally unsympathetic to its surroundings. The proposed extension causes less than substantial harm to the special character of the listed building, and to the character and appearance of the surrounding conservation area, with insufficient justification for this avoidable harm.

This proposal is therefore contrary to Sections 16(2), 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs within Sections 16 of the NPPF, more specifically paragraphs 184, 192, 193, 194 & 196, and contrary to policies NBE8 and NBE9 of the Hart Local Plan.

There remains an objection.

6. NEIGHBOUR COMMENTS

1 objection comment received regarding dormer window. As this element was removed from the amended plans the objection is considered to have been overcome.

3 support comments received

7. CONSIDERATIONS

Planning Policy

The Development Plan locates the application site within the settlement boundary of Odiham.

National Planning Policy Framework (NPPF) (February 2019)

Section 4 (Decision-making)

Section 12 (Achieving well-designed places)

Section 15 (Conserving and enhancing the natural environment)

Section 16 (Conserving and enhancing the historic environment)

The development plan for the site is the Hart Local Plan (Strategy & Sites) 2032 (HLP32) which has been recently been adopted, Saved Policies of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006 (HLP96). The Saved Policies of the HLP96 are identified in the appendices of HLP32.

Hart Local Plan (Strategy & Sites) 2032

NBE4 - Biodiversity

NBE8 - Historic Environment

NBE9 - Design

INF3 – Parking

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

GEN1 - General Policy for Development

Odiham and North Warnborough Neighbourhood Plan 2014 -2032

Policy 5 - General Design Principles. Development shall complement and be well integrated with neighbouring properties in the immediate locality. Architectural design shall reflect high quality local design references in both the natural and built environment and reflect and reinforce local distinctiveness

Policy 6 - Odiham Conservation Area. Development shall be designed so as to sustain significant views that contribute to the character and appearance of the Conservation Area. Development should use a common palette of locally distinctive vernacular building forms and materials.

Development in The Bury shall respect the existing mix of scale of buildings surrounding The Bury and the strong sense of enclosure that adjoining buildings provide to the public open space.

Other Guidance and considerations

Hampshire County Council Standing Advice

Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 - works and development affecting statutory listed buildings (structures) and Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 - Conservation Area

Historic England (2008) Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment

Historic England (2015) Managing Significance in Decision Taking in the Historic Environment Assessment

8. ASSESSMENT

Principle and Policy Matters

The application site is situated within the settlement of Odiham where there is a presumption in favour of sustainable development provided that the proposal is in compliance with

development plan policies and that no unacceptable harm to residential amenity, the environment, highway safety or any other material planning considerations arise.

In addition, the acceptability of the current proposals will depend upon their impact on the Listed Building. The impact of the proposal on the character and appearance of the Conservation Area is intrinsically linked to its impact on the Listed Building.

The legislative tests set out in Section 16(2) and 66(1) of the Listed Buildings and Conservation Areas Act (1990) that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas when considering development proposals that affect the setting or views into it. Section 16 of the NPPF (2019) is relevant for the determination of this application. Specifically, the test in Paragraph 196 of the NPPF is relevant. This states that *"where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal"*.

Local Plan Policy NBE8 (historic environment) requires proposals to conserve or enhance heritage assets and their settings, taking account of their significance. The policy states that proposals that lead to harm to the significance of a heritage asset will not be permitted unless they meet the relevant tests and assessment factors specified in the NPPF.

In line with the above, it is firstly necessary to consider what the significance of the heritage asset is and then establish if the proposed works and/or development would cause harm to its significance. If it is concluded that the proposals would not cause harm, then consent should be granted. If however, harm is established then it is necessary to consider if any public benefits weigh in favour of the proposals despite the harm. It is worth noting that in performing this "balance" the NPPF requires that "great weight" is given to the preservation or conservation of the heritage asset (paragraph 193).

Significance of the Heritage Asset

The significance of the site and its relationship to its context were set out very clearly in the appeal decisions reached on previous proposals. The inspector provides a succinct description: *"Stoney Cottage is a Grade II listed building within the Odiham Conservation Area (CA). The statutory list description identifies the building as being 16th century and modern, two-storeys, with an exposed timber frame and jetty to the front, curved braces, red tile roof and red brick and rendered infill. Its significance and special interest lie in its preservation of the authentic qualities of a modest timber-framed dwelling of that period. The building's overall form, layout, surviving historic fabric and degree of historic integrity are therefore aspects that underpin that special interest."*

"The well-preserved qualities and integrity of Stoney Cottage, which is in a prominent location on one of the town's earliest street and close to the historic marketplace, provide a link with the area's early built development. Consequently, Stoney Cottage contributes both aesthetically and historically to the character and appearance of the CA as a whole and to its significance as a designated heritage asset." (H Porter BA(Hons) MScDip IHBC, from appeal decisions APP/N1730/W/19/3223746 and APP/N1730/W/19/3223747.)

Design and Impact on the Significance of the Heritage Assets

The extension would replace, on the same footprint, an existing conservatory. It would have no impact on the fabric of the original building as it would be attached to the rear elevation of a modern extension. The current proposals are significantly amended following the earlier scheme which was refused and subsequently dismissed on appeal.

Throughout the course of the application officers have sought to assist the applicants to achieve an appropriate scheme, however, the agent has advised the proposal cannot be further amended. Whilst the proposal has been reduced both in footprint and height when compared to the previous proposals the overriding concern with the design and appearance of the proposed extension remains.

The final (as amended) plans are for a structure which would be 4.26m wide, 3m deep and 2.73m high, which would be positioned square onto the rear elevation of the host dwelling. The design would feature alternating brick piers with aluminium framed glazing panels. The side glazed panels would be fixed; however, the rear panels would slide past each other. The extension would be flat roofed, and a brick parapet is proposed to screen the roof which would feature a fixed flat rooflight. Officers have significant concern that the proposed design would not represent a light touch solution to an extension, however the agent advises the design is unable to be further refined.

The Conservation Team has considered the proposal and concluded that harm would be caused to the setting of the listed building. Their comments state:

"The extension now proposed still fails to preserve, enhance or respect the special character of the listed building and its setting, the setting of other listed buildings, and also the surrounding Conservation Area. It is instead discordant and incongruous, and generally unsympathetic to its surroundings. The proposed extension causes less than substantial harm to the special character of the listed building, and to the character and appearance of the surrounding conservation area, with insufficient justification for this avoidable harm."

Odiham Parish Council also objects to the proposal, identifying the extension as *"incongruous and unsympathetic to its surroundings."*

The application site is on The Bury, which was part of the market area for the early town and within Character Area 3 of the Odiham Conservation area. This area is subject to an Article 4 Direction which furthers control development on all elevations of residential properties. The cultural value of the history of the setting forms part of to the special character of the Conservation Area as a heritage asset, which is also derived from the number of high-quality many listed buildings present, including the Grade I listed All Saints Church.

The proposed scheme has been identified by the Conservation Officer as causing less than substantial harm to the character and appearance of the conservation area. Whilst there would be limited views of the extension from the public realm, some views of the extension are likely to be possible notwithstanding the existing boundary enclosures of the site. Given that the proposed extension would be unsympathetic, it would not have a neutral impact on the Conservation Area and would result in harm albeit at the less than substantial scale. In summary, the proposed extension by virtue of its design, scale and location would detract from and be harmful to the significance of the listed building and the Conservation Area, albeit at the 'less than substantial' category set out in the NPPF.

Neighbour Amenity

Local Plan Policy GEN1 emphasises that sustainable development should be permitted provided that the proposal does not result in any material loss of amenity to adjoining neighbours, among other considerations.

The proposed development would be located on the footprint of an existing conservatory. In light of this, it is considered the proposed development would not give rise to any unacceptable impacts by virtue of an overbearing nature, loss of light or overlooking/loss of privacy over and above the existing situation.

The initial plans included the proposed addition of a dormer to the side roof of the property, however this has been removed as a result of amendments to the plans.

Parking

Local Plan Policies GEN1 and INF3 state that all developments should provide appropriate parking provision in accordance with the Council's parking standards.

The number of bedrooms at the property would remain the same. The proposal is therefore not considered to give rise to any detrimental implications on highway safety. The proposal therefore complies with saved Local Plan Policies GEN1 and INF3.

Biodiversity

Local Plan Policy NBE4 states that all developments should protect and enhance biodiversity. The Local Planning Authority has a duty under the Natural Environment and Rural Communities 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. The development would involve the removal of a conservatory which is not considered to be a suitable environment for roosting bats. As the work would not impact on any other roofs, the proposal is unlikely to adversely impact on any bat species. Therefore the proposal would comply with Local Plan Policy NBE4.

Public benefit and planning balance

As set out above the proposal would cause harm to the significance of the listed building and the Conservation Area. In this instance the harm caused would be at the less than substantial scale, within the meaning of the term in paragraphs 196 of the National Planning Policy Framework (2019). Any harm to designated heritage assets must require clear and convincing justification and be weighed against its public benefits. The Council is also required to give "great weight" to the conservation of the Heritage Assets.

Public benefits can deliver economic, social or environmental objectives as outlined in paragraph 8 of the NPPF. Public benefits should be a result of the proposed development and of a nature or scale to the public and not just be a private benefit. Public benefits do not have to be visible or accessible to the public in order to be a public benefit. For example, works to a listed private dwelling which secures its future as a designated heritage asset would be a public benefit. Examples of heritage benefits include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long-term conservation.

The submitted heritage statement does not appear to acknowledge that any harm to the listed building or Conservation Area will occur. The works to expand the property do not fall within the definition of a public benefit as there is no suggestion that the property cannot continue in its current form as a single dwelling. The work proposed may provide personal benefits to the applicants, however, in this respect they cannot be given any weight in the balance required to be made between harm and public benefits.

Given the above, no public benefits that should be given any weight in the balance required to be undertaken under paragraph 196 of the NPPF appear to be engaged. As such the proposals would be in direct conflict with the requirements the NPPF and with Policy NBE8 of the Local Plan.

9. CONCLUSION

In considering all the above, the proposal, would result in harm to the significance of the designated heritage assets, in conflict with the requirements of Section 16 of the National Planning Policy Framework (February 2019) and Policy NBE9 of the Hart Local Plan (Strategy & Sites) 2032. Such harm would be within the 'less than substantial' category and would not be outweighed by any public benefit arising from the proposals. The application is therefore recommended for refusal.

10. RECOMMENDATION - Refuse

REASONS FOR REFUSAL

1 The proposals would, by virtue of the form, design and scale of the extension result in harm to the significance of the Grade II listed building. There is no clear and convincing justification for such harm. Such harm would be 'less than substantial' and would not be outweighed by public benefits. As a consequence, the proposals would be in conflict with the requirements of Section 16 of the National Planning Policy Framework (February 2019) and Policy NBE8 of the Hart Local Plan (Strategy & Sites) 2032.

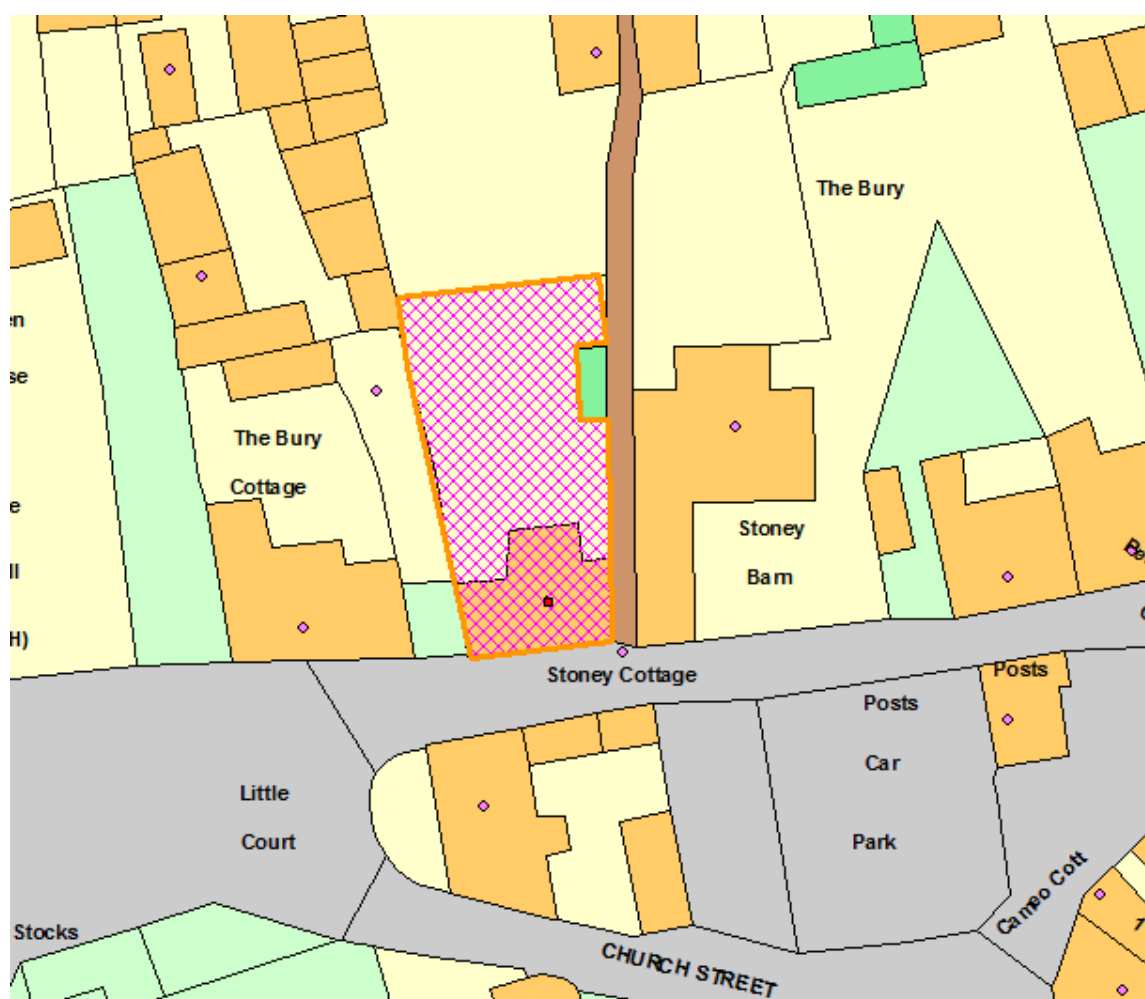
2 The proposals would, by virtue of the form design and scale of the extension result in harm to the significance of the Odiham Conservation Area. There is no clear and convincing justification for such harm. Such harm would be 'less than substantial' and would not be outweighed by public benefits. As a consequence, the proposals would be in conflict with the requirements of Section 16 of the National Planning Policy Framework (February 2019) and Policy NBE8 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 National Planning Policy Framework. In this instance, the proposed development was deemed to be unacceptable and the scheme could not be further amended to address the Council's specific concerns without altering the fundamentals of the proposal. The development was therefore determined on the basis of the information provided.

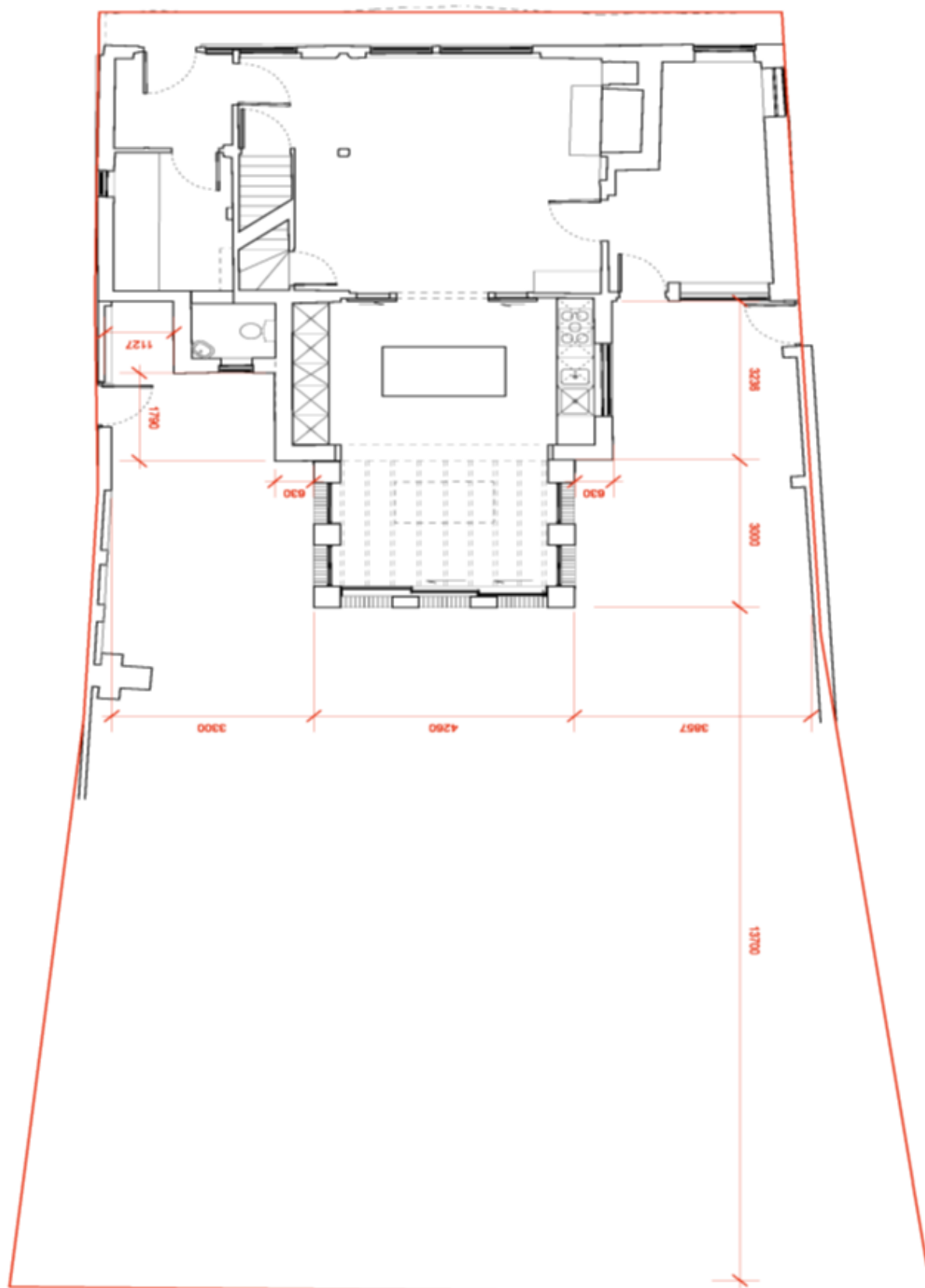
COMMITTEE REPORT**ITEM NUMBER: 102**

APPLICATION NO.	20/01009/LBC
LOCATION	Stoney Cottage The Bury Odiham Hook RG29 1LY
PROPOSAL	Demolition of existing timber conservatory and erection of a single storey rear extension and associated internal alterations.
APPLICANT	Mr and Mrs Osmond
CONSULTATIONS EXPIRY	23 November 2020
APPLICATION EXPIRY	2 July 2020
WARD	Odiham
RECOMMENDATION	Refuse

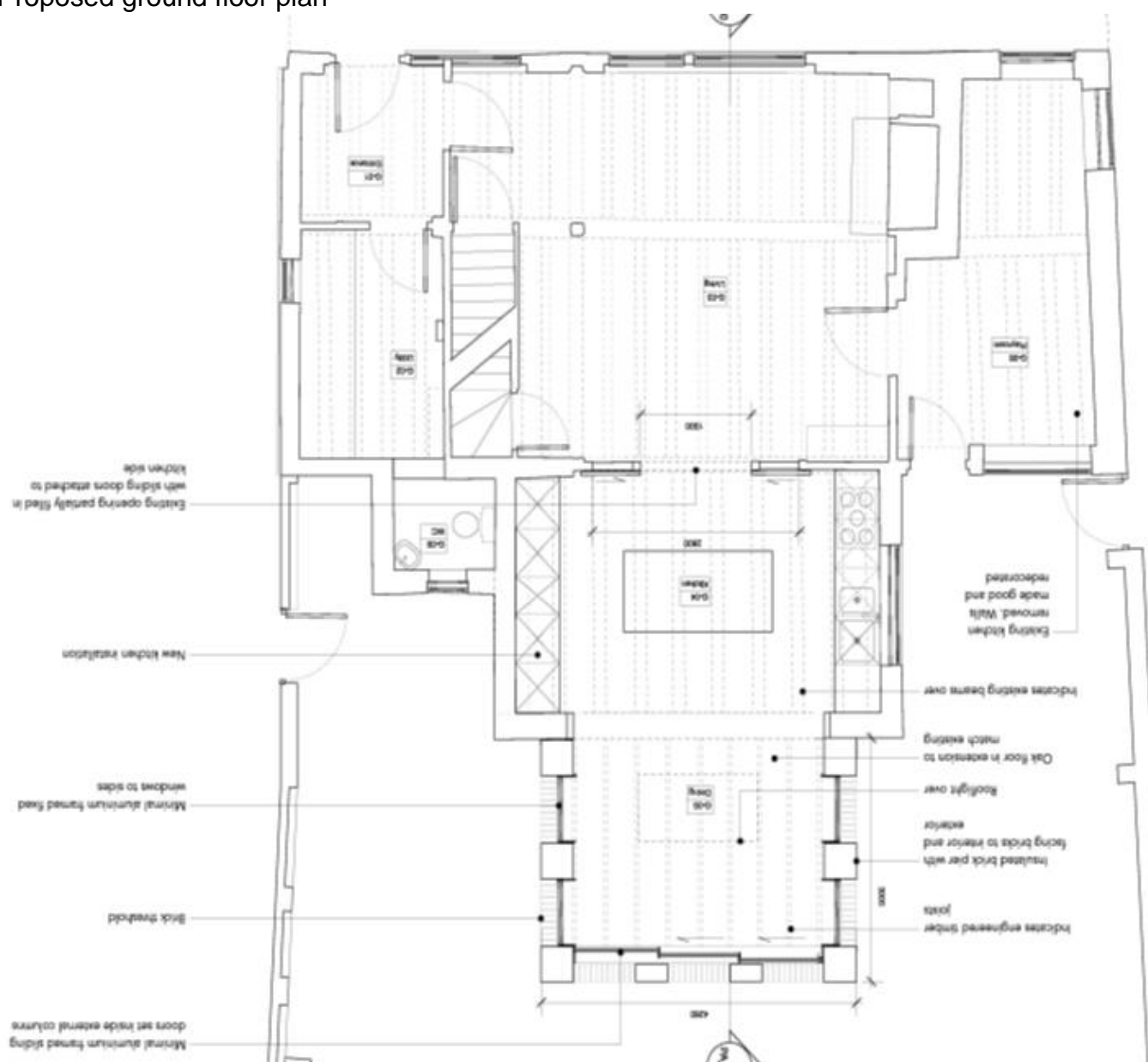


Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office
 © Crown Copyright 2000. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Please Note: Map is not to scale

Proposed site plan



Proposed ground floor plan



Proposed side and rear elevations



1. BACKGROUND

The application is being presented at Planning Committee for the following reason:

This application was subject to pre application advice (19/02557/PREAPP) which identified that a change in design of the proposed extension was required. Officers have sought to negotiate to achieve a more appropriate proposal, however, notwithstanding the changes made objections remain to the proposal. The agents for the applicants advise it is not possible to amend the scheme further, accordingly a decision needs to be reached.

2. THE SITE

The application site is located within the settlement of Odiham and is a detached two-story dwelling which is located within the Odiham Conservation Area, which is further subject to Article 4 Directions.

A public right of way runs directly adjacent to the eastern boundary of the site. The site is in Flood Zone 1 and there are protected trees in the rear garden of the property.

Listing description

C16, and modern. 2 storeys, irregular fenestration, of 2 above 4 windows. Exposed timber frame, with jetty to the south front, curved braces, some restoration. Red tile roof, 1/2-hipped. Infill of frame is mainly red brickwork, new at ground floor, some upper panels rendered, some painted brickwork. Modern casements. Boarded door.

3. PROPOSALS

Demolition of an existing timber conservatory and erection of a single storey rear extension with associated alterations.

4. RELEVANT PLANNING HISTORY

19/02557/PREAPP: Replacement of 1990s extension with tiled pitched roof extension. Opinion issued: changes to design required

18/02353/HOU and 18/02354/LBC: Demolition of existing timber conservatory and erection of a ground floor extension to rear. Refused, dismissed at appeal. Appeal decisions APP/N1730/W/19/3223747 and APP/N1730/W/19/3223746 refer.

18/01855/PREAPP: Demolition of existing modern conservatory to the rear of the property and replace with contemporary oak framed extension. Opinion issued.

17/01065/LBC: Replacement of the oak bressummer beam on the external face of Western flank of the Cottage Permitted 16.06.2017

15/02248/PREAPP: Addition of an orangery style extension. Opinion Issued 22.10.2015

05/00895/LBC: Installation of wooden framed window to west wall of dining room. Repositioning of downstairs cloakroom/utility room wall together with new boiler venting duct through wall. Installation of en-suite bathroom to replace dressing area in master bedroom. Permitted

93/22755/FUL and 93/00951/LBC: Construction of a Conservatory. Permitted

89/18506/FUL and 89/00653/LBC: Two storey rear extension. Permitted

81/08834/HD: Ground and first floor extensions to form utility room, bedroom and en-suite bathroom. Permitted

76/02625/LB: Extensions to provide utility room, bedroom and en suite to bathroom (planning permission and listed building consent). Permitted

57/02642/H: Conversion of two cottages into one residence. Permitted

5. CONSULTEES RESPONSES

Odiham Parish Council

OPC does not object to the principle of an extension to this property but the submitted design fails to enhance or respect the special character of the listed building and its setting and is incongruous and unsympathetic to its surroundings.

Tree Officer (Internal)

Thank you for inviting me to comment.

The dawn redwood in the rear garden is protected by TPO ref: ORD/19/00012, also within the Odiham Conservation Area.

No arboricultural details have been supplied. However, from past visits, the tree is of sufficient distance from the proposed rear extension that it is unlikely to be directly impacted. However, the root system could become damage and/or the soil compacted through the inappropriate storage/mixing of materials.

I have no objection on arboricultural grounds. Should permission be granted, please make this conditional upon the supply/approval of a tree protection plan, specifying the means and location of protective measures, and providing suitable space for the storage/mixing of materials.

Conservation/Listed Buildings Officer (Internal)

Amended plans have been submitted. The newly proposed design does not address my concerns at all. The extension now proposed still fails to preserve, enhance or respect the special character of the listed building and its setting, the setting of other listed buildings, and also the surrounding conservation area. It is instead discordant and incongruous, and generally unsympathetic to its surroundings. The proposed extension causes less than substantial harm to the special character of the listed building, and to the character and appearance of the surrounding conservation area, with insufficient justification for this avoidable harm.

This proposal is therefore contrary to Sections 16(2), 66(1) and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paragraphs within Sections 16 of the NPPF, more specifically paragraphs 184, 192, 193, 194 & 196, and contrary to policies NBE8 and NBE9 of the Hart Local Plan.

There remains an objection.

6. NEIGHBOUR COMMENTS

1 objection comment received regarding dormer window. As this element was removed from the amended plans the objection is considered to have been overcome.

3 support comments received

7. CONSIDERATIONS

Planning Policy

The Development Plan locates the application site within the settlement boundary of Odiham.

National Planning Policy Framework (NPPF) (February 2019)

Section 4 (Decision-making)

Section 16 (Conserving and enhancing the historic environment)

The development plan for the site is the Hart Local Plan (Strategy & Sites) 2032 (HLP32) which has been recently been adopted, Saved Policies of the Hart District Local Plan (Replacement) 1996-2006 and First Alterations to the Hart District Local Plan (Replacement) 1996-2006 (HLP96). The Saved Policies of the HLP96 are identified in the appendices of HLP32.

Hart Local Plan (Strategy & Sites) 2032

NBE8 - Historic Environment

NBE9 - Design

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

GEN1 - General Policy for Development

Odiham and North Warnborough Neighbourhood Plan 2014 –2032

Policy 5 - General Design Principles. Development shall complement and be well integrated with neighbouring properties in the immediate locality. Architectural design shall reflect high quality local design references in both the natural and built environment and reflect and reinforce local distinctiveness

Policy 6 - Odiham Conservation Area. Development shall be designed so as to sustain significant views that contribute to the character and appearance of the Conservation Area. Development should use a common palette of locally distinctive vernacular building forms and materials.

Development in The Bury shall respect the existing mix of scale of buildings surrounding The Bury and the strong sense of enclosure that adjoining buildings provide to the public open space.

Other Guidance and considerations

Hampshire County Council Standing Advice

Section 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 - works and development affecting statutory listed buildings (structures) and Section 72(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 - Conservation Area

Historic England (2008) Conservation Principles, Policies and Guidance for the Sustainable Management of the Historic Environment

Historic England (2015) Managing Significance in Decision Taking in the Historic Environment Assessment

8. ASSESSMENT

Principle and Policy Matters

The application site is situated within the settlement of Odiham where there is a presumption in favour of sustainable development provided that the proposal is in compliance with development plan policies and that no unacceptable harm to residential amenity, the environment, highway safety or any other material planning considerations arise.

In addition, the acceptability of the current proposals will depend upon their impact on the Listed

Building. The impact of the proposal on the character and appearance of the Conservation Area is intrinsically linked to its impact on the Listed Building.

The legislative tests set out in Section 16(2) and 66(1) of the Listed Buildings and Conservation Areas Act (1990) that the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Section 72 requires the Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas when considering development proposals that affect the setting or views into it. Section 16 of the NPPF (2019) is relevant for the determination of this application. Specifically, the test in Paragraph 196 of the NPPF is relevant. This states that "where a development proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal".

Local Plan Policy NBE8 (historic environment) requires proposals to conserve or enhance heritage assets and their settings, taking account of their significance. The policy states that proposals that lead to harm to the significance of a heritage asset will not be permitted unless they meet the relevant tests and assessment factors specified in the NPPF.

In line with the above, it is firstly necessary to consider what the significance of the heritage asset is and then establish if the proposed works and/or development would cause harm to its significance. If it is concluded that the proposals would not cause harm, then consent should be granted. If however, harm is established then it is necessary to consider if any public benefits weigh in favour of the proposals despite the harm. It is worth noting that in performing this "balance" the NPPF requires that "great weight" is given to the preservation or conservation of the heritage asset (paragraph 193).

Significance of the Heritage Asset

The significance of the site and its relationship to its context were set out very clearly in the appeal decisions reached on previous proposals. The inspector provides a succinct description:

"Stoney Cottage is a Grade II listed building within the Odiham Conservation Area (CA). The statutory list description identifies the building as being 16th century and modern, two-storeys, with an exposed timber frame and jetty to the front, curved braces, red tile roof and red brick and rendered infill. Its significance and special interest lie in its preservation of the authentic qualities of a modest timber-framed dwelling of that period. The building's overall form, layout, surviving historic fabric and degree of historic integrity are therefore aspects that underpin that special interest."

"The well-preserved qualities and integrity of Stoney Cottage, which is in a prominent location on one of the town's earliest street and close to the historic marketplace, provide a link with the area's early built development. Consequently, Stoney Cottage contributes both aesthetically and historically to the character and appearance of the CA as a whole and to its significance as a designated heritage asset." (H Porter BA(Hons) MScDip IHBC, from appeal decisions APP/N1730/W/19/3223746 and APP/N1730/W/19/3223747.)

Design and Impact on the Significance of the Heritage Assets

The extension would replace, on the same footprint, an existing conservatory. It would have no

impact on the fabric of the original building as it would be attached to the rear elevation of a modern extension. The current proposals are significantly amended following the earlier scheme which was refused and subsequently dismissed on appeal.

Throughout the course of the application officers have sought to assist the applicants to achieve an appropriate scheme, however, the agent has advised the proposal cannot be further amended. Whilst the proposal has been reduced both in footprint and height when compared to the previous proposals the overriding concern with the design and appearance of the proposed extension remains.

The final (as amended) plans are for a structure which would be 4.26m wide, 3m deep and 2.73m high, which would be positioned square onto the rear elevation of the host dwelling. The design would feature alternating brick piers with aluminium framed glazing panels. The side glazed panels would be fixed; however, the rear panels would slide past each other. The extension would be flat roofed, and a brick parapet is proposed to screen the roof which would feature a fixed flat rooflight. Officers have significant concern that the proposed design would not represent a light touch solution to an extension, however the agent advises the design is unable to be further refined.

The Conservation Team has considered the proposal and concluded that harm would be caused to the setting of the listed building. Their comments state:

"The extension now proposed still fails to preserve, enhance or respect the special character of the listed building and its setting, the setting of other listed buildings, and also the surrounding Conservation Area. It is instead discordant and incongruous, and generally unsympathetic to its surroundings. The proposed extension causes less than substantial harm to the special character of the listed building, and to the character and appearance of the surrounding conservation area, with insufficient justification for this avoidable harm."

Odiham Parish Council also objects to the proposal, identifying the extension as *"incongruous and unsympathetic to its surroundings."*

The application site is on The Bury, which was part of the market area for the early town and within Character Area 3 of the Odiham Conservation area. This area is subject to an Article 4 Direction which furthers control development on all elevations of residential properties.

The cultural value of the history of the setting forms part of to the special character of the Conservation Area as a heritage asset, which is also derived from the number of high-quality many listed buildings present, including the Grade I listed All Saints Church.

The proposed scheme has been identified by the Conservation Officer as causing less than substantial harm to the character and appearance of the conservation area. Whilst there would be limited views of the extension from the public realm, some views of the extension are likely to be possible notwithstanding the existing boundary enclosures of the site. Given that the proposed extension would be unsympathetic, it would not have a neutral impact on the Conservation Area and would result in harm albeit at the less than substantial scale.

In summary, the proposed extension by virtue of its design, scale and location would detract from and be harmful to the significance of the listed building and the Conservation Area, albeit at the 'less than substantial' category set out in the NPPF.

Public benefit and planning balance

As set out above the proposal would cause harm to the significance of the listed building and the Conservation Area. In this instance the harm caused would be at the less than substantial scale, within the meaning of the term in paragraphs 196 of the National Planning Policy Framework (2019). Any harm to designated heritage assets must require clear and convincing justification and be weighed against its public benefits. The Council is also required to give "great weight" to the conservation of the Heritage Assets.

Public benefits can deliver economic, social or environmental objectives as outlined in paragraph 8 of the NPPF. Public benefits should be a result of the proposed development and of a nature or scale to the public and not just be a private benefit. Public benefits do not have to be visible or accessible to the public in order to be a public benefit. For example, works to a listed private dwelling which secures its future as a designated heritage asset would be a public benefit. Examples of heritage benefits include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- reducing or removing risks to a heritage asset
- securing the optimum viable use of a heritage asset in support of its long-term conservation.

The submitted heritage statement does not appear to acknowledge that any harm to the listed building or Conservation Area will occur. The works to expand the property do not fall within the definition of a public benefit as there is no suggestion that the property cannot continue in its current form as a single dwelling. The work proposed may provide personal benefits to the applicants, however, in this respect they cannot be given any weight in the balance required to be made between harm and public benefits.

Given the above, no public benefits that should be given any weight in the balance required to be undertaken under paragraph 196 of the NPPF appear to be engaged. As such the proposals would be in direct conflict with the requirements of the NPPF and with Policy NBE8 of the Local Plan.

9. CONCLUSION

In considering all the above, the proposal, would result in harm to the significance of the designated heritage assets, in conflict with the requirements of Section 16 of the National Planning Policy Framework (February 2019) and Policy NBE9 of the Hart Local Plan (Strategy & Sites) 2032. Such harm would be within the 'less than substantial' category and would not be outweighed by any public benefit arising from the proposals. The application is therefore recommended for refusal.

10. RECOMMENDATION – Refuse

REASONS FOR REFUSAL

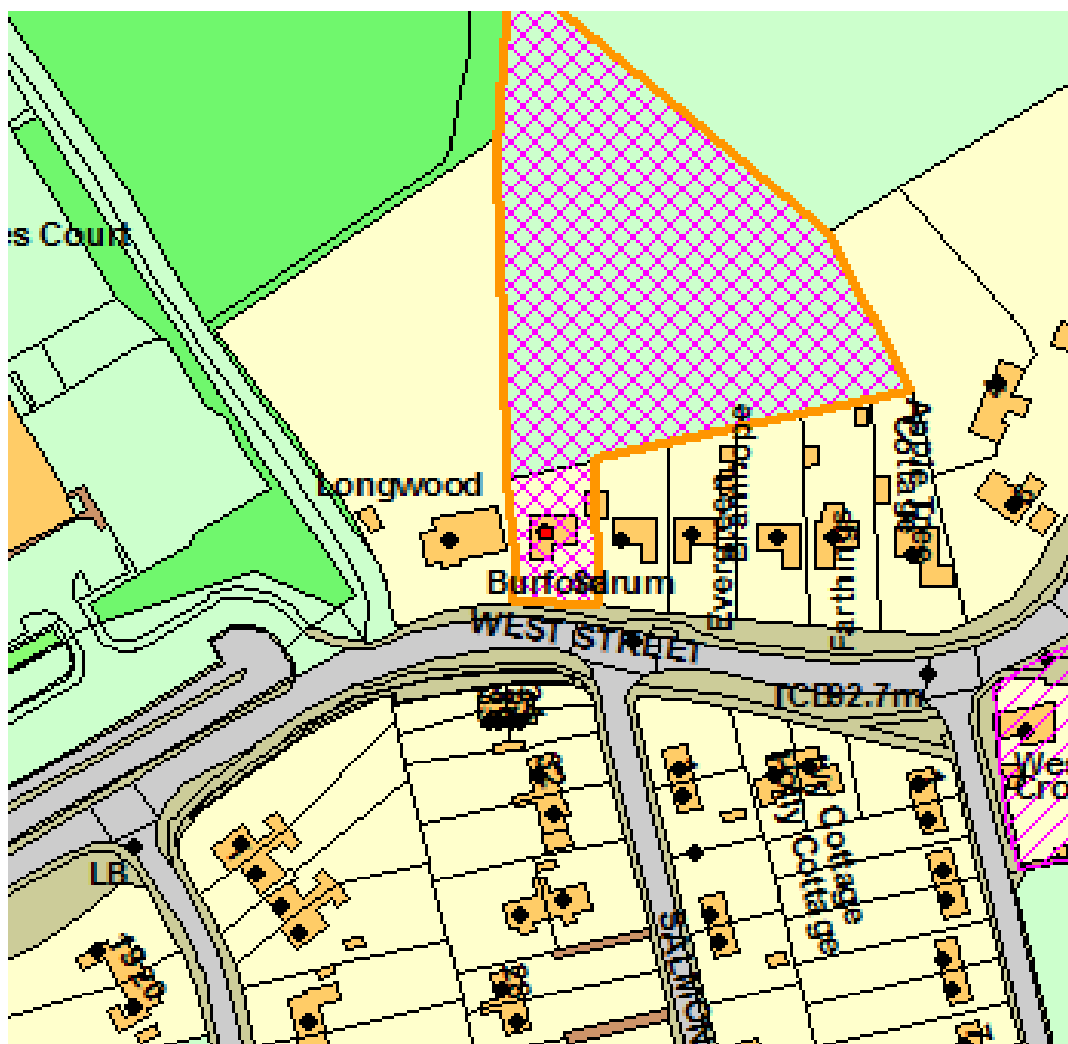
1 The proposals would, by virtue of the form, design and scale of the extension result in harm to the significance of the Grade II listed building. There is no clear and convincing justification for such harm. Such harm would be 'less than substantial' and would not be outweighed by public benefits. As a consequence, the proposals would be in conflict with the requirements of Section 16 of the National Planning Policy Framework (February 2019) and Policy NBE8 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 National Planning Policy Framework. In this instance, the proposed development was deemed to be unacceptable and the scheme could not be further amended to address the Council's specific concerns without altering the fundamentals of the proposal. The development was therefore determined on the basis of the information provided.

**COMMITTEE REPORT
ITEM NUMBER: 103**

APPLICATION NO.	19/02541/FUL
LOCATION	Burford West Street Odiham Hook RG29 1NX
PROPOSAL	Construction of 16 no. dwellings (8 x 2-bedroom, 6 x 3-bedroom and 2 x 4-bedroom) with associated access, landscaping, and parking (following the demolition of existing dwelling house).
APPLICANT	Mr Andrew Uwins
CONSULTATIONS EXPIRY	2 October 2020
APPLICATION EXPIRY	17 February 2020
WARD	Odiham
RECOMMENDATION	Grant subject to conditions and completion of S106 agreement.



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. **Please Note: Map is not to scale**

BACKGROUND

This application has been referred to the Planning Committee at the discretion of the Head of Place due to the fact that the application site is allocated for residential development in the Odiham and north Warnborough Neighbourhood Plan (ONP) and the local interest it has attracted from adjoining neighbours, Ward Councillors and the Parish Council.

A number of amended plans have been sought to address concerns relating to the layout of the dwellings, the relationship with adjoining properties and housing mix for the market element of the proposal.

SITE:

The application site is approximately 0.65 hectares in area. It currently accommodates a bungalow and its curtilage (known as Burford) and also comprises a parcel of land to the rear. The site is generally open grassland with trees along its boundaries. The ground of the site slopes gently down from West to East and also from South to North.

The application site falls within the settlement boundary of Odiham, as per Policies Map of the Adopted Hart Local Plan (Strategy and Sites) 2032 and also maps/statements contained in the Odiham Neighbourhood Plan (ONP).

The area is residential in character with the surrounding properties being a mixtures of dwelling types and sizes. Adjoining the site to the South there are bungalows, although No. 4 Western Lane that abuts part of the Eastern boundary is a two-storey dwelling. There are also two storey dwellings on the Southern side of West Street and Robert May's secondary school is located to the West of the site. To the north, northeast and northwest there are green parcels of land separating North Warnborough and Odiham. They have been designated in the ONP to accommodate public open space and education uses (e.g. potential future expansion of the secondary school).

SITE/ OTHER RELEVANT DESIGNATIONS:

The site falls within the Odiham settlement boundary.

The site falls within Flood Zone 1.

Odiham Conservation Area's boundary is approximately 80m east from the site.

PROPOSAL:

Planning permission is sought for the development of the site to accommodate 16 dwellings with associated access, landscaping and parking. The existing dwelling on site (fronting onto West Street) would be removed as part of the proposal and replaced with a two-storey dwelling. The vehicular/pedestrian access to the rear of the site would adjoin this dwelling.

The layout proposes the dwellings following the perimeter of the site with 4 dwellings backing onto the Southern boundary which is shared with existing bungalows that front onto West Street. Two of these proposed properties would be two storeys in height and two would be bungalows. The remainder of the dwellings of the proposal are two storeys in height. The housing provision and mix of the proposal is as follows:

Table 1 – Housing mix.

Market				
	2 Bedroom House	3 Bedroom House	4 Bedroom House	Total
	3	5	2	10
Affordable				
	2 Bedroom House	3 Bedroom House	4 Bedroom House	
Affordable Rent	3	1		4
Shared Ownership	2			2

The internal road for the development would largely run in the middle of the site with dwellings proposed at either side. The layout also comprises a central green area in a triangular shape adjoining the road's turning head. There would also be green pockets proposed along the frontage of the dwellings.

The proposed plans indicate that the access road would also allow for vehicular/pedestrian access to the adjoining development land to the west (development site i – Land at Longwood). There would also be a pedestrian/cycle access to the adjoining land to the north (allocated for development in the ONP) which would link to land allocated for the provision of open space – Dunley's Hill Open Space.

RELEVANT PLANNING HISTORY

19/00603/FUL, Withdrawn 04.11.2019

15no. dwellings (7 x 2-bedroom, 3 x 3-bedroom and 5 x 4-bedroom) with associated access, landscaping and parking (following the demolition of existing dwellinghouse).

CONSULTEES RESPONSES

Odiham Parish Council

Objection

- Permitted development rights for extending into the roof spaces should be removed for this site to ensure 2 bedroomed and 3 bedroomed properties remain as designed.
- Policy 2 ii d states that there should be single storey dwellings adjacent to the existing single storey dwellings in West Street. We object to the plans for Plots 1, 2 and 5 which are designed as 2 storey dwellings.
- NP policy 4 is clear in that 50% of market housing should be 1 / 2 beds, 30% should be 3 beds and 20% 4 beds. This resubmission shows that market housing is 30% 2 bed - 3 units (should be 50% - 5 units) and 40% 4bed - 4 units (should be 20% - 2 units). Housing mix fails to meet requirements of NP policy 4.

- We object to the many parking lots on the entrance to the estate which will give this a harsh looking environment. More landscaping and green planting on the entrance road will give a better appearance. Indeed, less hard surfacing and more green landscaping areas within the whole site would improve it.
- Request that the trees planted in the gardens of plots 2, 3, 4 and 5 have conditions applied to them to ensure that they cannot be removed and that if they die, they are to be replaced.

HCC Local Lead Flood Authority

No objection.

Drainage (Internal)

No objection, subject to conditions.

- Finished levels of internal ground floors
- Boundary treatments of dwellings 4 and 5 to be permeable to flood waters.

Hampshire County Council (Highways)

No objection, subject to conditions.

- Construction Method Statement
- Vehicular Access sightlines compliance

Landscape Architect (Internal)

Concerns raised.

- Plot 8 has been positioned close to an Oak tree in tree group 10 (G10), it serves an important role mitigating the impact of development from the rural land to the north east (development site 'v' in the NP). If developed in the future, visual separation and a contributor to local character and sense of place.
- Soft/hard landscaping should be conditioned, as one of the hedging species is not acceptable. Conditions to require details of species, sizes, quantities of plants, management plans for all open areas and non-private boundaries and implementation of landscape proposals.

Housing (Internal)

No objection.

- Nomination agreement required for the 40% affordable housing provision.
- Rent level not to exceed local housing allowance levels
- Affordable housing management by a Register Provider
- Garden for plots 9 and 10 has been separated.
- Access to bin storage and access should be provided for each property.

Ecology Consult (Internal)

No objection subject to conditions.

- Submission of detailed Ecological Management Plan

Environmental Health (Internal)

No objection, subject to conditions.

- Unexpected Land Contamination
- Construction Method Statement
- Internal sound levels

NEIGHBOUR COMMENTS

Letters were posted to neighbouring properties; a local press advert and site notice was displayed opposite the application site. The closing date for the consultation period was 20.12.2019. 10 public representations from three objectors were received by the Council against the proposal. There was also an objection received from the Odiham Society.

A second round of public consultation was undertaken in 18.09.2020 because of the receipt of revised plans submitted in response to objections raised. Two public representations were received (from two of the objectors that responded to the 1st consultation exercise).

The grounds of objections are summarised below.

- NP policy 4 is clear in that 50% of market housing should be 1 / 2 beds, 30% should be 3 beds and 20% 4 beds. This resubmission shows that market housing is 30% 2 bed- 3 units (should be 50% - 5 units) and 40% 4bed - 4 units (should be 20% - 2 units). Housing mix fails to meet requirements of NP policy 4.
- Policy 2 ii d states that there should be single storey dwellings adjacent to dwellings in West Street. Siting two large properties at plots 2 and 5 on either side of more appropriate bungalows fails to meet this requirement. This would substantially change the character of the area.
- The proposed designs have a "heavy" quality which contrasts with the light and unassuming architecture of the bungalows, which means that the new will be overbearing of the existing.
- NP Policy 5i. Development shall complement and be well integrated with neighbouring properties in the immediate locality in terms of scale, density, massing, separation, layout, materials and access. This application fails particularly in respect of scale and massing.
- Design and external finishing's are not in keeping with the immediate area.
- NP Policy 5iii. Plots 2 and 5 in particular will be overbearing by virtue of their height and size, when compared to the adjacent bungalows. Separation and a few trees (which, once they are large enough to have a screening effect will come under pressure for removal as they are to the south of the new properties) do not make up for inappropriately out of scale properties.

- Loss of privacy to adjoining bungalows.
- The increase of property numbers within the land area will increase traffic movements in an already busy road. Additional vehicular activity opposite the intersection with Salmons Road and the proximity of the Secondary School vehicular exit would result in risk of accidents.
- Section 25 of the application form was incorrectly completed.
- Public consultation has not taken place.
- The site was cleared 18 months ago without any authorisation, contrary to comments from the Environmental Health Officer.
- Restrictions should be imposed to restrict building into the roof space and prevent skylight windows from being added.

CONSIDERATIONS

1. Planning policy.
2. Principle of development.
3. Layout, scale/design /appearance and Character of the streetscene.
4. Housing
5. Impact on neighbours' amenity.
6. Biodiversity/ landscaping.
7. Drainage/flooding.
8. Access, parking and refuse.
9. Building for a healthy life.
10. Footpath within the development to link with Dunley's Hill
11. Thames Basin Heaths Special Protection Area
12. Planning Obligations

1. PLANNING POLICY

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

The relevant plan for Hart District is the Hart Local Plan: Strategy and Sites 2016-2032 (HLP32), the saved policies of the Hart District Local Plan (Replacement) 1996-2006 (HDLP06) and the Odiham and North Warnborough Neighbourhood Plan (2017). Adopted and saved policies are up-to-date and consistent with the NPPF (2019).

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

SD1 - Sustainable Development
 SS1 - Spatial Strategy and Distribution of Growth
 H1 - Housing Mix - Market Housing
 H2 – Affordable Housing
 H6 - Internal Space Standards for New Homes
 NBE2 - Landscape

NBE4 - Biodiversity
 NBE5 - Managing Flood Risk
 NBE9 - Design
 NBE11 - Pollution
 INF3 – Transport
 INF4 – Open Space, Sport and Recreation

Saved Policies of the Hart District Council Local Plan (Replacement) 1996 – 2006 (DLP06)

GEN 1 - General Policy for Development
 CON8 - Trees, Woodland & Hedgerows: Amenity Value

Odiham and North Warnborough Neighbourhood Plan 2014-2032 (ONP)

Policy 1 - Spatial Plan for Parish
 Policy 2 – Housing Development Sites
 Policy 4 – Housing Mix
 Policy 5 – General Design Principles
 Policy 12 – The Natural Environment

South East Plan 2006-2026

NRM6 – Thames Basin Heath Special Protection Area

Other relevant material considerations

National Planning Policy Framework 2019 (NPPF)
 Planning Practice Guidance (PPG)
 Building for a Healthy Life (2020)
 Technical Housing Standards - nationally described space standard (DCLG 2015)
 BRE Report - Site layout planning for daylight and sunlight: a guide to good practice (2011)
 Parking Provision Interim Guidance (2008)
 Strategic Housing Market Assessment 2016 (SHMA)
 Thames Basin Heath Special Protection Area Delivery Framework (2009)

2. PRINCIPLE OF DEVELOPMENT

The ONP has identified the application site for residential development in Policy 2: Housing Development Sites for approximately 15 dwellings (Page 26). Therefore, the principle of residential development on the subject site is established in this instance.

However, it is still necessary to consider the details of the proposal and whether they accord with the Development Plan including the specific requirements of the ONP site allocation policy.

3. LAYOUT, SCALE /DESIGN /APPEARANCE AND CHARACTER OF THE STREETSCENE

-
- Layout

Policy 2 of the ONP requires following (a), (b) and (c):

a. *Vehicular access to the site shall be via a shared access with the adjoining site, Land at Longwood (Site i).*

It is proposed that the existing bungalow known as Burford is removed to allow for the main vehicular/pedestrian access to the site directly from West Street. A two-storey dwelling (plot 1) would be constructed in its place but sited further west, which would allow the road to go through to the application site and towards the adjoining development site i allocated in the ONP (red arrow in Figure 1 below).

b. Existing boundary trees and hedgerows shall be retained (other than those required to achieve site access) and shall be reinforced with native species.

The site mainly features trees along the perimeter of the site, however there would be four trees proposed for removal. One of them is located along the frontage of the site (access) and three of them are located along the eastern boundary of the site, adjoining the dwelling at plot no. 8.

Records revealed that none of the on-site trees are protected. The site inspection revealed that the eastern boundary of the site is largely open where plot 8 would be located. The 3x trees proposed for removal along this boundary have been assessed as being unbalanced (one-sided-shaped). A robust landscape strategy would secure tree replacement to compensate/reinforce landscaping as intended by this criterion.

The layout of the proposal concentrates the vehicular/ pedestrian circulation space towards the centre of the site with properties surrounding it and forming an enclosure to the shared space. The access road would be flanked by an existing bungalow known as 'Sarum' and the proposed two storey dwelling at plot 1. There would be green pockets of landscaping at the front of the site and along the access road as it runs through the site.

The shared space, semi-private/ private space proposed for the dwellings and the buildings themselves appear to be comfortably distributed on the site with reasonable spacing in between and around them. The ratio between the hard standing and the green areas within the site would be satisfactory. The layout offers a green edge along the perimeter with all the rear gardens adjoining it. The spaces proposed with hardstanding in between the houses is also broken up with green spaces through the provision of gardens at the front of the properties and a central green between plots 6 and 7 and 15 and 16.



Figure 1 - Layout plan

There would be a variety of dwelling sizes and types in the layout, which would contribute to the sense of place the development would offer. When looking at the layout proposed and how it would fit in with the surrounding area, the development would reflect the proportions and appearance of properties in the surrounding area which is mainly residential in character and displays a variety of single/two storey properties in detached/semi-detached/terrace forms, all with different scales.

- **c.** *The layout shall include trees, in both the communal and private amenity areas, to reflect the green rural character of this part of the village.*

The submission is accompanied by the indicative landscape proposal below, which shows planting is proposed in the rear gardens and also the frontages of the development. As discussed in previous sections of this assessment, a landscape planning condition would be necessary to secure appropriate integration of the development with the surroundings.



Figure 2 - Indicative soft landscape plan

- Scale/Design/Appearance

The scale of properties is restricted to single and two storey buildings, which are the scale of properties found in the locality.

Four of the detached dwellings proposed (plots 2, 3, 4 and 5) and their gardens would back onto the gardens of existing bungalows that front onto West Street.



Figure 3 - Plots 2, 3, 4 & 5 backing existing bungalows.

The two storey properties proposed (plot 2 and 5) have attracted objection from the three neighbouring residents that submitted representations to the Council and also from the PC. All of them consider the proposal to fall foul of this criterion.

Nonetheless, criterion d above requires a mix of 'dwelling types' and specifically states that any development on the site should 'include **some** single storey dwellings adjacent to the existing single storey bungalows that front onto West Street'.

By including two bungalows (Plots 3 and 4 above) adjoining the existing neighbouring ones, the proposal is complying with the requirement of policy 2(d) of the ONP as nowhere does it say that properties in this section of the site should be exclusively single storey.

The remainder of the application site proposes two storey properties, as required.

The design/appearance of the dwellings proposed would offer a variety in their appearance. The different typologies, sizes, materials and elevational features including dual pitch roofs would be in keeping with the pattern of development in the locality. A range of different roof and wall coverings are proposed but maintains a general consistency thought the light buff brick that is proposed.



Figure 4 - Two storey property example



Figure 5 - Bungalow example.

- Character of the Streetscene

The proposed dwellings would differ in appearance to the existing bungalows on West Street that immediately abut the southern boundary of the site. These properties are very uniform in appearance with white render and interlocking concrete roof tiles. However with the exception of plot 1 which would contribute positively to the variety of buildings along West Street, the proposed houses would form their own street therefore it is not essential that they have the same uniform appearance as the existing dwellings on West Street. It should be noted that in the wider street scene on West Street/Western Lane there is a variety of materials and as such the proposal would be in keeping with the character of the area.

Moreover, it is noted that ground levels in the immediate surroundings to the site area drop in a northerly direction. This means that ground levels along West Street are higher than ground

level at the application site. When standing along West Street there is a clear perception of the ground sloping down towards the north. Sectional plans submitted reflect this downward slope of the ground. The resulting ground levels would contribute to moderate the visibility of the site from public viewpoints along West Street behind the existing bungalows.

Mainly a small section of the first floor and roof profiles of plots 2 and 5 along with other proposed dwellings behind would be apparent above the bungalows and the greenery along the rear boundary of these existing properties. However, such visibility from the public domain would not be detrimental to the locality.



Figure 6 - Streetscene

Equally, intermittent glimpses of the proposed development would be achieved southbound along Dunleys Hill (B3349) and once the landscaping of the rear gardens/perimeter is established the development would not be particularly prominent from this road. The proposal would be seen as the edge of the settlement just as properties on the north side of Western Road and West Street currently form the settlement edge. Such visibility of the development at the distance from Dunleys Hill (B3349) would not have a material effect on how the edge of the settlement is perceived from this road.

Thus, the proposed residential development would be acceptable with regard to its layout, design/appearance and impact on the locality and would not materially conflict with policy NBE9 of the HLP32, saved policy GEN1 of the HLP06, policy 5 of the ONP or section 12 of the NPPF.

4. HOUSING

- Housing quality

Internally, all the habitable spaces of the units would be served by windows which would provide natural ventilation/daylight and the internal floor area of the units would comply with the National Described Space Standards. Externally, the development would provide landscape areas to the rear of the properties for the amenity purposes of prospective occupiers. The gardens would be of an adequate size and shape that would render them usable.

- Quantum and Housing mix

Policy 2 of the ONP requires the development of this site to accommodate approximately 15 dwellings. The proposed application seeks consent 16 dwellings. The policy itself doesn't prevent more than 15 dwellings from being proposed because the quantum specified is "approximately 15" rather than being a stated maximum. This allows some flexibility in numbers subject to the details of the particular scheme being otherwise acceptable. Clearly there is a need to provide suitable homes to meet the needs of the District and make efficient use of the land. A proposal of 16 dwellings would not conflict with the relevant policy.

Furthermore, Policy 2 (ii) in the ONP requires the development to have a mix of dwelling types, to include some single storey dwellings. Policy 4 of the ONP specifically deals with the required housing mix in terms of dwelling sizes. The policy specifies that the market housing mix of the development should reflect the mix set out in the ONP or a more up to date evidence of needs adopted by the District Council. In addition it should provide affordable housing as required by the Hart District Council Local Plan (HLP32).

In this case whilst the ONP was adopted in 2017, the more up-to-date policy is the recently adopted policy H1 (Market Mix) of the HLP32, which is informed by most up to date information about housing needs (District Wide) by the 2016 SHMA for Hart, Rushmoor and Surrey Heath. This policy has a different housing mix requirement to that set out in the ONP however it is appropriate to test the proposal against the mix set out in HLP32 policy H1

The proposed residential scheme would deliver the following overall housing mix:

Table 2 – Overall Housing Mix

Overall Housing Mix		
2 Bedroom House	3 Bedroom House	4 Bedroom House
8 (30%)	6 (37.5%)	2 (12.5%)

The ONP market housing mix requirement is illustrated below.

Table 3 – ONP Market Mix requirement

1/2 Bedrooms	3 Bedrooms	4+ Bedrooms
31%	38%	

		30%
--	--	-----

The market Housing mix proposed by the development subject to this application is as follows:

Table 4 – Market Housing Mix proposed

Market Housing Mix			
2 Bedroom House	3 Bedroom House	4 Bedroom House	Total
3 (30%)	5 (50%)	2 (20%)	10 (100%)

The proposed market mix above would not strictly comply with the mix required by the ONP which intends to satisfy the local housing needs revealed by the Odiham and North Warnborough Housing Need Survey Report by Action Hampshire (December 2015) and the December 2014 SHMA for Hart, Rushmoor and Surrey Heath.

However, the recently adopted policy H1 (Market Mix) of the HLP32, which is informed by most up to date information about housing needs (District Wide) by the 2016 SHMA for Hart, Rushmoor and Surrey Heath, requires a market housing mix for 2, 3 and 4 beds as follows

Table 5 – SHMA Market Housing Mix

1 bedroom	2 Bedroom	3 Bedroom	4 Bedroom
7%	28%	44%	21%

It is noted that there are no 1-bedroom units proposed, however the percentages of 2, 3 and 4-bedroom units are almost a match to the housing needs revealed by the 2016 SHMA. Given the small number of market houses on site it would not be possible to entirely match the required mix. Therefore, the mix of market housing proposed is appropriate in the circumstances and in compliance with the relevant Development Plan Policies.

- Affordable housing

The proposed mix for the affordable element of the proposal provide 2 and 3-bed properties and would have a split of rent and shared ownership (67:33). Given the relatively small number of units to be provided, this split in tenure is appropriate and the Council's Housing team are content with the affordable housing proposal.

Table 6 – Affordable Housing.

Affordable Housing				
	2 Bedroom House	3 Bedroom House	4 Bedroom House	
Affordable Rent	3	1		4
Shared Ownership	2			2

The 40% affordable housing requirement for this scheme would be 6.4 dwellings. In addition to the provision of the above 6 affordable dwellings, the applicant has agreed to a financial contribution amounting to £25,302.30 in lieu of the 0.4 of a dwelling required.

The provision of the affordable housing will need to be secured through a planning obligation and negotiations are continuing. Subject to the completion of that agreement, the proposed affordable housing provision would comply with the requirements of the Development Plan and would make a valuable contribution towards the Council's affordable housing needs which weighs heavily in favour of the proposal.

Overall, subject to the completion of the planning obligation as set out above, the overall housing mix (market and affordable) is appropriate and in compliance with the relevant Development Plan policies.

5. IMPACT ON NEIGHBOURS' AMENITY

The properties that would be most affected by the proposal would be the properties adjoining the site and fronting onto West Street/Western Lane which back directly onto the application site. These being: Longwood, the 5 bungalows (Sarum, Evergreen, Bramhope, Farthings and Apple Tree Cottage) and no. 4 Western Lane.

Representations received raised particular concerns with regards to the proposed dwellings at plot 2 and 5 (two storey properties) which would directly adjoin Sarum, Farthings and Apple Tree Cottage. Analysis of the potential impacts are discussed below.

- Longwood

Plot 1 would adjoin this property to the west and would sit approximately 1m away from the shared boundary, slightly closer than the existing bungalow proposed for demolition (Burford). Longwood is standing on higher ground (approximately 1m) when compared to plot 1, as per current and also proposed situation.



Figure 7 - View of Longwood

Plot 1 would be sited directly opposite the flank elevation of Longwood. It is noted that this

adjoining property features a couple of ground floor windows in the flank elevation, however from records held these two flank windows are serving the garage and a utility/storage area. Plot 1 is proposed at two storeys, however the first-floor secondary window of Longwood would largely remain unaffected due to the differences in ground levels. Also the roof of Plot 1 would slope away from this adjoining property. Hence the resulting relationship between plot 1 and Longwood would not raise concerns.

- 5 bungalows (Sarum, Evergreen, Bramhope, Farthings and Apple Tree Cottage)

Sarum.

Plot 1 and Plot 2 would be sited closest to Sarum. The two-storey dwelling at Plot 1 would be sited directly west from this bungalow, however the access road would be located in between the two. The resulting distance between them would be approximately 13m, which is an improvement from the existing situation as the existing bungalow on site is 6m away.

It is also noted that a landscaping buffer strip is proposed along the shared flank boundary with Sarum and its detached side garage, which would contribute to provide screening in addition to the increased distance from plot 1. External ground levels at Plot 1 would largely remain unaltered and would be similar to those at Sarum, as per the current situation.

The two-storey dwelling at Plot 2 would be sited north from Sarum at a distance of approximately 24m, at the closest, and approximately 10.8m from the shared boundary. The boundary features mature hedging that is over 2m in height and is mostly located within the rear garden of Sarum.



Figure 8 - View towards Sarum (Rear boundary high hedge within Sarum's garden)

In terms of ground levels, the external finished floor level surrounding plot 2 would be approximately 1.10m lower than the external ground level adjoining the front entrance of Sarum (internal floor levels of Sarum would be approx. 0.15m higher than external at the front).

As a result, the external ground levels between the gardens of Plot 2 and Sarum would be largely level with each other. As such despite plot 2 being two storeys in height, due to the significant distance between the buildings, the boundary treatment within the rear garden of Sarum and resulting ground levels, no material impacts are anticipated to this dwelling. Therefore, the residential amenities of Sarum would not be materially affected by Plot 1 or Plot 2.

Evergreen, Bramhope.

Plots 3 and 4 (single storey properties) would be sited directly north of these two existing bungalows at a distance of approximately 24.3m and approximately 7m from the shared boundary, which features mature hedging at a height of 1.5m.

The external ground levels around Plots 3 and 4 would be approximately 1.3m lower than the ground level adjoining the front entrance of these existing bungalows. As a result, the external ground levels between the gardens of Plot 3 and 4 and the existing bungalows would be largely level with each other.



Figure 9 - Rear boundary of Bramhope (1.8 hedge) and Evergreen (Section tall Hedge).

The residential amenity of these existing bungalows (Evergreen and Bramhope) would not be materially affected by the proposed bungalows backing onto them.

Farthings and Apple Tree Cottage.

Plot 5 (part single/part two storey dwelling) would adjoin the rear boundary of these two existing bungalows. The two-storey section of the dwelling at plot 5 would be sited, at the closest, approximately 38m away from these two bungalows and approximately 13m away from the shared boundary. The shared boundary of these two bungalows features mature hedging at a height of 1.8m -2.2m.

Farthings has a double garage standing next to the shared boundary with Plot 5. A site inspection of the rear garden of Farthings revealed the area adjoining the double garage to the West and the shared boundary with Plot 5 is a working area of sorts (recycling, garden waste and bags) and there is a small glass house and storage metal container. Immediately south of the garage and the work area referred to above is where the rear garden of Farthings currently ends, approximately 7m away from the shared boundary with Plot 5.



Figure 10 - Rear boundary Farthings (double garage and small green metal container behind boundary)

With regards to ground levels, the external finished levels around the dwelling at plot 5 would be approximately 1.4m lower than the ground level adjoining the front entrance of Farthings. The site inspection revealed that the ground levels at the rear of Farthings and the area where Plot 5 is located appear to be at a similar level. The proposed plans submitted state that the finished floor level of the rear garden of Plot 5 would be 0.30m lower than the existing levels in that area of the site.

Hence, no detrimental impacts are anticipated to Farthings due to the distances involved between buildings, resulting ground levels on the subject site and the fact there is a double garage, working area and a small metal container (all belonging to Farthings) between plot 5 and the actual outdoor amenity area of Farthings.

In terms of Apple Tree Cottage, the above analysis for Farthings would also be equally applicable in terms of distances and ground levels. The main difference with this dwelling is that there are dense shrubs/trees along the boundary in addition to the 2.2m high hedge defining the boundary of this bungalow. As such no concerns are therefore raised in terms of amenity impacts on this adjoining property.



Figure 11 - Rear garden of Apple Tree Cottage

No. 4 Western Lane.

The two-storey section of the dwelling at plot 5 would be sited, at the closest, approximately 28m away from this adjoining property. Their siting/relationship would be at an oblique angle. There is dense mature vegetation within the garden of this property which is adjoining the point where the boundaries of this adjoining property, Plot 5 and Apple Tree Cottage converge. All this dense vegetation spills out to the area where Plot 5 is proposed and to the hedge boundary of Apple Tree Cottage. As such no material impacts would be caused to this adjoining property at no.4 Western Lane.

It is noted that Plot 5 would stand just over a couple of metres away from the rear most section of the substantial garden of 4 Western Lane. The openness of this rear section of adjoining garden facing towards the application site would change as a result of the location and siting of Plot 5, however the effects would not amount to detrimental impacts.



Figure 2 - View towards rear section of garden 4 Western Lane

Overall, therefore Plots 1, 2, 3, 4 and 5 would not result in any significant detrimental effects to the residential amenity/ living conditions of the adjoining properties to the application site. The distances, the ground levels and existing boundary treatments within these adjoining properties would all contribute to minimising the change that would take place as a result of the proposed siting and location of the two bungalows and 2 x two storey dwellings that are proposed to back onto existing bungalows. The development would comply with adopted policy NB9 of the HLP32, saved policy GEN1 of the HLP06, policy 5 of the ONP and the NPPF.

6. BIODIVERSITY/ LANDSCAPING

The applicant's Ecologist confirmed the site had been cleared of vegetation by the time they undertook their assessments in September 2018 and confirmed that what was left was bare earth with only a few ruderals. The only remaining vegetation of any wildlife value present on the main body of the site are the few trees along the north-east boundary. As part of the scheme the applicant proposes:

- 200m of native hedgerow planting at boundaries to the south and east.
- Native bulb planting at the bases of the new hedgerow, 10-20 bulbs per m2.
- At least 100m2 of shrub planting within and between residential gardens
- 15+ Native/Orchard or Wildlife beneficial trees planted
- One large log pile within northern corner of the site, this will be partly dug into the ground so that it is more beneficial as a hibernaculum.
- 4 x swift boxes will be erected externally high up under the eaves on a gable.
- 4 x Bat tubes or similar built into fabric of buildings or attached firmly to the exterior.
- 4 x House sparrow nest boxes erected under eaves at suitable locations.
- New areas of lawn, planting and open space on site as part of the development proposal.

The Biodiversity Officer of the Council acknowledged that given the conditions of the site it is reasonably easy to demonstrate a net gain in Biodiversity with the above proposals. As such it was recommended that the mitigation contained the ecology report is secured via a condition and production of an Ecological Management Plan.

The above proposals would also overlap with landscaping. The proposes the removal of four trees (one by the entrance and three unbalanced trees adjoining plot 8 along the eastern boundary of the site).

Records revealed that none of the on-site trees are protected. The site inspection revealed that the eastern boundary of the site is largely open where plot 8 would be located. The 3x trees proposed for removal along this boundary have been assessed as being unbalanced (one-sided-shaped). A robust landscape strategy would secure tree replacement to compensate/reinforce landscaping as intended by this criterion.



Figure 3 - View towards Eastern site boundary.

There is also an indicative landscaping plan (in general terms) with tree planting, native species, hedging, shrubs and climbing features. It focuses on landscaping of rear gardens (along the south and east boundaries of the site), front gardens and a central green area in the shared space of the development. However, it is not detailed at this stage.

The landscape officer has requested further landscaping detail is required including details of species, sizes, quantities of plants, management plans for all open areas and non-private boundaries and implementation of landscape proposals; this can be adequately dealt with through planning conditions.

Therefore, the proposed development, subject to appropriate planning conditions as requested above, would be in compliance with policies NBE2 and NBE4 of the HLP32 and the NPPF in this regard.

7. DRAINAGE/FLOODING

The site is in Flood Zone 1 (low risk of main river/ groundwater flooding). However, the south eastern corner of the site is located in a surface water flow route crossing the site from south to north.

The Local Lead Flood Authority has assessed the Flood Risk and Drainage Assessment accompanying the application and have raised no objection to the surface water management and local flood risk of the site.

Equally, the Councils Drainage Officer has raised no objection to the local flood risk of the site as the applicant proposed a mitigation scheme to deal with overland flows. However, the officer requires that the boundary treatment of plots 4 and 5 is permeable to flood waters to avoid obstructions. Therefore, subject to planning conditions to implement the strategy and to require details of boundary treatments of these plots to be submitted, the proposal would be in compliance with policy NBE5 of the HLP32 and the NPPF.

8. ACCESS, PARKING AND REFUSE.

The application was accompanied by a Transport Statement which analysed existing highway conditions surrounding the site, taking into account the location of the secondary school near the site, and provided a traffic analysis as a result of the proposal. The document also contains a Stage 1 Road Safety Audit to ensure the new vehicular access proposed is acceptable.

The Local Highway Authority has analysed the information submitted and is satisfied that the development would not lead to unacceptable impacts on the highway conditions and safety of the local Network, subject to requesting details of a Construction Management Plan and implementation of sightlines at the access point via planning conditions.

In terms of car parking and the interim standards used by Hart, the proposal would require a maximum provision of 46 car parking spaces (40 allocated + 6 unallocated). The proposed development makes provision for the above numbers, as such no concerns are raised in this regard. The proposal would provide cycle storage in the rear/side gardens of the properties but located with easy access to the front.

With regards to refuse, the plans submitted also indicate likely locations to place wheelie bins for refuse within the properties and collection points. There was also information submitted demonstrating that a refuse collection vehicle would manage to access the site and leave in forward gear. As such no concerns are raised in this regard.

It is proposed that the existing bungalow known as Burford is removed to allow for the main vehicular/pedestrian access to the site directly from West Street. A two-storey dwelling (plot 1) would be constructed in its place but sited further west, which would allow the road to go through to the application site and towards the adjoining development site i allocated in the ONP (red arrow in Figure 1 below).



Figure 4 - Access facilitated for adjoining development site i.

Thus, given the proposal demonstrates the development would not cause any highway safety impacts and there would be an appropriate provision of off-street car parking and there would be sufficient road space internally to service the development, the proposal would comply with the objectives of policy INF3 of the adopted HLP32, saved policy GEN1 of the HLP06, policy 2a of the ONP and the NPPE.

9. BUILDING FOR A HEALTHY LIFE

This manual is a design tool to help create places that are better for people and nature. Paragraph 129 of the NPPF (2019) requires Local Planning Authorities to make appropriate use of available tools for assessing and improving the design of development.

The NPPF specifically refers to making use of the assessment framework of the previous version of this design toolkit titled Building for Life 12.

The application has been considered against the three main assessment areas which break down in several considerations, these are below.

Table 7 – How the scheme addresses Building for life

Integrated Neighbourhoods	
Natural connections:	The road layout in the site is simple and there would be land allocated to allow a through route from West Street towards the future Dunleys Hill open space. The development would therefore connect well to the surrounding public network of roads/footpaths

Walking/cycling/public transport	The site is well located within Odiham, where it is possible to walk, cycle and use the public transport available in Odiham. It is in a sustainable location.
Facilities/services	The site is located a 10-minute walk from Odiham High Street, there are open spaces in the immediate surroundings and also community facilities that can be easily accessed. It is well positioned to provide residents with easy access to facilities/services.
Homes for everyone	<p>The development provides a satisfactory mix of housing of different sizes with the associated facilities they require (gardens and parking).</p> <p>Part of this provision is affordable homes that would contribute to achieve a balanced community.</p>
Distinctive Places	
Making most of what's there	<p>The development as a whole takes advantage of its setting and would contribute to the locality as a result of the layout proposed which provides opportunity to implement a robust landscaping strategy to keep in character with the locality.</p> <p>It would be respectful of the more rural feel to the north of the site and would allow connection to a future green space adjoining the site for the benefit of the residents of the development and the wider community.</p>
Memorable character	The development would provide a well-designed residential environment. It would have a housing styles/ architecture that would fit in and contribute positively to the locality. The use of robust materials with different colours/tones and textures would complement the overall character of the subject development. All of the above elements contribute to a high quality and strong local residential character.
Well defined streets/spaces	<p>The internal road/ footpaths in conjunction with the arrangement, siting, scale, orientation of dwellings and boundary treatments; would all provide a good level of definition of the common and private spaces within the development.</p> <p>The variation in elevational designs of the buildings and detailed features in the frontages would provide an attractive environment.</p>

Easy to find your way around	Because of the small scale of the development, it would not be difficult for residents or visitors to orientate themselves in relation to the wider village and facilities within it.
Streets for All	
Healthy streets	<p>The central area of the development (common area) would facilitate access to all highway users. It would feature a section of shared space the geometry of the internal road would act as traffic calming feature.</p> <p>The housing proposed overlooks the internal road/footpaths to provide a sense of security to highway users.</p>
Cycle/car parking	<p>The proposal provides car parking facilities mainly to the frontages which are conveniently accessible from the homes they serve. Unallocated parking is proposed throughout the development. They are interspersed between green areas and front gardens, which contributes to their integration.</p> <p>Secured cycle stores are conveniently located to the rear/side of the dwellings with easy access to their frontage to encourage residents to use this alternative mode of transport.</p>
Green/blue infrastructure	The layout of the development provides a satisfactory framework to achieve a robust soft landscaping to enhance the setting/biodiversity that surrounds the development site.
Back of pavement/front of home	<p>The proposal provides defined frontages which are suitably defined with the car parking spaces, green landscaped areas between them All these features contribute to define public/ semi- private spaces.</p> <p>Private outdoor space is well defined from the public realm by robust boundary treatments including fences, some adjoin green areas which would also feature hedges and other planting.</p>

The above table demonstrates that the proposed development would contribute to achieve a good residential environment, as per the aspirations of Building for a Healthy Life. As such there are no concerns in this regard.

10. FOOTPATH WITHIN THE DEVELOPMENT TO LINK WITH DUNLEY'S HILL

Policy 2(f) of the ONP requires that development of the site provides a footpath to connect with a future open space on Dunleys Hill (Policy 14).

The development would provide access directly from West Street. The internal road and footpaths are proposed through the middle of the site all the way to the northern end where plots 8, 9 and 10 would be located.

Land has been reserved between these plots to accommodate a pedestrian link to the adjoining site to achieve the aspiration of a footpath leading to Dunley's Hill Open Space (red arrow in Figure 4 below illustrates this). This is considered acceptable and will facilitate the footpath link should the open space come forward in the future. This therefore complies with the requirements of the relevant Policy.



Figure 5 - Site layout extract - pedestrian link

11. THAMES BASIN HEATHS SPECIAL PROTECTION AREA (SPA)

Most of the Neighbourhood Area is outside the 5km zone of influence of the SPA but fall within a 7km zone of influence. The proposed development on its own would not have a negative impact on the SPA as it is outside the 5km zone. However this development in conjunction with other development sites in the ONP could have cumulative impacts on it. Policy 2(h) therefore requests the following:

'A financial contribution (in accordance with SAMM principles in force at that time) will be sought

from the developer towards monitoring measures across the Thames Basin Heaths Special Protection Area (TBHSPA) in the event that Site i, Site ii and Site v in combination deliver more than 50 new dwellings.

The legal agreement that is currently being completed contains a claw back clause to secure the payment of a financial contribution toward the Strategic Access Management and Monitoring (SAMM) programme in case the accumulated development in the subject site and sites i and v delivers more 50 dwellings. Any potential contribution in this regard can therefore be secured.

12. PLANNING OBLIGATIONS

In addition to the above planning obligation, policy 2(g) of the ONP requires a financial contribution will be sought from the developer, towards the maintenance and upkeep of the public open space on Dunleys Hill (Policy 14).

Whilst the applicant is willing to contribute to this requirement, there are neither costing proposals for Dunleys Hill Open Space in the table from the PC nor infrastructure schemes identified that link with the future open space proposed to calculate a proportionate contribution from this scheme towards them. Therefore, there are no mechanisms in place for a financial contribution to be sought. To require a contribution would therefore be unreasonable and no meet the tests set out in the relevant legislation.

CONCLUSION

The proposed development would provide dwellings of a suitable scale which would be sited and distributed on the site in an acceptable manner and they would relate satisfactorily with each other. They would also relate well with adjoining properties as the proposed dwellings are sited at acceptable distances and the finished ground levels of the development would contribute to the acceptable relationship with existing dwellings that front onto West Street.

The building characteristics, architecture/design details, along with robust external materials and landscape requirements would contribute to achieve a high-quality development with strong local character. Planning conditions would secure a good quality living environment. Technical matters of the development such as biodiversity, flooding and highways have been satisfactorily resolved.

In terms of benefits arising from the proposal, the residential scheme would add positively to locality therefore providing environmental benefits. Social benefits arising from the scheme would relate to the housing provision. The scheme mainly contains 2- and 3-bedroom houses for which there is higher need in the District. A portion of these houses would be affordable and would be secure in perpetuity through the legal agreement that is being produced. The proposal would also attract economic benefits as a result of the construction and post occupation.

Therefore, having taken into account all the material considerations involved in this case, the representations received in objection to the proposal, the details submitted to address the objectives of the relevant policies of the adopted HLP32 and Policy 2 of the ONP and the National Planning Policy (2019), the development is recommended for a conditional approval subject to the completion of a S106 agreement to secure affordable housing units, an affordable housing financial contribution and any potential future contribution required towards SAMM, as required by the ONP.

RECOMMENDATION

- A. That the Head of Place be authorised delegated authority to GRANT planning permission subject to the progression of a Legal Planning Obligation (S106 agreement) to secure:
- Six affordable residential units (5 x 2 bedrooms and 1 x 3 bedroom);
 - A financial contribution of £25,302.30 to be used towards the provision of affordable housing within the District of Hart;
 - A financial contribution towards Strategic Access Management and Monitoring (SAMM) across the Thames Basin Heaths Special Protection Area if cumulatively the number of dwellings constructed in total across this development site and designated residential development sites (i) Longwood, Odiham and (v) Land at Dunley's Hill, Odiham exceeds 50 residential units, as required by the Odiham and North Warnborough Neighbourhood Plan.

AND subject to the following Planning Conditions:

- B. That the Head of Place be authorised delegated authority to REFUSE planning permission if the Legal Planning Obligation (S106 agreement) is not progressed to the satisfaction of the Head of Place Services by the 28th February 2021 for the following reasons:
1. The proposed development, in the absence of a satisfactory of a Legal Obligation to secure on-site provision of affordable housing and financial contribution towards provision of affordable housing in the District, would be contrary to policy H2 of the adopted Hart Local Plan - Strategy and Sites 2016-2032 and the NPPF.
 2. The proposed development, in the absence of a satisfactory of a Legal Obligation to secure a financial contribution towards Strategic Access Management and Monitoring (SAMM) across the Thames Basin Heaths Special Protection Area, would be contrary to policy NBE3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policy NRM6 of the South East Plan 2006-20226, The Thames Basin Heaths Special Protection Area Delivery Framework (2009) and the NPPF.

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 fully implemented in accordance with the following plans/documents (including any mitigation/enhancement recommended therein):

Plans:

17-143 003 Rev. J (Site Block Plan), 17-143 004 Rev. K (Site Plan), 17-143 004 Rev. M (Levels), 17-143 010 Rev. L (House Plans Plot 5), 17-143 011 Rev. C (Plots 6 and 7 Plans), 17-143 012 Rev. B (Plots 3 and 4), 17-143 013 Rev. G (House Plans Plot 2), 17-143 014

Rev. B (Plot 15 Plans), 17-143 015 Rev. A (Plots 11 and 12 Plans), 17-143 016 Rev. B (Plot 8 Plans), 17-143 017 Rev. E (Plot 1 Plans), 17-143 018 (Plots 13 AND 14 Plans), 17-143 019 (Plots 9 AND 10 Plans), 17-143 020 (Plot 16 Plans), 17-143 029 (Plot 16 Elevations), 17-143 030 Rev. D (Plot 1 Elevations), 17-143 031 Rev. D (Plot 2 Elevations), 17-143 032 Rev. A (Plots 3 AND 4 Elevations), 17-143 033 Rev. I (Plot 5 Elevations), 17-143 034 Rev. B (Plot 6 AND 7 Elevations), 17-143 035 Rev. B (Plot 8 Elevations), 17-143 036 (Plots 11 AND 12 Elevations), 17-143 037 (Plots 13 AND 14 Elevations), 17-143 038 Rev. B (Plot 15 Elevations), 17-143 039 Rev. B (Plot 9 AND 10 Elevations), 17-143 040 Rev. F (Boundary Elevations), 17-143 041 Rev. F (Boundary Elevations), 17-143 042 Rev. G (Sections), 17-143 042 Rev. I (Sections – Levels), 17-143 043 Rev. D (Sections), 17-143 043 Rev. F (Sections- Levels), 17-143 045 Rev. H (Technical Plan), 17-147 051 (Streetscene), 405000-100P7 (Drainage General Arrangement), 405000-200P4 (Exceedance event P4), 219-0102 (Landscape strategy plan colour), 405000-300P2 (Overland flows layout p2)

Documents:

Design and Access Statement (dated November 2019) produced by MH Architects
Ecological Assessment (dated November 2019) produced by Peach Ecology
Arboricultural Method Statement (dated January 2020) produced by Eco Urban Ltd
Flood Risk /Drainage Assessment (October 2019) produced by Cowan Consultancy
Outline Sustainability & Energy Statement (October 2019) produced by SRE
Transport Statement (dated February 2019) produced by Stuart Michael Associates

REASON: To ensure that the development is carried out in accordance with the approved details and in the interest of proper planning.

3. The development hereby approved shall not commenced until details of a site construction method statement and management plan shall be submitted to and approved in writing by the Local Planning Authority and shall include but not limited to the following:

- i) Construction worker and visitor parking
- ii) anticipated number, frequency and size of construction vehicles
- iii) dust and Noise/Vibration mitigation measures
- iv) dust suppression measures
- v) Site security
- vi) vehicle manoeuvring and turning
- vii) locations for the loading/unloading and storage of plant, building materials and construction debris and contractors offices
- viii) procedures for on-site contractors to deal with complaints from local residents
- ix) measures to mitigate impacts on neighbouring highways; and
- x) details of wheel water spraying facilities
- xi) Protection of pedestrian routes during construction

Such details shall be fully implemented and retained for the duration of the works.

REASON: To protect the amenity of local residents, to ensure adequate highway and site safety in accordance with policies NBE11 and INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032 and the NPPF.

4. No development shall commence (excluding demolition) 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:

- (i) a survey of the extent, scale and nature of contamination:
- (ii) an assessment of the potential risks to:
 - o human health,
 - o property (existing or proposed) including buildings, service lines and pipes,
 - o adjoining land,
 - o groundwaters and surface waters,
 - o ecological systems,
 - o 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 'Model Procedures for the Management of Land Contamination, CLR 11'.

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: In the interest of occupiers' health and residential amenity and to satisfy policy NBE11 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the NPPF 2019.

5. Notwithstanding the information submitted with this application, no development shall commence on site (excluding demolition) until a detailed Ecological Management Plan is submitted to and approved in writing by the Local Planning Authority.

The Ecological Management Plan shall be fully implemented in accordance with the details approved.

REASON: To ensure the development contributes to ecology enhancements in the locality, in accordance with policy NBE4 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006, policy 12 Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

6. No development shall raise above slab level, until details of all external materials for the buildings hereby approved are submitted to and approved in writing by the Local Planning Authority. The details approved shall be fully implemented.

REASON: To ensure a high quality external appearance of the building and to satisfy policy NBE9 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006, policy 5 Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

7. A soft/hard landscape strategy and boundary treatment details (boundary treatment for plots 4 and 5 to be permeable to flood waters) shall be submitted to and approved in writing by the Local Planning Authority. The buildings hereby approved shall not be occupied until such strategy is fully implemented as approved.

Soft landscape details shall include planting plans, written specifications require details of species, sizes, quantities of plants, management plans for all open areas and non-private boundaries and implementation schedule of landscape proposals.

Any trees or plants which, within a period of five years after approved completion, are removed, die or become, in the opinion of the local planning authority, seriously damaged or defective, shall be replaced as soon as is reasonably practicable with others of similar species, size and number as originally approved.

REASON: To ensure the development is adequately landscaped in the interest of visual amenity and the character of the area as a whole in accordance with policies NBE2 and NBE9 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policies GEN1 and CON8 of the Hart District Local Plan (Replacement) 1996-2006, policy 5 Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

8. Existing retained trees within the perimeter of the site and adjacent/close to the boundaries of the site, as identified on the approved Arboricultural Method Statement shall not be lopped, felled or otherwise affected in any way. Protection of the trees, hedgerows and groups of mature shrubs within and off site adjacent/close to it shall be retained and protected only in accordance with British Standard 5837:2012 'Trees In Relation To Construction Recommendations' (or any subsequent revision), and shall be maintained fully intact and (in the case of the fencing) at all times, until the completion of all building operations on the site.

REASON: To ensure existing trees on site are not damaged, in the interest of the visual amenity and natural setting of the area in accordance with policy NBE2 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policies GEN1 and CON8 of the Hart District Local Plan (Replacement) 1996-2006, policy 5 Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

9. The approved vehicular access, car parking facilities and manoeuvring area serving the development hereby approved shall be fully completed and made fully available prior to the

first occupation of any of the buildings hereby approved. These vehicular facilities shall be retained for these purposes thereafter and access shall be maintained at all times to allow them to be used as such.

REASON: To ensure that the development is provided with adequate access, parking and turning areas in the interest of public highway safety and to satisfy policy INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and the NPPF2019.

10. The vehicular access to the site hereby approved shall be constructed with lines of sight of 2.4 metres by 43 metres. The lines of sight splays shall be kept free of any obstruction exceeding 0.60m in height above the adjacent carriageway and shall be maintained so thereafter.

REASON: To provide and maintain a satisfactory access to/exit from the site in the interest of highway safety and to satisfy policy INF3 of the adopted Hart Local Plan - Strategy and Sites 2016-2032, saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 and the NPPF2019.

11. Noise insulation for the building envelope and acoustic quality of windows for each dwelling shall be fully installed prior to first occupation to achieve internal sound levels within all habitable rooms that do not exceed 35dB LAeq,16hours (07:00-23:00); and a level of 45dB LA[F]max shall not be exceeded during night-time (23:00-07:00) within bedrooms.

REASON: In the interest of residential amenity of prospective occupiers and to satisfy to satisfy policy NBE11 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the NPPF (2019).

12. No development, demolition work or delivery of materials shall take place at the site except between 07:30 hours to 18:00 hours on weekdays or 08:00 to 13:00 hours Saturdays. No development, demolition/construction work or deliveries of materials shall take place on Sundays or Public Holidays.

REASON: To protect the residential amenity of adjoining/nearby residential occupiers and to satisfy to satisfy policy NBE11 of the adopted Hart Local Plan and Sites 2016-203, saved local policy GEN1 of the Hart District Local Plan 1996-2006 and the NPPF 2019.

13. Notwithstanding the provisions of Classes A, B, D E and F of Part 1 of Schedule 2 and Class A of Part 2 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 (or any subsequent order revoking and re-enacting that Order with or without modifications), no enlargement, improvement or other alteration to the dwellinghouses hereby approved to plots 2, 3 4 and 5 under these classes shall be carried out without the prior permission of the Local Planning Authority, obtained through the submission of a planning application.

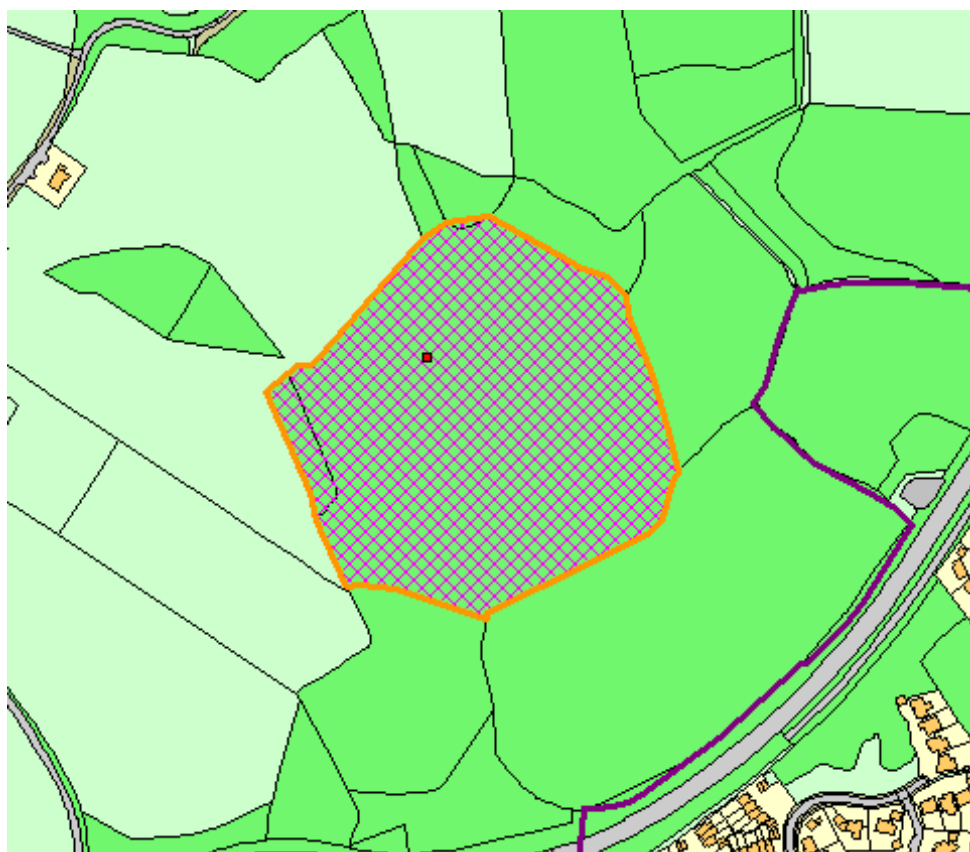
REASON: In order that the Planning Authority can properly consider the effect of any future proposals on the character of the locality and amenity of neighbouring properties in accordance to policy NBE9 of the adopted Hart Local Plan and Sites 2016-2032, saved local policy GEN1 of the Hart District Local Plan 1996-2006, policy 5 Odiham and North Warnborough Neighbourhood Plan 2014-2032 and the NPPF 2019.

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, further engagement with the applicant was required and the application was subsequently acceptable.

COMMITTEE REPORT**ITEM NUMBER: 104**

APPLICATION NO.	20/02436/FUL
LOCATION	Bramshot Farm Country Park Bramshot Lane Fleet GU51 2RU
PROPOSAL	Creation of wetland and alterations to existing footpaths to enhance visitor facilities in the Suitable Alternative Natural Greenspace (SANG)
APPLICANT	Mr Adam Green
CONSULTATIONS EXPIRY	11 November 2020
APPLICATION EXPIRY	12 January 2021
WARD	Fleet East Ward
RECOMMENDATION	Grant



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright 2000. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Please Note: Map is not to scale

1. **BACKGROUND**

This application has been brought to Planning Committee because the Applicant is the District Council and in accordance with the Constitution such applications should be determined by the Committee.

2. **SITE:**

The application site is located to the south of Junction 4a of the M3 between Fleet and Farnborough, between Bramshot Lane and the A327.

The site lies within the Bramshot Country Park Site of Accessible Natural Greenspace (SANG). The SANG as a whole is approximately 32.9ha in area and the Old Oak Way area to which this application relates is approximately 5ha.

The site is not subject to any statutory or non-statutory nature conservation designations. Within the wider context there are a number of sites designated for nature within 2km of the site including but not restricted to Fleet Pond Site of Special Scientific Interest and Local Natural Reserve and the Thames Basin Heaths Special Protection Area (SPA). There are also 36 non-statutory designated sites, Sites of Importance for Nature Conservation (SINC) within 2km. The site lies within the Nitrate Vulnerable Zone Hart (Elvetham to Hartley Witney) which is a surface water vulnerable zone.

The site itself is dominated by marshy grassland which is seasonally damp and contains wet flush vegetation in large areas. Marshy grassland within the site can be classified as 'rush pasture' which is a Priority Habitat under Section 41 of the NERC Act, 2006.

The site is not subject to any statutory or non-statutory landscape designations.

The site is located within Flood Zone 1. The nearest river is to the north and is a tributary of the River Hart which lies approximately 5km west of the site.

The site is accessed from a footpath known as Leaping Hare Loop which is linked to the existing Bramshot Country Park car park. An additional pedestrian entrance is located off Juniper Road via the A327 underpass connecting to Yaffle Meadows.

3. **RELEVANT PLANNING HISTORY:**

The Council approved planning permission (17/00064/FUL) for the creation of a new SANG in 2017, now known as Bramshot Farm Country Park. The Country Park was created to reduce the visitor impact on fragile habitats within the Thames Basin Heaths Special Protection Area (SPA).

4. **PROPOSAL:**

The application seeks permission to undertake works associated with enhancing the wetland habitat opportunities and biodiversity at Old Oak Way and to improve path functionality during wetter parts of the year where it can become inundated preventing access.

The works would involve the removal and temporary storage of existing vegetation as turfs during works. Soils would be removed from the rush pasture area to create a series of ponds, prior to placement of naturally occurring clay material and reuse of turfs. The soils removed would be used to build up the levels of part of the existing path where this is seasonally waterlogged preventing access. A section of board walk would be provided. A section of pathway would be improved using self-binding gravel. The perimeter ditches would be integrated into the design to allow higher flows to enter and flows within the site to exit into the ditches in a controlled manner, allowing water to be retained within the site if needed to enhance the wetland habitat and opportunities for breeding amphibians in the ponds.

A range of habitat enhancement features would also be added including:

- Provision of 4 pairs of Schwegler 1FF bat boxes on mature trees
- Provision of 1 x compost heap to promote grass snake egg laying
- Provision of 3 x standard reptile hibernacula (2 x 1m) and 5 x log pile refugia/buried loggeries.
- Creation of new ponds, and control (increased flow in and retention of water)
- Use of suitable local native seed mix where necessary e.g. Emorsgate EM3 special wildflower meadow mix that is suitable for a wide range of soil types and will support pollinating insects.

During the works the site would be closed, with no access for members of the public. Pedestrians to be marshalled past working areas by the contractor.

A temporary site compound would be formed within the wider Bramshot Farm Country Park on amenity grassland or bare ground. The compound would accommodate temporary welfare facilities and laydown area for materials.

Access to be undertaken on temporary rubber matting to define the access route, prevent erosion and reduce soil compaction. This would be formed from matting that can be easily removed if a flood event were to occur. The matting to be removed and area reinstated following the works. Underlying grass would be re-seeded once the works are complete.

5. CONSULTEES RESPONSES

Fleet Town Council:

No objections.

Environment Agency:

No comments.

Lead Local Flood Authority (Hampshire County Council):

No objections.

Natural England:

No objections.

Rushmoor Borough Council:

No objection.

Biodiversity Officer (Internal):

No objection. Strongly support this project in terms of its potential gains for biodiversity.

NEIGHBOUR COMMENTS

None received.

6. POLICY AND DETERMINING ISSUES

The Planning and Compulsory Purchase Act (2004), Section 38(6) sets out the need for planning applications to be determined in accordance with the Statutory Development Plan unless material considerations indicate otherwise.

Planning Policy:

Hart has recently adopted its Development Plan which is considered up to date for the purposes of this application. The relevant policies for the determination of this application are:

Hart Local Plan 2032 (HLP32):

The following policies are particularly relevant in the determination of this application:

Policy NBE2 - Landscape,

Policy NBE3 - Thames Basin Heaths Special Protection Area,

Policy NBE4 - Biodiversity,

Policy NBE5 - Managing Flood Risk,

Policy NBE9 - Design, and

Policy INF4 - Open Space, Sport and Recreation.

In addition, saved policy NRM6 of the South East Plan is relevant to the determination of this application.

National Planning Policy Framework (NPPF)

The NPPF was published on 19th June 2019 and is a material consideration in the determination of planning applications. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development and involves the pursuit of three objectives which are mutually supportive and interdependent; economic, social and environmental.

Several Paragraphs in the Framework are of particular relevance to this application including paragraphs 170, 171, 174 and 175. These paragraphs specifically relate to the natural environment and biodiversity.

7. CONSIDERATIONS:

Principle of Development:

The NPPF states the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three objectives to sustainable development; economic, social and environmental. These three objectives are mutually supportive and

interdependent; economic, social and environmental - and it is considered that these proposals adhere to these objectives.

The principle objective of the proposals is to create an enhanced area of the Old Oak Way element of the SANG including the creation of wetland habitats. This would also comply with HLP32 Policy NBE4 Biodiversity as the works would not result in adverse impacts on the existing SANG and would instead result in enhancement to the habitats on site. By ensuring the SANG is of the highest quality and accessible to all, year-round, it would ensure that the SANG continues to alleviate the pressures on the Thames Basin Heaths SPA.

The principle of the development is therefore considered to be acceptable.

Biodiversity:

The works are associated with enhancing the wetland habitat opportunities and biodiversity at Old Oak Way and to improve path functionality during wetter parts of the year where it can become inundated preventing access.

The works would involve the removal and temporary storage of existing vegetation as turfs during works. Soils would be removed from the rush pasture area to create a series of ponds, prior to placement of naturally occurring clay material and reuse of turfs. The soils removed would be used to build up the levels of part of the existing path where this is seasonally waterlogged preventing access. A section of board walk would be provided. A section of pathway would be improved using self-binding gravel. The perimeter ditches would be integrated into the design to allow higher flows to enter and flows within the site to exit into the ditches in a controlled manner, allowing water to be retained within the site if needed to enhance the wetland habitat and opportunities for breeding amphibians in the ponds.

A range of habitat enhancement features will also be added including:

- Provision of 4 pairs of Schwegler 1FF bat boxes on mature trees
- Provision of 1 x compost heap to promote grass snake egg laying
- Provision of 3 x standard reptile hibernacula (2 x 1m) and 5 x log pile refugia/buried logeries.
- Creation of new ponds, and control (increased flow in and retention of water)
- Use of suitable local native seed mix where necessary e.g. Emorsgate EM3 special wildflower meadow mix that is suitable for a wide range of soil types and will support pollinating insects.

Habitats associated with the site are important in ecological terms as they represent a range of priority habitats including Marshy Grassland, although the condition of this habitat is considered to be sub-optimal at present as it does not retain sufficient water to maximize its value to plants, invertebrates, amphibians and birds. The proposals aim to enhance the value of this and other related habitats through the creation of new lowered ponds and associated wetland and the provision of opportunities for water in the perimeter ditch to be connected through the site.

No net loss of Marshy Grassland would occur through the works as vegetation would be protected through the construction phase with vegetation being sensitively removed, retained and replaced in the new lowered landform, being allowed to naturally evolve and develop as ground wetness increases over time.

The proposed path enhancements are typically located over the existing path system which is compacted and mainly comprised of bare ground and short worn grass. Adjacent areas associated with the footprint of the grass are similarly already affected by pedestrian traffic, notably during 2020 through the management of a wider walking area for COVID-19. No constraints are therefore associated with the habitats along the footprint of the enhanced path.

There are a number of mature trees including a single veteran tree in Old Oak Way and the proposals have the potential to modify conditions in parts of their root protection area. However, suitable best practice design has been implemented through the use of permeable surfacing, no dig techniques and use of cellular confinement systems where root protection areas are infringed.

The works are considered to be compatible to the habitat and species associated with this area through the use of best practice measures including a non-licensable approach for reptiles and amphibians.

Potential effects on ground nesting birds, hedgehog and other fauna would be avoided through the suitable timing and implementation of a sequential and directional vegetation cutting regime, and timing of the works to avoid nesting and hibernation periods (although the ground is typically too wet for hibernating hedgehog in winter). There are opportunities to enhance features for birds including diversification of habitats to include more permanent standing water. Brash and log piles on drier ground would increase opportunities for hedgehog.

Any construction activity has the potential for accidental pollution. A Construction Environmental Management Plan accompanies the application and adherence to this should prevent any accidental pollution from occurring.

The proposals adhere to policy NBE4 Biodiversity which states that opportunities should be taken to enhance biodiversity where possible and NPPF paragraph 170 which also seeks enhancements and net gain for sites. The enhancement proposals for the site include the integration of the ditches into the sites design to enhance this habitat feature for breeding amphibians. A range of further habitat enhancements also include the provision of bat boxes, compost heaps for grass snakes, reptile hibernacula, creation of new ponds and the use of suitable local native seed mixes where necessary to support pollinating insects.

The works would also result in public benefit through the enhancement of the habitats and improved year-round accessibility which would continue to provide a high-quality recreational resource for residents in the local and wider area. The installation of paths that are available year-round would also ensure the proposals comply with Paragraph 248 of the Local Plan which indicates that SANGs should provide opportunities for visitors with various social and physical needs.

The proposed development would provide employment and business opportunities for the proposed works and associated materials required to facilitate the development. The proposals would facilitate year-round use of the site providing an enhanced recreational experience at the SANG.

The proposals would also support the Council's ambitions towards becoming net zero by 2040

by ensuring the successful creation of a country park as well as the national targets set out to see net zero achieved by 2050.

It should also be noted that the Council's Ecologist strongly supports the ecological and biodiversity enhancements that this application would deliver.

The proposal is therefore considered to accord with the requirements of policies NBE3 and NBE4 of the Local Plan in respect of biodiversity.

Tree Issues:

The application site contains 16 individual trees, including 2 Category A and 11 Category B trees, and 2 groups of trees (containing Category B and C trees).

The application has been accompanied by an Arboricultural Implications Assessment and an Arboricultural Method Statement. These confirm that it is not proposed to remove any existing trees from the site and detail how existing trees would be protected during the carrying out of the works on the site to facilitate the improvements sought.

These reports have been assessed by the Council's Tree Officer who has raised no objections to the proposal.

The development is therefore considered to accord with the requirements of saved policy CON8 of the Hart Local Plan 2006.

Flood Risk:

The application has been accompanied by a detailed Flood Risk Assessment (FRA) which is required due to the area of the site.

The FRA concludes that:

"Based on the scheme characteristics, location in Flood Zone 1, no formal connection to or modification of the perimeter ditches/ordinary watercourses, and no introduction of impermeable surfaces and measures to attenuate more water through the provision of new ponds and wetland features, along with ongoing management and operation of an existing Flood Evacuation Plan, it is concluded that these proposals meet the requirements of local and national policy with respect to flood risk."

The FRA has been reviewed by the Lead Local Flood Authority, Hampshire County Council, who have stated that:

"We note that this is a planning application for a creation of wetland and alterations to existing footpaths to enhance visitor facilities in the Suitable Alternative Natural Greenspace (SANG), and the development proposals do not include any large increases in impermeable area as the proposed footpaths will be informally surfaced (gravel, grass reinforcement mesh etc).

If the proposed surfaces are just for reinforcement to increase the bearing strength of the ground without any additional construction which changes the underlying soils (such as putting sub-bases for roads, internal roads or any impermeable area), we would consider it as permeable (greenfield). However, if the proposals consider any of the mentioned changes, the applicant should submit additional information to show how the additional surface water runoff

will be managed (required attenuation volume, discharge point, hydraulic calculations and drainage layout)."

The applicants' agent has subsequently confirmed that the proposed footpath surfaces are for reinforcement (whilst still being permeable), to raise certain sections above wet ground (the boards walks) and do not include changes to the underlying soils.

The proposal would therefore accord with the requirements of policy NBE5 of the Local Plan in terms of managing flood risk.

Public Access:

Policy INF4 of the HLP32 states that:

Development proposals will be supported where they enhance and improve the quality, capacity, accessibility and management of sports and recreational facilities including playing fields, built facilities and the open space network identified on the Policies Map.

The proposed development would enhance and improve the quality, capacity and accessibility of the existing SANG as it would improve the ecological/biodiversity value of the area, increase capacity by allowing the site to be used in periods when it currently cannot be used and improve accessibility by upgrading the footways to prevent them becoming difficult to use in wet conditions and providing footways that can be used by persons with mobility issues.

As such, the proposal would accord with the requirements of policy INF4 of the Local Plan.

8. CONCLUSIONS:

The proposal would provide enhancements to the existing SANG and would not make any significant changes to the landform. The proposal has embraced opportunities to deliver significant enhancements to the natural environment including ecological and landscape enhancements.

The proposals are considered to have been sensitively designed taking into account landscape and ecological context. The proposal is therefore supported by the relevant policies set out in the Hart Local Plan (Strategy and Sites) 2032 and the National Planning Policy Framework.

The proposals would create an enhanced area of habitat and improved visitor experience in the Old Oak Way area of the SANG, these works would open up opportunities for year-round access for visitors and create the wetland habitat originally sought for this part of the SANG. The proposals would also address the overarching ambitions of the SANG to reduce the visitor impacts on fragile habitats within the Thames Basin Heaths Special Protection Area (SPA).

The application complies with the relevant policies in the Development Plan and also with the NPPF. It is therefore recommended that planning permission be granted, subject to appropriate planning conditions.

9. **RECOMMENDATION** – Grant

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 approved shall be carried out in accordance with the following drawing numbers and documents:

Drawings:

Block Plan; J00581-002 (Proposed Boardwalk); J00581-003 (Proposed Self-binding Footpath); J00581-004 Rev B (Site General Arrangement & Levels Plan); J00581-005 (Typical Sections); J00581-011 (Proposed Reinforced Gravel Footpath (Outside Tree RPA Areas)); J00581-012 (Proposed Concrete Bagwork Headwall); J00581-013 (Proposed Reinforced No Dig Gravel); J00581-014 (Tree Location Plan); J00581-LO-001 (Context Plan); and, J00630-001 (Ownership Plan).

Documents:

Arboricultural Implications Assessment; Arboricultural Implications Assessment; Biodiversity Statement; Construction Environmental Management Plan; Design and Access Statement (J00582); Non-Licensable Method Statement; and, Planning Statement (J00630).

Reason

To ensure that the development is carried out in accordance with the approved plans and particulars.

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.