

COMMITTEE REPORT

APPLICATION NO. 22/02764/FUL
LOCATION **52 Church Road Fleet Hampshire GU51 4LY**
PROPOSAL Erection of a detached dwelling with associated parking and amenity space.
APPLICANT Mr Johnston
CONSULTATIONS EXPIRY 25 January 2023
APPLICATION EXPIRY 11 January 2023
WARD Fleet West
RECOMMENDATION A **Subject to the completion of a S106 agreement to secure SANG at Naishes Lane and payment of the SAMM fee, permission be GRANTED subject to conditions.**

RECOMMENDATION B **In the event that Council-owned SANG and relevant SAMM payment are not completed within 2 weeks OR private SANG is secured and a S106 agreement and SAMM payment are not completed within 8 weeks of the date of the resolution to grant, permission be REFUSED under delegated powers.**



Background

The application has been referred to the Committee at the request of the Ward Councillor, Councillor Forster, for the following reason:

'I'm not happy that the proposed conditions address the concerns raised - in particular I note the site gate which would be a problem, and is contrary to FTC comments (6m in), and parking: no construction vehicles should be permitted to park on Church Rd, Peatmoor Close, Church Grove or top of Avenue Rd as these are all narrow roads with multiple constraints, and would reduce safety for cyclists and compromise residents safety. Vehicles manoeuvring in and out of the site would pose a hazard, and a banksman is only proposed for lorries - yet a transit van or similar, if reversing, would have extremely limited vision. '

Also I'm concerned by the impact of garden development in the Conservation Area, and compliance it's the Conservation area at FTC NP - and the size of property proposed - plus other of FTC concerns.'

The referral request was supported by the other Ward Councillors, Councillors Kinnell and Delaney. The Executive Director - Place supported the request for the matter to be referred to the Planning Committee for a decision. This is in line with the Council's Constitution.

CONSULTEE RESPONSES

Hampshire County Council (Highways)

Consultee Comment

Fleet Town Council

A vacant plot on Church Road? Effectively a 5 bedroom house which includes an integral garage at 6x3 metres. This garage does not count as parking space so a plan is required that shows 3 allocated and 1 unallocated space and storage for 6 cycle spaces including a cargo bike. Parking also needs consideration to accommodate the number of parking spaces and not impact the tree root zone

' The gate needs to be set back at least 6m from the kerb to allow a car to stop off the highway in the event the gate is closed

' Essential root zone protection should be permanently installed to the front of property as main parking area will cause soil compaction in the tree root zone

' No Block paving to be permitted, if necessary gravel parking areas, but area for 5 cars and turning to exit in a forward direction is restricted

' Road side boundary to be green vegetation and NOT boarded fencing which destroys the sylvan character of the Conservation Area. Reference Paragraph 9.2 NFCA Character Appraisal and Management Proposals highlights the continuation of the Article 4 Direction to be applied to front boundaries.

Section 7 of the Design Statement should include the road side boundary as a 'sensitive edge' as the front boundaries are a key character in the NFCA ' see NFCA Character Appraisal and Management Proposals

' This is also a plot sub-division contrary to the recommendations of the Management Proposals

' The property should be more centrally located on the plot and not crowd the boundary as shown, but the preservation of the group of mature trees is recognised and their protection is welcome

An OBJECTION unless the recommendations above are observed, namely:

- gate being set back at least 6m from kerb

- no boarded fencing to Church Road boundary. Boundary to be designated by green vegetation to be in keeping with conservation area

confirmation of an adequate parking layout that does not affect tree root zones

- no use of block paving to create parking area

Conservation/Listed Buildings Officer (Internal)

No objection subject to confirmation of materials.

Tree Officer (Internal)

None received.

Drainage (Internal)

No objection subject to condition.

Natural England

No objection subject to SPA mitigation being secured.

Streetcare Officer (Internal)

No objection.

Hampshire County Council (Highways)

No objection subject to conditions.

PUBLIC COMMENTS

3 letters of representation have been received, raising objection on the following grounds:

- Parking arrangements during construction not feasible
- Moving the site office and portacabins will make more room for parking
- Concern residential streets will become blocked with contractor parking, causing disruption
- Construction Management Plan should explain which streets parking is forbidden on, and make the host dwelling available for overflow parking
- Concerns regarding safety of access onto Church Road - visibility and manoeuvrability
- Proposal will require street lighting to be moved
- Confusion between documents - reference to trees in Tree Protection plan and hedges in Tree Data Schedule
- Concern regarding fencing along Church Road - area is characterised by properties partially visible through hedges/trees - high fencing is characterless and claustrophobic

CONSIDERATIONS**Site**

The site comprises garden land associated with No.52 Church Road, which is a substantial detached two storey dwelling set in a large plot, to the northeast of Church Road. The site rises up towards the south east. The site is located within the North Fleet Conservation Area.

The surrounding area comprises detached two storey dwellings set in spacious plots. The site is currently screened by fencing and trees along the roadside. Mature trees make up the side boundary with No.50.

Proposal

Erection of a detached two- storey dwelling. The dwelling would have a maximum depth of 16m (ground floor level), a width of 11m, eaves height of 5.4m and a ridge height of 8.8m. It would be traditional in appearance, constructed from facing brickwork and render with oak framing, set under a tiled roof. Parking would be provided in an integral garage and in parking spaces to the front of the site.

PLANNING POLICY AND GUIDANCE

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

SD1 Sustainable Development
SS1 Spatial Strategy and Distribution of Growth
H2 Affordable Housing
H6 Internal Space Standards for New Homes
NBE3 Thames Basin Heaths Special Protection Area
NBE4 Biodiversity
NBE5 Managing Flood Risk
NBE7 Sustainable Water Use
NBE9 Design
INF3 Transport

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

GEN1 General Policy for Development
URB18 Residential Densities in North Fleet Conservation Area

Fleet Neighbourhood Plan 2018-2032 (FNP32)

Policy 10 - General Design Management Policy
Policy 15 - Residential Gardens
Policy 16 - North Fleet Conservation Area (area A)
Policy 17 - TBH SPA Mitigation
Policy 19 - Residential Parking

The South East Plan - Regional Spatial Strategy for the South East 2009

Saved Policy NRM6: Thames Basin Heaths Special Protection Area

The following policy and guidance have also informed this assessment:

National Planning Policy Framework (NPPF, 2021)
Planning Practice Guidance (PPG)
A Settlement Hierarchy for Hart District (SHHD, 2010)
Hart District Council Parking Technical Advice Note (TAN) (August 2022)
North Fleet Conservation Area Character Appraisal and Management Proposals (2008)

PLANNING HISTORY

None for site.

PLANNING ASSESSMENT

Principle of development

The application site is situated within the settlement boundary of Fleet 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 would arise.

In principle, the proposal is considered acceptable in this location and detailed consideration of policies and material planning considerations are set out below.

Impact upon character of area and Conservation Area

Paragraph 127 of the NPPF 2021 sets out that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Policy NBE9 of the HLP32 sets out that all developments should seek to achieve a high level of quality design and positively contribute to the overall appearance of the local area. Development should, amongst other things, promote the distinctive qualities of its surroundings; positively contribute to public spaces, access routes and rights of way; reinforce locally distinctive street patterns, respond to climate change and enhance permeability; respect local landscape character and landscape features; protect or enhance heritage assets; include well-designed facilities for parking; design external areas so as to reduce crime; take account of servicing requirements, and reduce energy consumption and increase the use of renewable energy where appropriate.

Saved Policy GEN1 of the HLP06 allows new residential development provided that the proposal is sympathetic in scale, design, massing, height, layout, siting and density, both in itself and in relation to adjoining buildings, spaces and views.

Section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 requires Local Planning Authorities to have special regard to the desirability of preserving or enhancing the character and appearance of conservation areas. The site is located within the North Fleet Conservation Area. Designated in 1984, its significance lies in its character as an Edwardian development of former heathland.

The area was largely undeveloped until the 1840s and the advent of the Fleet to London trainline. The main impetus for development came after the 1880s when H W Brake bought most of the land in fleet and mapped out a series of plots on the heathland, around and to the south of Fleet Road. The Conservation Area is characterised by a series of residential developments, some of which follow a grid pattern, some of which set to either side of a curving road, such as Church Road. There are few remaining buildings dating from the first half of the 19th century, and most were constructed between 1890 and the 1930s.

Important buildings within the Conservation Area include All Saints Church, built in 1862, Grade II* listed and a designated heritage asset, and Fleet Cottage Hospital, which is a non-designated heritage asset (locally listed). The proposal at the application site would not have any impact on these heritage assets due to the location of the site.

The area contains spacious plots, with mainly detached houses set back from the road behind mature planting and trees, which is a defining feature of the area. Densities range from not more than 25 dwellings per hectare, down to 5 dwellings per hectare. Building styles vary, but most have features associated with the 1930s. It's sylvan quality, allied to some unmade roads, grass verges and, in places, undulating topography, give the Conservation Area its special character.

Policy 10 of the Fleet Neighbourhood Plan 2032 (FNP32) sets out the general approach to design management in the area, stating that development will be supported provided it is in accordance, where relevant, with the detailed characteristics of the North Fleet Conservation Area Management Plan.

Policy 15 of the FNP32 sets out that proposals will be supported providing they do not result in harm to the ecological or landscape value of gardens; retain 50% of the original garden area as soft landscaping (proposals for garden parking); screen waste bins appropriately; provide replacement planting to mitigate the loss of significant amenity trees, and where possible, demonstrate a biodiversity net gain.

More specifically, Policy 16 of the FNP32 states that development within the North Fleet Conservation Area and its setting, including alterations and extensions to existing buildings, will be supported provided that it is in accordance with other Local Plan and Neighbourhood Plan policies and the following criteria:

1. Development shall be designed to preserve or enhance the special heritage character of the Conservation Area, and shall be of a suitably high quality of design, and
2. The demolition of existing buildings in the Conservation Area which are considered to be of architectural or historic interest, particularly those which provide well detailed examples of late 19th and the early 20th century design styles will not be supported. The redevelopment of Post-War buildings of the 1950s onwards may be allowed, subject to the replacement building being well designed and similar in terms of height, mass, bulk and footprint.

In specific reference to residential plots and densities in the North Fleet Conservation Area, criterion 3 of Policy 16 sets out that development shall respect historic plot boundaries and the amalgamation or subdivision of existing plots will not be supported. Criterion 3(ii) sets out the relevant densities for different areas within the CA. Those densities reflect the densities referred to in Saved Policy URB18, which sets out the minimum plot densities which should be respected in order not to result in demonstrable harm to the character and visual amenity of that area.

For the purposes of Saved Policy URB18 and Policy 16 of the FNP32, site is within Area B (criterion (ii) of Saved Policy URB18) and therefore dwellings should sit on plots of no less than 0.1ha (0.25 acres). The existing plot size for No.52 Church Road is approximately 0.3ha. The proposed plot would measure 0.13ha, and the retained plot for No.52 would measure approximately 0.17ha. The two resultant plots would be larger than several of the adjacent plots, including those to the south of the application site at Nos. 50 and 48 Church Road, The Oaks and Pit House, and the surrounding plots in Avenue Road - all of which have plot sizes of 0.10ha or less.

Therefore, notwithstanding the subdivision of the existing large plot at No.52, the two resultant plots would maintain the spacious character of the area in accordance with overarching aims of Saved Policy URB18 and Policy 16 of the FNP32.

With regards to criterion 3 (iii) of Policy 16, the design and siting of the dwelling is considered to be acceptable. It would sit comfortably within the street scene, behind the verdant boundary which currently encloses the site. The design of the dwelling would be traditional and would replicate some of the features of the host dwelling at No.52, which in itself is reflective of the 1930s architectural style - a defining characteristic of the area. The use of high-quality materials would be key to the successful appearance and quality for the development and these details have been secured during the course of the application. The plot would follow the linear pattern of properties along this stretch of Church Road, and the street scene indicates that the overall height and scale of the property would be in keeping with other properties in the locality.

The proposal would utilise an existing area of private garden space. However, No.52 benefits from an unusually large plot, with garden areas to the rear and side. As detailed above, the

proposal would be sympathetic in its design and would not have an adverse impact on the spacious character of the area. The proposal would therefore not conflict with criterion 4 of Policy 16.

Criteria 5 and 6 of Policy 16 are concerned with retaining the verdant boundaries which characterise the Conservation Area and retaining mature trees. Specifically, criterion 6 states that development that requires the felling of mature trees that thereby changes the character of the Conservation Area will not be supported.

The submitted arboricultural report details that the proposal would require the removal of one category B2 tree on the site frontage (ref H5, a non-native Lawson Cypress). Category B trees are of moderate quality, with a life expectancy of 20 years. The site frontage contains mostly B2 quality trees, and the rest of the tree cover would be retained, including some native Oak, Hazel and Sycamore trees. The Category A trees to the south-eastern boundary, namely native Scots Pines and a Beech, would all be retained and continue to contribute to the verdant, sylvan character which defines the area. Therefore, the loss of this moderate quality, non-native tree would not adversely change the character of the Conservation Area as a whole.

The proposed parking area for the dwelling would be to the front, set behind the remaining trees along the road frontage. Glimpses of the residential curtilage and associated infrastructure and parking would therefore only be possible from the proposed access and would not be harmful.

Overall, whilst the proposal would sub-divide an existing plot, it not adversely affect the character of the Conservation Area. Whilst one, non-native tree would be removed on the frontage, the overall tree cover to the boundaries of the site would be retained and enhanced with additional landscaping. The resultant plot would be in keeping with, and in some cases, exceed, the sizes of surrounding plots. The design of the building would be commensurate with the scale and character of neighbouring dwellings and would not adversely affect the prevailing character. The proposal would therefore accord with Policy NBE9 of the HLP32, Saved Policy GEN1 of the HLP06 and Policies 10, 15 and 16 of the FNP32 and aligns with the aims of the North Fleet Conservation Area Appraisal 2008.

Impact on neighbouring amenity

Saved policy GEN1 states that proposals will only be permitted where they avoid the material loss of amenity to existing and adjoining residential uses and cause no material loss of amenity to adjoining residential uses through loss of privacy, overlooking or the creation of shared facilities.

The proposed dwelling would be orientated such that it would not provide opportunities to overlook neighbouring properties. It would be set roughly in line with the rear of No.52, and as such views into the retained garden at that property would be acceptable and in line with a normal residential relationship. The dwelling would be sited slightly further back than No.50 to the south-east, and juxtaposed such that no materially harmful overlooking would result. Whilst the proposal would introduce an additional dwelling at the rear of properties in Avenue Road, the separation distance is such that this would not result in materially harmful overlooking.

The dwelling would be sufficiently separated from all neighbouring properties so as not to result in overshadowing, loss of light or overbearing impact.

The proposal would accord with Saved Policy GEN1 of the HLP06, Policy NBE9 of the

HLP32 and Policy 10 of the FNP32.

Amenity for proposed future occupiers

The floorspace of the proposed dwelling would measure approximately 300sqm. The dwelling would exceed the Government's Technical Housing Standards - nationally described space standards for the relevant property type - for a 5-bedroom, 3-storey 8 person dwelling the minimum space standard is 134sqm. The proposals would therefore meet the requirements of HLP32 Policy H6.

Policy NBE9 of the HLP32 requires proposals to take account of the health and well-being of future residents and visitors, taking an inclusive design approach with considerations as to how all potential users would use the new spaces (paragraph 303). Both the proposed plot and the retained plot would be provided with a private garden area to the rear. Both gardens would provide space for recreation and play suitable for use by a family and would not be adversely affected by overshadowing or overlooking. The proposals would therefore provide a good standard of amenity for future occupants in this respect to align with the requirements of Policy NBE9 of the HLP32 and the aims of the NPPF 2021.

Flood risk and drainage

The site is located within Flood Zone 1 as confirmed by the Environment Agency's flood map for planning. Flood zone 1 is the area at lowest risk of flooding, with a low probability of flooding from rivers and the sea. As the site is less than 1 hectare within flood zone 1 and does not meet any relevant triggers, there was no requirement for the submission of a site-specific Flood Risk Assessment. The site is however located within a causal flood area, and an area at risk of surface water flooding.

Policy NBE5 of the HLP32 states that development will be permitted provided:

- a) Over its lifetime it would not increase the risk of flooding elsewhere and will be free from flooding;
- b) SuDS are used in Major developments unless demonstrated to be inappropriate;
- c) Within Causal Areas all development takes opportunities to reduce the causes and impacts of flooding;
- d) If located within an area at risk from any source of flooding, now and in the future, it is supported by a FRA and complies fully with national policy including the sequential and exception tests where necessary;
- e) It would not compromise the integrity and function of a reservoir or canal embankment.

In respect of Policy 10 of the FNP32, it requires developments to create a safe environment for all uses and not increase off-site flood risk. The policy continues that within areas where surface water flooding is a problem the property's "Finished Floor Levels" may need to be raised and/or Passive Property Level Protection measures may need to be installed in order to minimise the risk of internal flooding. Policy 10 of the FNP32 sets out that the use of Sustainable Drainage Systems as a form of flood risk management will be supported in appropriate and practicable circumstances.

A condition has been included requiring the details of Sustainable Drainage (SUDS) measures and a separate condition has been included requiring the submission of any relevant raised finished floor levels or passive protections measures that may be required to minimise the risk of internal flooding given the site's location within an area of surface water flood risk.

The Council's Drainage Officer has raised no objection to the scheme, subject to the inclusion of a condition requiring the submission of a drainage strategy, prior to commencement of development on site. Subject to the imposition of this condition, it is considered that the proposal would not result in an increase in flood risk either at the site or off-site in accordance with Policy NBE5 of the HLP32, Policy 10 of the FNP32 and the aims of Section 14 of the NPPF 2021.

Ecology

Policy NBE4 of the HLP32 states that all developments should protect and enhance biodiversity. The policy also requires that developments achieve biodiversity net gain wherever possible. The Local Planning Authority (LPA) 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.

Policy 15 of the FNP32 supports development where biodiversity net gain is demonstrated wherever possible. Paragraph 180 of the NPPF 2021 states that when determining planning applications, LPAs should refuse planning permission if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for. The proposal would not result in significant harm to biodiversity.

The application site is a residential garden, laid to grass and hard surfacing. No buildings would be demolished in order to erect the new dwelling. One tree and two small hedges would be removed as part of the proposal, which are all non-native species. Having regard to the nature of the proposals and the characteristics of the site within a developed area, it is considered that the proposal would preserve the biodiversity of the site and that there may be potential for net gain through additional planting, the inclusion of swift bricks or bat boxes or other measures. As a result, a condition has been included requiring the submission of biodiversity enhancement measures prior to first occupation of the dwelling.

Subject to condition, the proposal is in accordance with Policy NBE4 of the HLP32, Policy 15 of the FNP32 and the aims of the NPPF 2021.

Highways, access and parking

Policy INF3 of the HLP32 sets out that development should promote the use of sustainable transport modes. Policy NBE9 of the HLP32 states that development should provide sufficient well-designed facilities or areas for parking (including bicycle storage) taking account of the need for good access for all.

Saved Policy GEN1 (vii) of the HLP06 permits development which has adequate arrangements on site for access, servicing or the parking of vehicles.

The proposal would involve the creation of an additional vehicular access onto Church Road, which is on an incline and subject to a 30mph speed limit. Hampshire County Council as the Local Highway Authority has undertaken an assessment of the safety and visibility of the proposed access. In normal circumstances, visibility splays of 43m would be required in both directions. However, owing to the horizontal alignment of the road, a visibility splay of 5m is required in a northerly direction. The Local Highway Authority is satisfied that this can be achieved, and that 43m can be achieved in a southerly direction.

The Local Highway Authority has also reviewed the position of the proposed gate into the site, which would be set back 6m from the edge of the carriageway. The Local Highway Authority has confirmed that this is the correct point of reference for ensuring that vehicles are clear of the carriageway, so as to prevent obstruction to motor vehicles. Whilst the 6m clearance would cross the pedestrian footpath, given the short amount of time that vehicles would be stationary in this location (i.e. for the opening and closing of the gates), it is considered that this would not cause significant inconvenience to pedestrians.

The Council adopted a Parking Technical Advice Note on 5th August 2022, which replaced its former Interim Parking Standards (2008). Whilst the TAN is not a Supplementary Planning Document (SPD), it is a material consideration and in the absence of any other guidance, adopted or otherwise, forms the basis for the Council's assessment as to the acceptability of parking provision for development within the district. The TAN provides a more up-to-date picture of car ownership patterns in Hart than the 2008 Standards, drawing on census data from 2011 which indicates that only 8% of residents in Hart have no car, which is significantly lower than the national average of 19% of people having no car.

The TAN sets out a zonal approach to parking. Zone 1 areas are those in close proximity to railway stations in Hart, with Zone 2 covering the rest of the district. The application site is not within 800m of Hook railway station and as such falls within Zone 2. The TAN requires 5-bedroom properties to provide 3no. allocated car parking spaces and 1 unallocated car parking space, together with 6 cycle parking spaces.

The applicant has shown 3 parking spaces, including a tandem space which would fall short of the minimum dimension for a tandem space (10m in length, rather than the 11m specified in the TAN). As per the guidance of the TAN, the single integral garage space shown on the plans would not count as a parking space. Nonetheless, the site frontage would provide ample space for 4 parking spaces which meet the minimum dimensions set out in the TAN and which would not compromise turning space within the site. Therefore, officers are satisfied that sufficient car parking space to serve the proposed development could be achieved on site.

The frontage to No.52 would also retain ample space for off-street parking. The application site presently does not provide parking spaces to serve that dwelling, and as such the proposal would not impact upon its provision.

With regards to cycle parking, the applicant proposes a bike storage shed to be located to the south east of the proposed dwelling. The site is considered ample to accommodate the bicycle parking required by the TAN.

Finally, officers note the local concerns which have been raised regarding the construction management plan (CMP) and in particular, on-site parking and loading/unloading during construction. The CMP has been revised following these comments and the applicant's agent has confirmed the following arrangements for the construction period:

- Deliveries to the site will be within the hours of 9:30am and 3:30pm
- That the 'staff parking' will be for contractors working at the site
- The waiting area will be kept clear of materials/equipment at all times
- All deliveries will be made inside the site, no on-street loading/off-loading will occur and a banksman will be available for all deliveries and the loading area will be kept clear at all times.
- The gate will be a typical site gate (Heras fence style). The gates will be opened first thing in the morning and left open for the duration of construction activities, closed and

locked after hours. No vehicles will therefore need to wait on the road.

- The site manager will be responsible for delivery coordination and will ensure without fail that deliveries do not clash.

The Local Highway Authority has raised no objection to the scheme on the basis of highway safety or capacity, subject to conditions. The proposal is able to provide sufficient parking spaces for cars and bicycles as set out in the Council's TAN. On that basis, the proposal would meet the requirements of Policy INF3 of the HLP32, Saved Policy GEN1 (vii) of the HLP06 and Policy 19 of the FNP32.

Impact on the Thames Basin Heaths Special Protection Area (TBH SPA)

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

The application site is within the 400m-5km 'zone of influence' of the TBHSPA and proposes additional residential development that would, either on its own or in combination with other plans or projects, have a detrimental on the nature conservation status of the TBHSPA.

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

Natural England has advised that it would have no objection subject to appropriate mitigation being secured. The applicant has indicated that they are considering purchasing either Council-owned SANG or may wish to secure a private SANG allocation at Naishes Lane. Recommendation B reflects the flexibility for the application to secure SANG via either method. In respect of Council-owned SANG, the allocation criteria document is clear that this should be expedited and this is the reason for the 2-week timeframe. As the Council would require a s106 legal agreement for confirmation of a private SANG access having been secured, this process would undoubtedly take longer which is the reason for an 8-week timeframe. If SANG were not secured, then Recommendation B covers the delegated refusal on the basis of lack of mitigation.

Subject to either Council-owned SANG payment being received or s106 being completed to secure a private SANG allocation (together with the requisite payment of the SAMM fee to Hampshire County Council) the proposal would meet the requirements of the Habitats Regulations and would comply with SEP Saved Policy NRM6 and HLP32 Policies NBE3 and NBE4.

Other matters

The concerns raised by local residents, Councillors and the Town Council in relation to vehicular access and the construction method plan have been noted and a revised CMP provided. The Local Highway Authority has assessed the vehicular access point for safety and is satisfied that sufficient visibility would be achieved. Concerns regarding the fencing along the roadside are also noted; however the site is already fenced with close board fencing, and post and rail fencing is present at other properties in the locality, including at No.50 to the north.

Planning balance

The site is located within the settlement of Fleet, in a sustainable location for new housing. The proposed sub-division of the plot would not result in harm to the character and appearance of the Conservation Area. The design of the dwelling would be in keeping with the prevailing area. The proposal would be acceptable in terms of highways and access, flooding and biodiversity.

The proposal would result in the loss of one non-native tree on the site frontage; however, the proposal would otherwise retain the site boundaries and maintain the verdant appearance of the area.

Subject to conditions and the completion of a S106 agreement to secure a private SANG allocation at Naishes Lane, the proposal is acceptable and it is recommended that permission is granted.

RECOMMENDATION A- Subject to the completion of a S106 agreement to secure SANG at Naishes Lane and payment of the SAMM fee, permission be GRANTED subject to the following 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 plan nos. and documents:
 - 22.033.01 Location Plan
 - 22.033.07 Proposed Plans and Elevations
 - 22.033.08 Proposed Streetscene
 - 22.033.09C Materials Schedule
 - 22.033.10 Figure Ground
 - 22.033.02A Existing Site Plan
 - 22.033.03A Proposed Site Plan in Context
 - 22.033.04A Proposed Site Plan in Colour
 - 22.033.05A Landscaping Proposals
 - 22.033.11 Proposed Ground Floor Services
 - 22.033.06C Construction Management Plan

Arboricultural Impact Assessment, Method Statement and Tree Protection Plan by Trevor Heaps dated 3rd November 2022

REASON: To ensure that the development is carried out in accordance with the approved plans and particulars in the interests of proper planning.

- 3 The materials to be used in the construction of the external surfaces of the development shall accord with the details set out on the approved plan 22.033.09C (Materials Schedule).

REASON: To ensure a satisfactory visual relationship of the new development with the surrounding area and to satisfy Policy NBE9 of the Hart Local Plan (Strategy and

Sites) 2032 and Policies 10 and 16 of the Fleet Neighbourhood Plan 2032.

- 4 The development shall be carried out in accordance with the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan submitted by Trevor Heaps dated 3rd November 2022.

REASON: In order to ensure the works are carried out to an appropriate standard; in the interests of the health and appearance of the trees in line with Policies NBE2 and NBE9 of the Hart Local Plan (Strategy and Sites) 2032, saved policy CON8 of the Hart Local Plan (Replacement) 1996-2006 and the aims of the NPPF 2021.

- 5 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- 1) Where infiltration is proposed, full infiltration tests in accordance with BRE 365 including groundwater strikes.
- 2) Detailed drawings of the proposed drainage system including details as to where surface water is being discharged to.
- 3) Calculations confirming that the proposed drainage system has been sized to contain the 1 in 30 storm event without flooding and any flooding in the 1 in 100 plus climate change storm event will be safely contained on site.
- 4) Calculations showing the existing runoff rates and discharged volumes for the 1 in 1, 1 in 30 and 1 in 100 storm events and calculations for the proposed runoff rates and discharged volumes for the 1 in 1, 1 in 30 and 1 in 100 plus climate change storm events. To be acceptable proposed runoff rates and discharge volumes must be no higher than existing.
- 5) Provision of a Maintenance plan setting out what maintenance will be needed on the drainage system and who will maintain this system going forward.

REASON: To prevent onsite and offsite flood risk increasing from the proposed development in accordance with Policy NBE5 of the Hart Local Plan (Strategy and Sites) 2032, Policy 10 of the Fleet Neighbourhood Plan 2032 and the aims of the NPPF 2021.

- 6 The development hereby approved shall not be occupied until details of measures to minimise the risk of internal flooding have been submitted to and approved in writing by the Council. This may include raised Finished Floor Levels and/or Passive Property Level Protection measures. Once agreed, the measures shall be installed in accordance with the approved details and retained in perpetuity.

REASON: To reduce internal flood risk within the property hereby approved, in accordance with Policy NBE5 of the Hart Local Plan (Strategy and Sites) 2032, Policy 10 of the Fleet Neighbourhood Plan 2032 and the aims of the NPPF 2021.

- 7 No development shall take place on the site until the access has been constructed with a non-migratory surface and have visibility splays provided for vehicles of 2m. x 5m. x 0.6m. to 3m. to the north and 2m. x 4.3m. x 0.6m. to 3m. to the south and for pedestrians 4m. x 2m. x 0.6m. to 2m. in both directions. The surface of the access shall be maintained with a non-migratory material and the visibility splays maintained and kept free of obstruction and retained in this condition thereafter. The first

dimension in all cases is measured from the nearside edge of carriageway of Church Road along the centre line of the proposed access.

Prior to the construction of development commencing, any gate or other obstruction to the passage of vehicles across the access shall be set back a minimum of 6m from the nearside edge of carriageway of Church Road.

Prior to construction of development commencing the area shown on the approved plan for the parking and manoeuvring of vehicles shall be provided and once laid out, reserved for these purposes in perpetuity.

REASON: In the interests of highway safety and to accord with Policy INF3 of the Hart Local Plan (Strategy and Sites) 2032 and Policy 19 of the Fleet Neighbourhood Plan 2032.

- 8 Prior to the first occupation of the dwelling hereby approved, details of biodiversity enhancement and/or net gain shall be submitted to in writing and approved by the Council. Measures may include native hedge or tree planting on external areas, installation of swift bricks or bat boxes on the elevations of the dwelling or other measures.

REASON: In the interests of securing biodiversity enhancements and net gain wherever possible in line with Policy NBE4 of the Hart Local Plan (Strategy and Sites) 2032, Policy 15 of the Fleet Neighbourhood Plan 2032 and the aims of the NPPF 2021.

INFORMATIVES

- 1 The Council works positively and proactively on development proposals to deliver sustainable development in accordance with the NPPF. In this instance: The applicant was advised of the necessary information needed to process the application and, once received, the application was acceptable and no further engagement with the applicant was required.
- 2 Before undertaking any work which affects a public highway you must obtain specific written approval from the Director of Universal Services at Hampshire County Council and enter into or secure any necessary legal agreements or consents to enable the works on a public highway to proceed. It is an offence to carry out unauthorised works on a public highway. This requirement applies not only to the creation of new vehicle accesses involving excavation within a footway, verge or carriageway but also to the stopping of existing access(es) or other works on or to the public highway. For further information, please contact roads@hants.gov.uk
- 3 Hart District Council has declared a Climate Emergency. This recognises the need to take urgent action to reduce both the emissions of the Council's own activities as a service provider but also those of the wider district. The applicant is encouraged to explore all opportunities for implementing the development approved by this permission in a way that minimises impact on climate change.

RECOMMENDATION B - In the event that Council-owned SANG and relevant SAMM payment are not completed within 2 weeks OR private SANG is secured and a S106 agreement and SAMM payment are not completed within 8 weeks of the date of the resolution to grant, permission be REFUSED under delegated powers.

The application fails to secure mitigation in order to mitigate the recreational pressures arising from the development on the Thames Basin Heath Special Protection Area. In the absence of such mitigation, the application does not meet the requirements of the Habitats Regulations and it has not been demonstrated that the development would not have a likely significant effect on the TBHSPA. The application is therefore contrary to SEP Saved Policy NRM6, HLP32 Policies NBE3 and NBE4 and FNP 2018 Policy 17.