

TOWN AND COUNTRY PLANNING ACT 1990 (as amended) Town and Country Planning (Development Management Procedure) (England) Order 2015

Notice of Decision: Reference Number 21/00066/FULPP

To: M L Management Ltd
c/o Carter Jonas LLP; Fao: Mr Huw Mellor
Mayfield House
256 Banbury Road
Oxford OX2 7DE

In pursuance of their powers under the above-mentioned Act the Council, as the Local Planning Authority, hereby **GRANT** permission for

Erection of 10 X 3-bedroom 3-storey detached houses with vehicular access from Sorrell Close; together with associated parking, internal access driveway and landscaping at Briarwood Sorrel Close Farnborough Hampshire

in accordance with your application which was registered on 4th February 2021 and the plans submitted therewith, subject also to the following conditions:-

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

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

- 2 The permission hereby granted shall be carried out in accordance with the following approved drawings and details - L01 REV.A; PP 0010 REV.B; PE 0010; PE 0011; PE 0009; PE 0012; PE 0013; PE 0014; PP 0031 REV.A; PP 0032 REV.A; PP 0033 REV.A; PP 0034 REV.A; PP 0011 REV.B; Design & Access Statement; Ecological Impact Assessment; Flood Risk Assessment & Drainage Statement; Planning, Design & Access Statement; Transport Statement; Tree Survey Report; Phase 1 Site Investigation; and Revised Arboricultural Impact Assessment & Tree Protection Report and Tree Protection Plan Drawing No.20036-SKP0011 REV.B.

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



John Thorne
Corporate Planning Manager

Date 25/5/2021
Page 1 of 11

N.B. Please read the Notification at the end of the Notice

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2010
Notice of Decision: Reference Number 21/00066/FULPP

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

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

Reason - To ensure satisfactory external appearance. *

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

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

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

Reason - To safeguard the amenities of neighbouring property. *

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

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



John Thorne
Corporate Planning Manager

Date 25/5/2021
Page 2 of 11

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2010
Notice of Decision: Reference Number 21/00066/FULPP

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

Reason - In the interests of visual amenity.

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

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

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

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

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

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

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



John Thorne
Corporate Planning Manager

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2010

Notice of Decision: Reference Number 21/00066/FULPP

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

- 11 No construction works pursuant to this permission shall take place until a detailed surface water drainage scheme for the site, based on the principles within the Proposed Drainage Strategy ref: 4307-BRIA-ICS-XX-RP-C-07.001, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:-
- a. A technical summary highlighting any changes to the design from that within the Flood Risk Assessment hereby approved.
 - b. Infiltration test results undertaken in accordance with BRE365 and providing a representative assessment of those locations where infiltration features are proposed.
 - c. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients.
 - d. Detailed hydraulic calculations for all rainfall events, including the listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including the discharge location. The results should include design and simulation criteria, network design and result tables, manholes schedule tables and summary of critical result by maximum level during the 1 in 1, 1 in 30 and 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference that the submitted drainage layout.

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

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

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

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



John Thorne
Corporate Planning Manager

Date 25/5/2021
Page 4 of 11

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2010

Notice of Decision: Reference Number 21/00066/FULPP

- 12 No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority: -
- i. a desk top study carried out by a competent person documenting all previous and existing uses of the site and adjoining land, and potential for contamination, with information on the environmental setting including known geology and hydrogeology. This report should contain a conceptual model, identifying potential contaminant pollutant linkages.
 - ii. if identified as necessary; a site investigation report documenting the extent, scale and nature of contamination, ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study.
 - iii. if identified as necessary; a detailed scheme for remedial works and measures shall be undertaken to avoid risk from contaminants/or gas identified by the site investigation when the site is developed and proposals for future maintenance and monitoring, along with verification methodology. Such scheme to include nomination of a competent person to oversee and implement the works.

Where step iii) above is implemented, following completion of the measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation shall be submitted for approval in writing by the Local Planning Authority.

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

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

Following completion of measures identified in the approved remediation scheme a verification report must be prepared submitted to the Local Planning Authority.



John Thorne
Corporate Planning Manager

Date 25/5/2021
Page 5 of 11

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2010
Notice of Decision: Reference Number 21/00066/FULPP

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

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

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

- 15 No works shall start on site until existing trees and shrubs/hedges to be retained on and adjoining the site have been adequately protected from damage during site clearance and works in accordance with the details that are set out in the Revised Venners Arboriculture Arboricultural Impact Assessment & Tree Protection Report and revised Tree Protection Plan Drawing No.20036-SKP0011 REV.B hereby approved with the application. Furthermore, no materials or plant shall be stored and no buildings erected within protective fencing to be erected at the margins of the root protection area of each tree/shrub/hedge to be retained as appropriate.

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

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

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

- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England), Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C, D and E of Part 1; and Class L of Part 3; of Schedule 2 shall be carried out without the prior permission of the Local Planning Authority.

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



John Thorne
Corporate Planning Manager

Date 25/5/2021
Page 6 of 11

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2010

Notice of Decision: Reference Number 21/00066/FULPP

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order), no additional windows, doors or openings of any kind shall be inserted in the first-floor elevations and roofs of the new development hereby permitted without the prior permission of the Local Planning Authority.

Reason - To protect the amenities of neighbouring residential properties.

- 19 No works of construction of the buildings hereby approved shall start until plans showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the height of any retaining walls within the application site have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved.

Reason - To ensure a satisfactory form of development in relation to neighbouring property. *

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

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

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

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



John Thorne
Corporate Planning Manager

Date 25/5/2021
Page 7 of 11

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2010

Notice of Decision: Reference Number 21/00066/FULPP

INFORMATIVES

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

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

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

- 2 **INFORMATIVE -** This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 3 **INFORMATIVE -** Your attention is specifically drawn to the conditions marked *. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE a certain stage is reached in the development. Failure to meet these requirements is in contravention of the terms of the permission and the Council may take enforcement action to secure compliance. As of April 2008 submissions seeking to submit details pursuant to conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.



John Thorne
Corporate Planning Manager

Date 25/5/2021
Page 8 of 11

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2010

Notice of Decision: Reference Number 21/00066/FULPP

- 4 INFORMATIVE - The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:
 - a) ensuring the design and materials to be used in the construction of the building are consistent with these aims; and
 - b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.

- 5 INFORMATIVE - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
 - 1) provided prior to the occupation of the properties;
 - 2) compatible with the Council's collection vehicles, colour scheme and specifications;
 - 3) appropriate for the number of occupants they serve;
 - 4) fit into the development's bin storage facilities.

- 6 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Council's Environmental Health Team for advice.

- 7 INFORMATIVE - The applicant is advised that during the construction phase of the development measures should be employed to contain and minimise dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Council's Environmental Health Team.

- 8 INFORMATIVE - It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0845 850 2777.



John Thorne
Corporate Planning Manager

Date 25/5/2021
Page 9 of 11

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2010

Notice of Decision: Reference Number 21/00066/FULPP

The condition of the existing sewer that will take surface water from the development site should be investigated before any connection is made. If necessary, arrangements for improvement to its condition should be undertaken. Evidence that the Asset Owner has agreed to the proposed connection and discharge rate should be submitted to the Local Planning Authority if appropriate in connection with the requirements of Condition No.11.

- 9 INFORMATIVE - In the UK all species of bats are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under Schedule 2 of the conservation (Natural Habitats & c) Regulations 2004. The grant of planning permission does not supersede the requirements of this legislation and any unauthorised works would constitute an offence. If bats or signs of bats are encountered at any point during development then all works must stop immediately and you should contact Natural England.

- 10 INFORMATIVE - The applicant is requested to bring the conditions attached to this permission to the attention of all contractors working or delivering to the site, in particular any relating to the permitted hours of construction and demolition; and where practicable to have these conditions on display at the site entrance(s) for the duration of the works.

- 11 INFORMATIVE - The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.

THIS IS NOT AN APPROVAL UNDER THE BUILDING REGULATIONS



John Thorne
Corporate Planning Manager

Date 25/5/2021
Page 10 of 11

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)
Town and Country Planning (Development Management Procedure)
(England) Order 2010

Notice of Decision: Reference Number 21/00066/FULPP

NOTIFICATION

Appeals to the Secretary of State

1. If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for Transport, Local Government and the Regions under Section 78 of the Town and Country Planning Act 1990.
2. If you want to appeal and your proposal is for a 'Householder' extension then you must do so **within 12 Weeks of the date of this notice**. For all other appeals the time limit is **Six Months**. Appeals must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at:
<https://acp.planninginspectorate.gov.uk>

There is further help and guidance in the Appeals area of the Planning Portal website.

3. The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally use this power unless there are special circumstances.
4. The Secretary of State need not consider an appeal if it seems that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
5. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.
6. If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. [Further details are on GOV.UK](#).

Purchase Notices

1. If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
2. In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. The applicant is recommended to retain this form with the title deeds of the property.

Notes Specific to any Grant of Planning Permission

1. Any grant of permission does not purport to convey any approval or consent which may be required under the Town and Country Planning Act 1990 otherwise than under Sections 69-76 or which may be required under any other Acts including any Byelaws, Orders or Regulations made under such other Acts.
2. Developers are reminded that any grant of planning permission does not entitle them to obstruct a right of way and that, if it is necessary to stop up or divert a right of way in order to enable the development to be carried out, they should apply without delay:- a) in the case of a footpath or bridleway, for an Authority under Section 257 of the Town and Country Planning Act 1990; b) in any other case to the Secretary of State for an Order under Section 247 of the Town and Country Planning Act 1990;
3. Attention is drawn to the provisions of Section 12 of the Hampshire Act 1983 relating to access for the Fire Brigade. A copy of the Section can be obtained at the local planning office.

IMPORTANT - Any failure to adhere to the details of any plans approved or to comply with any conditions detailed in this notice constitutes a contravention of the provisions of the Town and Country Planning Act 1990 in respect of which enforcement action may be taken. If you want to amend approved development, you should consult the Council at the address overleaf before carrying out any work.



John Thorne
Corporate Planning Manager

Date 25/5/2021
Page 11 of 11