

Minutes of the Development Control Committee meeting held on Wednesday, 9 June 2021 in Council Chamber - Deanes, Basingstoke and Deane Borough Council at 6.30 pm

Members of the Development Control Committee in attendance: Councillor N Robinson (Chair), Councillor P Harvey (Vice-Chair), Councillor R Court, Councillor S Frost, Councillor J Ganesh, Councillor P Gaskell, Councillor S Godesen, Councillor M Howard-Sorrell, Councillor R Hussey, Councillor D Leeks and Councillor C Tomblin

1/21 Apologies for absence and substitutions

Councillor Freeman was replaced by Councillor McCormick.

2/21 Appointment of Vice-Chair

Councillor Harvey was appointed as Vice-Chair for the municipal year 2021/22.

3/21 Declarations of interest

Councillor Godesen considered that he was conflicted on application number 20/02954/FUL and he stood down from the Committee and spoke as a visiting Councillor.

Councillor Hussey advised that he would not be voting on application number 20/03569/FUL as the application was in his ward.

4/21 Urgent matters

There were no urgent items.

5/21 Minutes of the meeting held on the 28th April 2021

The Chair confirmed that the minutes of the meetings held on the 28th April 2021 were confirmed by the Committee as a correct record.

6/21 Applications for planning permission and public participation thereon

The following Public Participation took place:

<u>Interest</u>	<u>Name</u>	<u>Item no./Topic</u>
Support	Ms Burgess	Item 2 – 19/02976/FUL
Parish Council	Ms Tuck	Item 3 – 20/02954/FUL
Support	Mr Cobbold	Item 3 – 20/02954/FUL
Councillor	Godesen	Item 3 – 20/02954/FUL
Objector	Mr Pragnell	Item 5 – 20/03222/FUL
Support	Ms Downie	Item 5 – 20/03222/FUL
Support	Mrs Macklin	Item 5 – 20/03222/FUL

Support	Mr Rose	Item 7 – 20/03569/FUL
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1. Application - 19/02422/FUL: Erection of 7 no. dwellings; with associated parking, turning, landscaping, and private amenity space. Creation of new access point out onto Popham Lane. Site: Land At Os Ref 456743 145562 Popham Lane North Waltham Hampshire

The Committee considered the report set out on pages 35 to 82 of the agenda and other matters discussed at the meeting.

The Committee discussed the application and understood that the Section 106 agreement would secure the nitrate mitigation strategy. However, Members requested that an informative be added to advise the applicant that the Development Control Committee would prefer that the nitrate mitigation was not undertaken by a management company where future residents would bear the cost.

Some Members expressed concern that the size of the garages were below the standard stated in the supplementary planning document (SPD). The Committee recognised that the parking provision had already been met in terms of the quantity and the garages were in effect extra to that requirement. Members requested that an informative be included that the Development Control Committee acknowledged that the size of the garages were not compliant with the SPD.

RESOLVED that: the application be That the applicant be invited to enter into a legal agreement (in accordance with the Community Infrastructure Levy Regulations 2010 and Policies CN1, CN6 and EM4 of the Basingstoke and Deane Local Plan 2011-2029) between the applicant and the Borough Council to secure:

- A Woodland Mitigation Plan including a Monitoring & Maintenance Strategy to ensure nutrient neutrality.

Should the requirements set out above not be satisfactorily secured, then the Planning and Development Manager be delegated to REFUSE permission for appropriate reasons.

On completion of the legal agreement, the Planning and Development Manager be delegated to grant planning permission subject to the conditions listed below and for the following reasons.

Reasons for Approval

1 In the absence of an up to date development plan, the proposed development would deliver housing which would contribute towards mitigating against the overall shortfall of supply as well as providing economic, social and environmental benefits. In the planning balance, and applying a presumption in favour of sustainable development, it is not considered that the impact of the development would significantly and demonstrably outweigh the benefits when the policies of the National Planning Policy Framework (February 2019) as a material

planning consideration are taken as a whole. The proposal is considered to represent a sustainable form of development. The proposal is therefore in accordance with the National Planning Policy Framework (February 2019) and Policy SD1 of the Basingstoke and Deane Local Plan 2011-2029.

2 The proposed development would have an impact on the local landscape character however through an appropriate design scheme, including hard and soft landscaping, such impacts would be successfully mitigated. The proposal therefore complies with the National Planning Policy Framework (February 2019) and Policy EM1 of the Basingstoke and Deane Local Plan 2011-2029.

3 Subject to appropriately worded conditions, the proposed development would provide an appropriate mix of housing and as such the proposal would comply with Policy CN3 of the Basingstoke and Deane Local Plan 2011-2029 and the Housing Supplementary Planning Document (2018).

4 The proposal would conserve the biodiversity value and nature conservation interests of the site and as such the proposal would comply with the National Planning Policy Framework (February 2019), Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029 and the relevant guidance contained within the Landscape, Biodiversity and Trees Supplementary Planning Document (2018).

5 The development would provide safe and suitable access to the local highway network and would not cause an adverse impact on highway safety. Adequate parking provision is also made and as such would accord with Sections 9 and 12 of the National Planning Policy Framework (February 2019); Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the Parking Supplementary Planning Document (2018).

6 The proposed development would not result in an undue loss of privacy or cause undue overlooking, overshadowing, overbearing or noise and disturbance impacts to neighbouring properties and would provide high quality amenities for future occupants. The development therefore complies with the National Planning Policy Framework (February 2019) and Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

7 The development would have a likely significant effect in combination with other developments and river catchments that flow into The Solent, leading to a cumulative increase in eutrophication and a deterioration in water quality, which in turn impacts upon the conservation interests of the designated European Sites. The likely significant effect is to be mitigated to achieve a nitrogen neutral development ensuring that there would be no adverse effect on the integrity of the designated sites. As such the proposal would accord with The Conservation of Habitats and Species Regulations 2017, the National Planning Policy Framework (February 2019) and Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029.

8 Adequate drainage (foul and surface water) can be provided for the development and can be adequately controlled through planning conditions and other legislation to ensure that there would be no risk to property or the environment. The proposal accords with the National Planning Policy Framework (February 2019)

and Policies CN6 and EM7 of the Basingstoke and Deane Local Plan 2011-2029.

9 The provision of a Section 106 agreement would ensure that the development provides adequate infrastructure to mitigate the impact of the development in relation to nitrate mitigation and management. The development therefore complies with the National Planning Policy Framework (February 2019); Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029; the Community Infrastructure Levy Regulations 2010 as well as the Council's adopted Supplementary Planning Documents on Landscape, Biodiversity and Trees and Planning Obligations for Infrastructure.

subject to the following conditions and informatives:-

Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

190727-01 Rev C - Site Location Plan
190727-03 Rev F - Site Plan
190727-08 Plots 1, 2 and 3 Design Scheme
190727-04 Rev A - Plot 4 Design Scheme
190727-05 - Plot 5 Design Scheme
190727 -10 - Plot 6 Design Scheme
190727-07 - Plot 7 Design Scheme

REASON: For the avoidance of doubt and in the interests of proper planning.

2 The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

3 No development past slab level shall take place until details/specification of the types and colours of external materials to be used, together with samples (where appropriate), have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.

REASON: In the interests of the visual amenities of the area and in accordance with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

4 Notwithstanding the approved plans no hard landscaping works shall commence on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied and thereafter maintained.

REASON: Details are required in the absence of accompanying the application and in the interests of visual amenity and in accordance with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 5 Notwithstanding the approved plans, prior to installation, a plan indicating the positions, design, materials and type of screen walls/fences/gates/hedges and enclosures to be erected, shall be submitted to and approved in writing by the Local Planning Authority. The approved screen walls/fences/gates/hedges and enclosures shall be erected or planted before the dwelling hereby approved is first occupied and shall subsequently be maintained as approved. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: Details are required in the interests of the amenities of the area and in accordance with the guidance contained within Section 12 of the National Planning Policy Framework (February 2019) and Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 6 Notwithstanding the approved plans no soft landscaping works shall commence on site until a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees where appropriate) shall be submitted to and approved in writing by the Local Planning Authority. The works approved shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or when the use hereby permitted is commenced. In addition, a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting, shall be submitted to and approved in writing by the Local Planning Authority before commencement of the landscaping works. The landscape maintenance shall thereafter be carried out in accordance with the approved maintenance programme. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: Details are required in the interests of the amenities of the area and in accordance with the guidance contained within Sections 12 of the National Planning Policy Framework (February 2019) and Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 7 No works pursuant to this permission shall commence until a measured survey of the site has been undertaken and a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground levels and finished floor levels in relation to a nearby datum point which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed and thereafter maintained in accordance with the approved details.

REASON: Details are required in the interests of the amenities and character of the area in accordance with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 8 Prior to the occupation of the first dwelling hereby approved, visibility splays of 2.4m x 46m northbound and 2.4m x 51m southbound shall be provided at the proposed access, in accordance with drawing reference 1303-001 Rev A (Proposed Site Access Arrangements) Within these splays nothing between 1 metre and 3 metres above ground height shall be placed, built, planted or allowed to grow. These visibility splays shall thereafter be maintained in such condition.

REASON: In the interests of highway safety to ensure that acceptable access and egress is provided in accordance with Policy CN9 of the Basingstoke and Deane Local Plan 2011-2029.

- 9 Prior to occupation of the dwellings hereby approved, parking provision in accordance with that shown on drawing 190727-03 Rev F shall be made within the site and shall be retained thereafter for such purposes. For the avoidance of doubt, this includes parking spaces to be provided within garages.

REASON: To ensure adequate on site car parking provision for the approved development in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 10 Prior to occupation of the dwellings hereby approved details of electric vehicle charging provision shall be submitted to and approved in writing by the Local Planning Authority. Such details should include the specification, appearance and siting of any charging points. Where charging points are not proposed, details of parking areas which can be conveniently retrofitted at a later date shall be provided. This includes details demonstrating that that electrical connections within the site are suitable for future use for electric vehicle charging. The development shall be carried out and thereafter maintained in accordance with the approved details.

REASON: Details are required prior to occupation due to the lack of information submitted in this regard as part of the application in accordance with the guidance contained within the Parking Supplementary Planning Document (July 2018) and Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011 to 2029.

- 11 No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority:-
- (a) a desk top study carried out by a competent person documenting all the previous and existing land uses of the site and adjacent land in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2011;

and, unless otherwise agreed in writing by the Local Planning Authority,

(b) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the desk study in accordance with BS10175:2011 - Investigation of Potentially Contaminated Sites - Code of Practice;

and, unless otherwise agreed in writing by the Local Planning Authority,

(c) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed. The scheme must include a timetable of works and site management procedures and the nomination of a competent person to oversee the implementation of the works. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 and if necessary proposals for future maintenance and monitoring.

If during any works contamination is encountered which has not been previously identified it should be reported immediately to the Local Planning Authority. The additional contamination shall be fully assessed and an appropriate remediation scheme, agreed in writing with the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'. The development shall thereafter be continued in accordance with the approved remediation scheme.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

12 The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 11(c) that any remediation scheme required and approved under the provisions of condition 11(c) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise;

as built drawings of the implemented scheme;

photographs of the remediation works in progress;

Certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 11(c), unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 13 No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 14 No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 0730 nor after 1800, Monday to Friday, before the hours of 0800 nor after 1300, Saturdays nor on Sundays or recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 15 A minimum of one of the dwellings hereby approved shall be built to accessible and adaptable standards. No development shall commence on site until details of which property is to be built to such standards have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: Details are required in the absence of accompanying the planning submission, to ensure an appropriate co-ordinated high quality form of development and to enable people to stay in their homes as their needs change in accordance with Policy CN3 of the Basingstoke and Deane Local Plan 2011-2029 and Housing Supplementary Planning Document.

- 16 The development hereby approved shall not be occupied until a Construction Statement detailing how the new homes shall meet a water efficiency standard of 110 litres or less per person per day has been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing with the Local Planning Authority through a demonstration that this requirement for sustainable water use cannot be achieved on technical or viability grounds. The development shall be carried out in accordance with the approved details.

REASON: In the absence of such details being provided within the planning submission, details are required to ensure that the development delivers a level of sustainable water use in accordance with Policy EM9 of the Basingstoke and Deane Local Plan 2011-2029.

- 17 The dwellings hereby approved shall not be occupied until details of cycle storage as required in accordance with the Parking Supplementary Planning Document (2018), have been submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented before occupation or the use commences, whichever is the sooner, and shall be thereafter retained and maintained in accordance with the approved details.

REASON: To ensure adequate cycle provision and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 18 No development shall take place until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The assessment should take the form of trial trenches located within the footprints of the proposed houses, garages and along the route of the new access road, to ensure that any archaeological remains encountered within the site are recognised, characterised and recorded. The development shall be carried out in accordance with the details so approved.

REASON: Details are required prior to commencement because insufficient information has been submitted with the application in this regard, to ensure the recording of any items of archaeological interest in accordance with the advice contained within the National Planning Policy Framework (February 2019) and Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029.

- 19 No development shall take place until a programme of archaeological mitigation of impact, based on the results of the trial trenching, in accordance with a Written Scheme of Investigation (as required by condition 18) that has been submitted to and approved in writing by the Planning Authority.

REASON: Details are required prior to commencement because insufficient information has been submitted with the application in this regard, to ensure the recording of any items of archaeological interest in accordance with the advice contained within the National Planning Policy Framework (February 2019) and Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029.

- 20 Following completion of archaeological fieldwork, a report will be produced in accordance with an approved programme submitted by the developer and approved in writing by the Local Planning Authority setting out and securing appropriate post-excavation assessment, specialist analysis and reports, publication and public engagement.

REASON: To contribute to the knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make this publicly available in accordance with the advice contained within the National Planning Policy Framework (February 2019) and Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029.

- 21 Tree protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in accordance with the Arboricultural assessment & method statement written by Barrell Tree Consultancy, to include Barrell Plan Ref: 19342-BT1.

REASON: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework and Policy EM1 of the Basingstoke and Deane Local Plan 2011- 2029.

- 22 No development shall commence on site until a detailed scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until the approved surface water drainage details have been fully implemented in accordance with the approved plans.

REASON: In the absence of sufficient details of the proposed surface water drainage mechanism within the planning submission, it is necessary for further information to be submitted which ensures the proposal is provided with a satisfactory means of drainage. The information is requested prior to works commencing at the site in order to ensure the drainage infrastructure required for the development is fully considered and accommodated within the site in accordance with Policies EM6 and EM7 of the Basingstoke and Deane Local Plan 2011-2029.

- 23 Prior to the commencement of the development, details of the implementation, maintenance and management of the sustainable drainage scheme shall be submitted to and approved in writing by the local planning authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. Those details shall include:

- i) a timetable for its implementation, and
- ii) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime.

REASON: In the absence of sufficient details of the proposed surface water drainage mechanism within the planning submission, it is necessary for further information to be submitted which ensures the proposal is provided with a satisfactory means of drainage. The information is requested prior to

works commencing at the site in order to ensure the drainage infrastructure required for the development is fully considered and accommodated within the site in accordance with Policies EM6 and EM7 of the Basingstoke and Deane Local Plan 2011-2029.

- 24 Prior to the commencement of the development a Biodiversity Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted Biodiversity management Plan shall provide:
- Details of the habitats/conservation features to be retained/created/enhanced;
 - The methodology to be used to create the habitat/features;
 - Details of the long-term management proposed for the establishment and maintenance of the habitat/nature conservation feature;
 - Future Ecological Monitoring of the Habitat

The Biodiversity Management Plan shall be derived from the submitted biodiversity metric and be representative of those depicted on the provided plan showing the measures described in the biodiversity metric.

REASONS: Additional information is required due to insufficient information accompanying the application in order to evidence that these habitats can be delivered in perpetuity in line with the National Planning Policy Framework (2019), Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029 and Principle B7 of the Landscape, Biodiversity and Trees Supplementary Planning Document (2018).

- 25 The development hereby approved shall be carried out in strict accordance with the recommendations and procedures contained within Chapter 5 Ecological Mitigation and Enhancement Strategy of the Preliminary Ecological Appraisal, Preliminary Roost Appraisal and Reptile Survey Report by ABR Ecology Ltd dated 9/10/2019.

REASON: In order to avoid adverse impacts on key species including bats and nesting birds, and to provide enhancements for key species in line with Policy EM4 of the Local Plan and requirements under The Conservation of Habitats and Species Regulations 2019 (Amended) and The Wildlife and Countryside Act 1981.

- 26 Prior to the installation of any external lighting a bat sensitive lighting scheme in line with recommendations within the Preliminary Ecological Assessment and Guidance note 8 by The Bat Conservation Trust and Institute of Lighting Professionals shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried and thereafter maintained in accordance with any approved installation.

REASON: In order to meet with derogation test 3 of the Conservation of Habitats and Species Regulations 2019 (Amended) and in accordance Policy

EM4 of the Basingstoke and Deane Local Plan 2011-2029.

- 27 The development hereby approved shall not be occupied until the Package Treatment Plant has been installed in accordance with the details shown on drawing reference 1303-502 (Proposed Foul Water Drainage Strategy). Thereafter the Package Treatment Plant shall be operated, monitored and maintained in accordance with the approved Package Treatment Plan Monitoring Plan (contained within the submitted Nitrate Technical Note version 6 dated 23 November 2020) in perpetuity.

REASON: To mitigate against the impacts of the development on European designated sites in achieving nutrient neutrality in the interests of preserving off site biodiversity and accordance with Policy EM4 of the Basingstoke and Deane Local Plan and section 15 of the National Planning Policy Framework 2019.

Informative(s):-

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.

1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.

2. In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-

proactively offering a pre-application advice (in accordance with paragraphs 39 - 46);

seeking further information following receipt of the application;
seeking amendments to the proposed development following receipt of the application;
considering the imposition of conditions and or the completion of a s.106 legal agreement (in accordance with paragraphs 54-57).

In this instance:

the applicant was updated of any issues after the initial site visit;

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. If this development will result in new postal addresses or changes in addresses, please contact the Council's Street Naming and Numbering team on 01256 845539 or email shirley.brewer@basingstoke.gov.uk to commence the process. Details can also be found on the Council's website.
4. The Council encourages all contractors to be 'Considerate Contractors' when working in the Borough by being aware of the needs of neighbours and the environment.
5. The Applicant is advised that in relation to condition 24 accessibility and adaptability standards are achieved by meeting requirement M4(2) or M4(3) of the Building Regulations 2015 or any subsequent government standard.
6. The Borough Council declared a Climate Emergency during 2019 formally making this declaration at the meeting of Cabinet in September 2019. 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 borough. In this respect, the Council is working with consultants at present to identify appropriate actions to achieve the targets that have been set. Beyond the requirements of any conditions that may be applicable to this planning permission and the current planning policy framework, the applicant is encouraged to explore all opportunities for implementing the development in a way that minimises impact on climate change. Where this in itself might require separate permission applicants can contact the council for advice through the following link: <https://www.basingstoke.gov.uk/before-making-a-planning-application>. For information more generally on the Climate Emergency please visit: <https://www.basingstoke.gov.uk/climateemergency>.
7. This Decision Notice must be read in conjunction with a Planning Obligation completed under the terms of Section 106 of the Town and Country Planning Act 1990 (as amended). You are advised to satisfy yourself that you have all the relevant documentation.

Please note that any information in relation to the discharge of planning obligations contained within the completed Section 106 Agreement in relation to this planning permission should be submitted to the Planning Infrastructure Monitoring Officer, Planning Development Team, in accordance with, or

ahead of, the timeframes contained therein.

8. The applicant is advised that the provision of a site foul drainage treatment plant may require an Environmental Permit from the Environment Agency. Please see the following details: <https://www.gov.uk/permits-you-need-for-septic-tanks> for further advice.
9. The development hereby approved results in the requirement to make payments to the Council as part of the Community Infrastructure Levy (CiL) procedure. A Liability Notice setting out further details and including the amount of CiL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the Council prior to the commencement of development. Failure to submit the Commencement Notice prior to the commencement of development will result in the loss of any exemptions claimed; the loss of any right to pay by instalments; and additional costs to you in the form of surcharges. You are advised to await acknowledgement of receipt of the Commencement Notice from the Charging Authority before commencing any works. Further details can be viewed at <https://www.basingstoke.gov.uk/community-infrastructure-levy>
10. The applicant's attention is drawn to the fact that the Development Control Committee noted that the proposed garages are below the required dimensions as set out in the Council's Parking Supplementary Document.
11. The applicant's attention is drawn to the comments made by the Development Control Committee with regards to the future management of the nitrate mitigation land and a preference that the financial burden of any management arrangements are not passed on to future residents of the development.

2. Application – 19/02976/FUL: Infilling of part of existing of pit/pond (part-retrospective). Site: Land At Pamber Farm Bramley Road Little London Tadley

The Committee considered the report set out on pages 83 to 100 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

RESOLVED that: the application be **APPROVED** subject to the conditions listed below and for the following reasons.

Reasons for Approval

1 Subject to a suitable soft landscaping scheme, to be secured by way of condition, the proposed development would be sympathetic to the character and appearance of the surrounding landscape. The proposal therefore complies with the National Planning Policy Framework (February 2019) and Policy EM1 of the Basingstoke and Deane Local Plan 2011-2029.

2 The development would not have an adverse impact upon the site's

biodiversity value and enhancement measures are secured via conditions in accordance with Section 15 of the National Planning Policy Framework (February 2019) and Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029.

3 The proposed development would not give rise to increased risks in flooding at the site or downstream, in accordance with the National Planning Policy Framework (February 2019) and Policy EM7 of the Basingstoke and Deane Local Plan 2011-2029.

4 Subject to suitable conditions, the proposed development would not result in unacceptable risk from land contamination to the future users of the land and neighbouring land, together with those to controlled waters, property and ecological systems, and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the National Planning Policy Framework (February 2019) and Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

5 The development would not have an adverse impact upon neighbouring amenities in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

subject to the following conditions and informatives:-

Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

190839-101 Site Location Plan (dated Oct 2019)
190839-102 Rev A Site and Block Plan (dated Oct 2019)
Pond Treatment Plan Issue 3 (dated Aug 2020)

REASON: For the avoidance of doubt and in the interests of proper planning.

2 The development hereby approved shall be carried out in strict accordance with the recommendations and procedures of Chapter 6 Impacts and Recommendations of the Great Crested Newt Survey by All Ecology dated June 2020.

REASON: In order to mitigate impacts on key habitats and species and to help maintain the biodiversity of the area in the long-term and to enhance the pond for wildlife and retain the present populations of amphibians in accordance with Section 15 of the National Planning Policy Framework (February 2019) and Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029.

3 Within two months from the date of this decision, there shall be, submitted to the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees where appropriate). The works approved shall

be carried out in the first planting and seeding seasons following the date of approval. In addition, a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting, shall be submitted to and approved in writing by the Local Planning Authority before commencement of the landscaping works. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

REASON: Details are required in the absence of satisfactory information accompanying the application in order to improve the appearance of the site in the interests of visual amenity in accordance with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 4 Within two months from the date of this decision there shall be, submitted to the Local Planning Authority certificates demonstrating that a) sufficient sampling of imported material has taken place and b) the imported material is free from unacceptable levels of contamination. Sampling should take place in situ at a frequency of 1 per 100m³.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029

Informative(s):-

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.

1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made

regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.

2. In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-

proactively offering a pre-application advice (in accordance with paragraphs 39 - 46);

seeking further information following receipt of the application;

seeking amendments to the proposed development following receipt of the application;

considering the imposition of conditions and or the completion of a s.106 legal agreement (in accordance with paragraphs 54-57).

In this instance:

the applicant was updated of any issues after the initial site visit;

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. The Borough Council declared a Climate Emergency during 2019 formally making this declaration at the meeting of Cabinet in September 2019. 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 borough. In this respect, the Council is working with consultants at present to identify appropriate actions to achieve the targets that have been set. Beyond the requirements of any conditions that may be applicable to this planning permission and the current planning policy framework, the applicant is encouraged to explore all opportunities for implementing the development in a way that minimises impact on climate change. Where this in itself might require separate permission applicants can contact the council for advice through the following link: <https://www.basingstoke.gov.uk/before-making-a-planning-application>. For information more generally on the Climate Emergency please visit: <https://www.basingstoke.gov.uk/climateemergency>.
4. The Council encourages all contractors to be 'Considerate Contractors' when working in the Borough by being aware of the needs of neighbours and the environment.
5. The works hereby approved should not impede or interfere with the nearby Public Right of Way. Should the Applicant have any questions regarding the Right of Way, they should contact the Hampshire Countryside Service Team at countryside.planning@hants.gov.uk or 01962847974.
6. Shrub clearance should be undertaken outside of bird nesting season (March to August inclusive) if at all possible in order to avoid impact on nesting birds

protected under the Wildlife and Countryside Act 1981. Should clearance be required during nesting season then the site should first be surveyed by a suitably qualified ecologist for signs of nesting and if any area found works should cease in that area until nesting has been completed and fledglings have left the nest.

7. The application site is located upstream of a critical drainage area, where development has the potential to overload the capacity of the existing drainage system. The Applicant is advised to give consideration to flood protection which may include flood proofing measures. Additional guidance can be found in the Environmental Agency flood protection advice guides.

3. Application – 20/02954/FUL: Erection of 2 no. detached dwellings. Site: Land At Wildwood Farm Newnham Lane Old Basing Hampshire

The Committee considered the report set out on pages 101 to 131 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee discussed the application and referred to Basingstoke and Deane Local Plan Policy SS6 and it was generally felt that although it did not meet all aspects of the policy it did meet some of the elements of the policy.

Members considered the current position of the 5 year housing land supply in their deliberations.

Some Members highlighted that Newnham Lane did experience flooding on occasion.

RESOLVED that: the application be **APPROVED** subject to the conditions listed below and for the following reasons.

Reasons for Approval

1 The proposal would not result in the erection of two dwellings in an isolated location within the countryside and the proposal is considered to represent a sustainable form of development. The proposal is therefore in accordance with the National Planning Policy Framework (February 2019) and Policies SD1 and SS6 of the Basingstoke and Deane Local Plan 2011-2029.

2 The proposed dwellings would be of an appropriate design and siting, would relate to surrounding development and would not result in significant impacts on the local landscape character or scenic quality of the area. As such the proposal complies with Section 15 of the National Planning Policy Framework (February 2019), Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the Design and Sustainability Supplementary Planning Document (2018).

3 The development would not cause an adverse impact on highway safety, subject to the submission of suitable visibility details, and adequate parking would be

provided to serve the development. As such the proposal would comply with the National Planning Policy Framework (February 2019), Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the Parking Supplementary Planning Document (2018).

4 The development would not result in an undue loss of privacy or cause undue overlooking, overshadowing, overbearing or noise and disturbance impacts to neighbouring properties and as such complies with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011-2029.

5 The proposed development would not cause any adverse impacts on biodiversity and as such the proposal is considered to be in accordance with the National Planning Policy Framework (February 2019). Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029 and the Landscape, Biodiversity and Trees Supplementary Planning Document (December 2018).

6 The proposed development would not result in any adverse impacts to flooding within Flood Zone 1. As such, the proposal complies with the National Planning Policy Framework (February 2019) and Policy EM7 of the Basingstoke and Deane Local Plan 2011-2029.

subject to the following conditions and informatives:-

Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan (drawing no. P01 rev A)
Block Plan (drawing no. P02 rev B)
Proposed Site Plan (drawing no. P04 rev D)
Street Scene (drawing no. P06 rev B)
Sketches (drawing no. P07 rev B)
House 1 Plans (drawing no. P10 rev B)
House 1 Elevations (drawing no. P11 rev B)
House 2 Plans (drawing no. P20 rev A)
House 2 Elevations (drawing no. P21 rev A)
Garage Plans and Elevations (drawing no. P30 rev B)

REASON: For the avoidance of doubt and in the interests of proper planning.

2 The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

3 No development shall commence on site above slab level until details and samples of the types and colours of external materials to be used have been

submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.

REASON: Details are required prior to commencement above slab because insufficient information has been submitted with the application in this regard, in the interests of the visual amenities of the area and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029 and Policy OB&L 7 of the Old Basing and Lychnpit Neighbour Plan 2015-2029.

4 No development, including any demolition works, soil moving, temporary access construction/widening, or storage of materials, shall commence until a Wildlife Protection and Mitigation Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the following:

(a) details of how mature trees and hedgerow habitats adjacent to the area of the proposed development will be protected during the construction works.

(b) details of the timing/ecological watching brief/felling procedures required to address the protection of brown hares, breeding birds and dormice before and during any development works. A method statement to reduce the chance of disturbing any potential bat roosts if any trees are likely to be impacted by the proposed development should also be included as well as the recommendations given in Section 4.6 of the submitted Ecological Assessment.

(c) details of mitigation proposals for mitigating any potential adverse effects on dormice, bats or birds and any features that they are dependent on. This is to include details of measures that will be taken to avoid light spillage along bat commuter routes and dormice habitat.

(d) provisions for the supervision and monitoring of the plan, including briefing construction personnel, and the name and contact details of the person responsible for this;

No development or other operations shall take place other than in complete accordance with the approved Wildlife Protection and Mitigation Plan. No habitat or other landscape features that are to be retained as part of the approved Wildlife Protection and Mitigation Plan shall be damaged or destroyed or removed without the prior written approval of the Local Planning Authority, for the duration of activities permitted by this planning consent. If a habitat or other landscape feature is removed or damaged in contravention of this condition, a scheme of remedial action, with a timetable for implementation, shall be submitted to and approved in writing by the Local Planning Authority within 28 days of the incident. The scheme of remedial action must be approved by the Local Planning Authority before practical completion of the development and implemented in accordance with the approved timetable.

REASON: To minimise the impact on the existing biodiversity of the site and its surroundings, in accordance with Policy EM4 of the Basingstoke and Deane Local Plan 2011- 2029.

- 5 No development shall take place until full details of a habitat creation, enhancement and management scheme to achieve the biodiversity net gain, as shown in the submitted DEFRA biodiversity offsetting metric, has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved. The details shall include:

The recommendations given in Section 5 of The Ecology Co-op's Ecological Assessment dated 3rd Nov 2020

Measures where suitable to enhance the site for white-letter hairstreak butterflies known to be present within the local area.

The proposals for on-site habitat creation and enhancement to achieve the biodiversity net gain as shown in the submitted biodiversity offsetting metric (including sources of planting stock and its origin).

The provision of arrangements to secure the delivery of the offsetting measures (including a timetable for their delivery) submitted; and

A management and monitoring plan (to include for the provision and maintenance of the submitted offsetting measures in perpetuity).

The written approval of the Local Planning Authority shall not be issued before the arrangements necessary to secure the delivery of the agreed offsetting measures have been executed. The scheme shall be implemented in full accordance with the requirements of the scheme or any variation so approved and thereafter retained in perpetuity.

REASON: To help compensate for habitat loss resulting from the development and help to maintain the biodiversity of the area in the long term, in accordance with Policy EM4 of the Basingstoke and Deane Local Plan 2011- 2029.

- 6 No development shall take place, (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The approved statement shall include scaled drawings illustrating the provision for -

- 1) The parking of site operatives and visitors vehicles.
- 2) Loading and unloading of plant and materials.
- 3) Management of construction traffic and access routes.
- 4) Storage of plant and materials used in constructing the development.

REASON: In the interests of highway safety in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011- 2029.

- 7 The development shall not be brought into use until sightlines of 2.4 metres x 43 metres from the site accesses onto the private road as indicated on the approved plan in which there should be no obstruction to visibility exceeding

0.6 metres in height above the adjacent carriageway channel line have been completed. Such sightlines shall thereafter be retained for the lifetime of the development.

REASON: To provide and maintain adequate visibility in the interests of highway safety in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011- 2029.

- 8 Protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in accordance with the arboricultural details produced by Harrison Arboriculture, ref: 109147211/9/2020 1B, dated 17/02/2021.

REASON: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework and Policy EM1 of the Basingstoke and Deane Local Plan 2011- 2029.

- 9 No development shall take place on site above slab level until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees where appropriate). The works approved shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or when the use hereby permitted is commenced. In addition, a maintenance programme detailing all operations to be carried out in order to allow successful establishment of planting, shall be submitted to and approved in writing by the Local Planning Authority before development commences. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.

REASON: Details are required prior to commencement above slab level because insufficient information has been submitted with the application in this regard, to improve the appearance of the site in the interests of visual amenity in accordance with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 and Policy OB&L 7 of the Old Basing and Lychpit Neighbour Plan 2015-2029.

- 10 No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or fitting out, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public or bank holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 11 No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public or bank holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 12 The developer, within one week of the commencement of development, shall ensure that there is provision to be made for the parking and turning on site of operatives' and construction vehicles, together with storage on site of construction materials. The provision shall be retained and used for the intended purpose for the duration of the construction period and that area shall not be used for any other purposes other than for the parking and turning of vehicles and storage of construction materials respectively.

REASON: In the interests of highway safety and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029 and Policy OB&L 1 of the Old Basing and Lychpit Neighbour Plan 2015-2029.

- 13 Each property hereby approved shall not be occupied or the use commence, whichever is the sooner, until the vehicle parking area has been constructed and surfaced in accordance with the approved details within the respective plot and that area shall not thereafter be used for any purpose other than parking, loading and unloading of vehicles.

REASON: In the interests of highway safety and in accordance with Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

- 14 Within 3 months of the date of commencement a Construction Statement detailing how the new homes shall meet a water efficiency standard of 110 litres or less per person per day has been submitted to and approved in writing by the Local Planning Authority, through a demonstration that this requirement for sustainable water use cannot be achieved on technical or viability grounds. The development shall be carried out in accordance with the approved details.

REASON: In the absence of such details being provided within the planning submission, details are required to ensure that the development delivers a level of sustainable water use in accordance with Policy EM9 of the Basingstoke and Deane Local Plan 2011-2029.

- 15 Each property hereby permitted shall not be occupied or the approved use commence, whichever is the sooner, until the properties respective property has have provision within its curtilage for refuse and recycling storage (prior to disposal), the surface materials from the carriageway to the waste container collection point shall be smooth and shall not hinder the movement of waste containers to the collection vehicle and shall make space to provide 1 number 240ltr refuse Wheelie bin, 1 number 240ltr recycling Wheelie bin

and 1 number glass recycling box, and the areas of land so provided shall not be used for any purposes other than the storage (prior to disposal) or the collection of refuse and recycling and shall be thereafter retained and maintained as such.

REASON: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011- 2029.

- 16 Each property hereby permitted shall not be occupied until the properties respective property has provision within its curtilage for secure cycle parking facilities for 2 long and 1 short stay places. The cycle storage shall thereafter be retained and maintained in perpetuity.

REASON: To improve provision for cyclists and discourage the use of the private car wherever possible and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011- 2029.

Informative(s):-

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.

1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.
2. In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the

applicant in the following positive and creative manner:-

seeking amendments to the proposed development following receipt of the application;

considering the imposition of conditions and or the completion of a s.106 legal agreement (in accordance with paragraphs 54-57).

In this instance:

the applicant was updated of any issues after the initial site visit.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. The Borough Council declared a Climate Emergency during 2019 formally making this declaration at the meeting of Cabinet in September 2019. 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 borough. In this respect, the Council is working with consultants at present to identify appropriate actions to achieve the targets that have been set. Beyond the requirements of any conditions that may be applicable to this planning permission and the current planning policy framework, the applicant is encouraged to explore all opportunities for implementing the development in a way that minimises impact on climate change. Where this in itself might require separate permission applicants can contact the council for advice through the following link: <https://www.basingstoke.gov.uk/before-making-a-planning-application>. For information more generally on the Climate Emergency please visit: <https://www.basingstoke.gov.uk/climateemergency>.
4. If at any time during the proposed works dormice, or signs of dormice, are found then all works must stop and advice should be sought from Natural England before any further work proceeds. Dormice and their habitats are protected under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017 from disturbance and harm.
5. If this development will result in new postal addresses or changes in addresses, please contact the council's Street Naming and Numbering team on 01256 845539 or email shirley.brewer@basingstoke.gov.uk to commence the process. Details can be found on the council's website.
6. The development hereby approved results in the requirement to make payments to the Council as part of the Community Infrastructure Levy (CiL) procedure. A Liability Notice setting out further details and including the amount of CiL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the Council prior to the commencement of development. Failure to submit the Commencement Notice prior to the commencement of development will result in the loss of any exemptions claimed; the loss of any right to pay by instalments; and

additional costs to you in the form of surcharges. You are advised to await acknowledgement of receipt of the Commencement Notice from the Charging Authority before commencing any works. Further details can be viewed at <https://www.basingstoke.gov.uk/community-infrastructure-levy>.

7. If during development works any contamination of the land is encountered or suspected then this shall be fully assessed in accordance with the Contaminated Land Guidance for Developers. The developer must contact the Local Planning Authority as soon as possible and any action should be agreed in writing by the Local Planning Authority.

4. Application – 20/03192/HSE: Garage conversion and front, side and rear extensions with new first floor in roof space and side dormer. Site: 28 Woodroffe Drive Basingstoke RG22 6ND

The Committee considered the report set out on pages 132 to 146 of the agenda and other matters discussed at the meeting.

Members discussed the potential alterations that could be undertaken through permitted development. Overall Members were satisfied with the proposed development having taken account of other first floor alterations within the vicinity of the application property.

RESOLVED that: the application be **APPROVED** subject to the conditions listed below and for the following reasons.

Reasons for Approval

1 The proposed development would be of an appropriate design and would relate in a sympathetic manner to the street scene and character of the area and as such complies with the National Planning Policy Framework (February 2019), Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the Design and Sustainability Supplementary Planning Document (2018).

2 The proposed development would not result in an undue loss of privacy or cause undue overlooking, overshadowing, overbearing or noise and disturbance impacts to the occupiers of neighbouring properties and as such complies with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

subject to the following conditions and informatives:-

Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan - Drawing No. 20/26/01

Block Plan and Proposed Floor Plans - Drawing No. 20/26/02 Revision A

Proposed Elevations - Drawing No. 20/26/04 - Revision A
Proposed Street Scene - Drawing No. 20/26/05 Revision A

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture to those on the existing building and as outlined within the application form.

REASON: In the interests of visual amenity and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 4 No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations, or fitting out, shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 5 No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 6 The development hereby permitted shall not be occupied or the use commence, whichever is the sooner, until 2 vehicle parking spaces have been constructed, surfaced and marked out in accordance with the approved details and that area shall not thereafter be used for any purpose other than parking, loading and unloading of vehicles.

REASON: In the interests of highway safety and in accordance with Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

Informative(s):-

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if

any), must be complied with in full, failure to do so may result in enforcement action being instigated.

1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.

2. In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-

proactively offering a pre-application advice (in accordance with paragraphs 39 - 46);

seeking amendments to the proposed development following receipt of the application;

considering the imposition of conditions

In this instance:

the applicant was updated of any issues after the initial site visit;
was provided with pre-application advice;

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. The Borough Council declared a Climate Emergency during 2019 formally making this declaration at the meeting of Cabinet in September 2019. 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 borough. In this respect, the Council is working with consultants at present to identify appropriate actions to achieve the targets that have been set. Beyond the requirements of any conditions that may be applicable to this planning

permission and the current planning policy framework, the applicant is encouraged to explore all opportunities for implementing the development in a way that minimises impact on climate change. Where this in itself might require separate permission applicants can contact the council for advice through the following link: <https://www.basingstoke.gov.uk/before-making-a-planning-application>. For information more generally on the Climate Emergency please visit: <https://www.basingstoke.gov.uk/climateemergency>.

4. It is noted that a claim has been made for Residential Extension Exemption. Should this be agreed by the Charging Authority, then no CiL will be payable. If, however, the claim is not agreed then there will be a requirement to make payments to the Council as part of the Community Infrastructure Levy (CiL) procedure. A Liability Notice setting out further details and including the amount of CiL payable would then be issued. Should this be the case, you are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the Council prior to the commencement of development. Failure to submit the Commencement Notice prior to the commencement of development will result in the loss of any exemptions claimed; the loss of any right to pay by instalments; and additional costs to you in the form of surcharges. You are advised to await acknowledgement of receipt of the Commencement Notice from the Charging Authority before commencing any works. Further details can be viewed at <https://www.basingstoke.gov.uk/community-infrastructure-levy>.

5. Application – 20/03222/FUL: Erection of 3 no. dwellinghouses following the demolition of existing bungalow and associated structures and change of use from recycling yard to residential use. Site: White Bungalow Ash Lane Silchester RG7 2NL

The Committee considered the report set out on pages 147 to 174 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee discussed the application which resulted in mixed views.

Some Members considered that the location for the proposed dwellings would not result in an isolated form of development within the countryside.

Other Members disagreed and thought that the proposed application for the erection of two additional dwellings would be in an isolated location within the countryside. They also referred to a similar application for one dwelling that went to appeal and lost. The inspector deemed that dwelling would be isolated and also advised that the Borough's housing situation was not an acute shortage.

Members were content that any additional traffic generated by the proposal would not have a large impact on the highway.

A discussion took place as to whether there would be any issues with overlooking between the plots. Members were satisfied with the information contained in the update paper that the windows that were causing overlooking across the plots now

proposed to be obscure glazed.

Concern was expressed that there was no provision for affordable housing but the Committee agreed that the issue be resolved with a Legal agreement for affordable housing which would be delegated to Officers. If an agreement could not be reached the application would come back before the Committee.

RESOLVED that: the application be invited to enter into a legal agreement (in accordance with the Community Infrastructure Levy Regulations 2010 and Policy CN1 of the Basingstoke and Deane Borough Local Plan 1996-2011) between the applicant and the Borough and County Councils to secure:

- Affordable Housing

Should the requirements set out above not be satisfactorily secured, then the Planning and Development Manager be delegated to REFUSE permission for appropriate reasons.

On completion of the legal agreement, the Planning and Development Manager be delegated to grant planning permission subject to the conditions listed below and for the following reasons.

Reasons for Approval

1 The proposal would not result in the erection of dwellings in an isolated location within the countryside and the proposal is considered to represent a sustainable form of development. The proposal is therefore in accordance with the National Planning Policy Framework (February 2019) and Policies SD1 and SS6 of the Basingstoke and Deane Local Plan 2011-2029.

2 The proposed dwellings would be of an appropriate design and siting, and would not result in significant impacts on the local landscape character or scenic quality of the area. As such the proposal complies with the National Planning Policy Framework (February 2019) and Policy EM1 of the Basingstoke and Deane Local Plan 2011-2029.

3 The development would not result in an undue loss of privacy and as such complies with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

subject to the following conditions and informatives:-

Conditions

1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan - drawing no SM/Plans/11

Site Plan - drawing no SM/Plans/10 Revision A

Plot 1 - Proposed Elevations & Sections - drawing no SM/Plans/P1/02
Revision A

Plot 1 - Proposed Floor & Roof Plans - drawing no SM/Plans/P1/01 Revision A

Plot 2 - Proposed Plans & Elevations - drawing no SM/Plans/P2/01 Revision A

Plot 3 - Proposed Plans & Elevations - drawing no SM/Plans/P3/01 Revision A

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

- 3 No development shall commence on site above slab level for each property hereby approved until details and samples of the types and colours of external materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.

REASON: Details are required prior to commencement above slab because insufficient information has been submitted with the application in this regard, in the interests of the visual amenities of the area and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 4 Each property hereby approved shall not be occupied or the use commence, whichever is the sooner, until the vehicle parking has been constructed and surfaced in accordance with the approved details within the respective plot and that area shall not thereafter be used for any purpose other than parking, loading and unloading of vehicles.

REASON: In the interests of highway safety and in accordance with Policies EM10 and CN9 of the Basingstoke and Deane Local Plan 2011-2029.

- 5 Each property hereby permitted shall not be occupied until the respective property has provision within its curtilage for secure cycle parking facilities for 2 long and 1 short stay places. The cycle storage shall thereafter be retained and maintained in perpetuity.

REASON: To improve provision for cyclists and discourage the use of the private car wherever possible and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011- 2029.

- 6 Each property hereby permitted shall not be occupied or the approved use commence, whichever is the sooner, until the respective property has have provision within its curtilage for refuse and recycling storage (prior to disposal), the surface materials from the carriageway to the waste container collection point shall be smooth and shall not hinder the movement of waste

containers to the collection vehicle and shall make space to provide 1 number 240ltr refuse Wheelie bin, 1 number 240ltr recycling Wheelie bin and 1 number glass recycling box, and the areas of land so provided shall not be used for any purposes other than the storage (prior to disposal) or the collection of refuse and recycling and shall be thereafter retained and maintained as such.

REASON: In the interests of general amenity, to ensure convenience of arrangements for refuse and recycling storage and collection and to ensure that no obstruction is caused on the adjoining highway, in the interest of highway safety and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011- 2029.

- 7 No development above slab level shall occur until full landscaping details have been provided, setting out the following as a minimum:
- Soft landscape details shall include full planting plans, specification (including cultivation and other operations associated with plant and grass establishment), schedules of plants, noting species, planting sizes and proposed numbers /densities where appropriate. The landscaping scheme shall where reasonably practicable retain and enhance the existing boundary hedgerows.
 - Tree planting schedule to include the details of the new tree genus and species with use of native woodland species where appropriate as well as tree sizes and pit rooting details following advice contained within BS:8545: 2014 Trees: From nursery to independence in the landscape - Recommendations;
 - The specification of tree planting pits together with a method statement for their construction and details of any irrigation or drainage infrastructure, tree root barriers (if necessary) to prevent damage or disruption to any proposed hard surfacing or underground services, drains or other infrastructure (including details of the location of external lighting) sufficient to demonstrate how the development is to be serviced without conflict to tree planting, with allowance for reasonable growth. Where applicable, tree pits shall utilise shared trenches and soil cells to allow adequate rooting area to extend underneath the proposed hard surfacing.
 - Hard landscape details shall include the details of all hardsurfacing materials (including finishes).
 - Details of the design, type, position and scale of all boundary treatments and boundary planting details (see soft landscaping details above) with preference to be given to hedgerows given the countryside location in the first instance. Where boundaries are to include hard materials, full details shall be provided of the position, type, appearance and materials (including finishes).
 - An implementation programme.

The development shall be carried out and thereafter maintained in accordance with the details so approved. Any trees or plants which, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced in the next planting season with others of species, size and number as originally approved, to be agreed in

writing by the Local Planning Authority.

REASON: To ensure the provision, establishment and maintenance of a high standard of landscape in accordance with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the Landscape, Biodiversity and Trees Supplementary Planning Document (2018).

- 8 No development above slab level shall take place on site until a schedule of maintenance for a minimum period of five years for landscape areas has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out and thereafter maintained in accordance with the approved schedule.

REASON: Details are required because insufficient information has been submitted with the application in this regard, to ensure the provision of amenity afforded by the proper maintenance of existing and/or new landscape features in accordance with Policy EM1 of the Basingstoke and Deane Local Plan 2011-2029.

- 9 The developer, within one week of the commencement of development, shall ensure that there is provision made for the parking and turning on site of operatives' and construction vehicles, together with storage on site of construction materials. The provision shall be retained and used for the intended purpose for the duration of the construction period and that area shall not be used for any other purposes other than for the parking and turning of vehicles and storage of construction materials respectively.

REASON: In the interests of highway safety and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 10 Within three months of the date of commencement a Construction Statement detailing how the new homes shall meet a water efficiency standard of 110 litres or less per person per day has been submitted to and approved in writing by the Local Planning Authority, through a demonstration that this requirement for sustainable water use cannot be achieved on technical or viability grounds. The development shall be carried out in accordance with the approved details.

REASON: In the absence of such details being provided within the planning submission, details are required to ensure that the development delivers a level of sustainable water use in accordance with Policy EM9 of the Basingstoke and Deane Local Plan 2011-2029.

- 11 No development including site clearance pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed. The scheme must include a timetable of works and site management procedures and the nomination of a competent person to

oversee the implementation of the works. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 and if necessary proposals for future maintenance and monitoring.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 12 The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by a competent person that any remediation scheme required and approved under the provisions of condition 11 has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise;
- as built drawings of the implemented scheme;
 - photographs of the remediation works in progress;
 - Certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 11, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 13 The dwellings hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority certificates demonstrating that a) sufficient sampling of imported material has taken place and b) the imported material is free from unacceptable levels of contamination. Sampling should take place in situ at a frequency of 1 per 100m³.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 14 No development, including any demolition or site clearance works, soil

moving, temporary access construction/widening, or storage of materials shall commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority that avoids adverse impacts on key species and habitats on site. The Plan shall be in line with recommendations made within Chapter 5 Further Surveys, Mitigation and Enhancement of the Preliminary Ecological Appraisal by ES Ltd dated September 2020.

REASON: In order to avoid impacts on protected species including bats, dormice and nest birds and habitat features including the surrounding hedgerows and deciduous woodland and the adjacent Silchester Brook in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 and Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029.

15 No development above slab level shall take place on site until a Biodiversity Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted Biodiversity management Plan shall provide:

- Details of the habitats/conservation features to be retained/created/enhanced.
- Details for protected species enhancements and how these will be delivered as part of the overall biodiversity enhancements.
- The methodology to be used to create the habitat/features.
- Details of the long-term management proposed for the establishment and maintenance of the habitat/nature conservation feature.
- Details of future Ecological Monitoring of the Habitat.
- Implementation programme containing timescales for delivery.

The Biodiversity Management Plan shall be derived from the submitted biodiversity metric and be representative of those depicted on the provided plan showing the measures described in the biodiversity metric. The development shall be carried out in accordance with the approved details.

REASONS: Additional information is required due to insufficient information accompanying the application in order to evidence that habitats can be delivered in perpetuity in line with the National Planning Policy Framework (2019), Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029 and Principle B7 of the Landscape, Biodiversity and Trees Supplementary Planning Document (2018).

16 No development above slab level shall take place on site until an Environmentally Sensitive Lighting Plan in line with recommendations made within Chapter 5 Further Surveys, Mitigation and Enhancement of the Preliminary Ecological Appraisal by ES Ltd dated September 2020 has been provided to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: In order to prevent adverse impacts on key species including bats

and dormice as described within the Preliminary Ecological Appraisal by ES Ltd dated September 2020 and in accordance with The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 and Policy EM4 of the Basingstoke and Deane Local Plan 2011-2029.

- 17 Notwithstanding the details shown on the approved plans, the following windows shall be glazed with obscured glass, to at least the equivalent of Pilkington level 4 standard and shall be high level opening only:
- Plot 1 - all first floor windows in the south elevation serving Bedroom 4 and Bedroom 5 as well as an en-suite to Bedroom 3;
 - Plot 2 - first floor windows in the south elevation serving Bedroom 1, Bedroom 2 and the en-suite to Bedroom 2;
 - Plot 3 - first floor windows in the north elevation serving Bedroom 3 and the en-suite to Bedroom 3.
- The windows and glazing shall be installed prior to occupation of the development and shall be permanently maintained in that condition.

REASON: To protect the privacy of the adjacent properties and to prevent overlooking, in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 18 No development including demolition and site clearance or other operations shall commence on site until a Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan shall be drawn up to reflect the current British Standard BS 5837 2012 'Trees in Relation to Design, Demolition and Construction'. The approved tree protection shall be erected prior to any site activity commencing and maintained until completion of the development. No development or other operations shall take place other than in complete accordance with the Tree Protection Plan.

REASON: Details are required prior to commencement because insufficient information has been submitted with the application in this regard, to ensure that reasonable measures are taken to safeguard protected/important landscape trees in the interests of local amenity and the enhancement of the development itself, in accordance with Policies EM1 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

Informative(s):-

1. In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-

considering the imposition of conditions and or the completion of a s.106 legal agreement (in accordance with paragraphs 54-57).

In this instance:

the applicant was updated of any issues after the initial site visit.

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

2. In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-

seeking further information following receipt of the application;
seeking amendments to the proposed development following receipt of the application;
considering the imposition of conditions and or the completion of a s.106 legal agreement (in accordance with paragraphs 54-57).

In this instance:

the applicant was updated of any issues after the initial site visit;

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. The Borough Council declared a Climate Emergency during 2019 formally making this declaration at the meeting of Cabinet in September 2019. 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 borough. In this respect, the Council is working with consultants at present to identify appropriate actions to achieve the targets that have been set. Beyond the requirements of any conditions that may be applicable to this planning permission and the current planning policy framework, the applicant is encouraged to explore all opportunities for implementing the development in a way that minimises impact on climate change. Where this in itself might require separate permission applicants can contact the council for advice through the following link: <https://www.basingstoke.gov.uk/before-making-a-planning-application>. For information more generally on the Climate Emergency please visit: <https://www.basingstoke.gov.uk/climateemergency>.
4. If this development will result in new postal addresses or changes in addresses, please contact the council's Street Naming and Numbering team on 01256 845539 or email shirley.brewer@basingstoke.gov.uk to commence the process. Details can be found on the council's website.
5. If at any time during the proposed works any protected species are found (i.e. bats, nesting birds, reptiles, mammals) then all works must stop and advice should be sought from Natural England before any further work on the building proceeds having regard to the protection afforded under the Wildlife and Countryside Act 1981 and The Conservation of Habitats and Species Regulations 2017 from disturbance and harm.
6. If during development works any contamination of the land is encountered or

suspected then this shall be fully assessed in accordance with the Contaminated Land Guidance for Developers. The developer must contact the Local Planning Authority as soon as possible and any action should be agreed in writing by the Local Planning Authority.

7. The applicant is advised that the Site Layout Plan illustrates works occurring on the site that appear to extend outside of the application site as demarcated by the red line and therefore this plan would appear to be incorrect. Furthermore, it is therefore not clear as to whether the land outside of the application site is in the ownership of the applicant.
8. The development hereby approved results in the requirement to make payments to the Council as part of the Community Infrastructure Levy (CiL) procedure. A Liability Notice setting out further details and including the amount of CiL payable will be sent out separately from this Decision Notice. You are advised to read the Liability Notice and ensure that a Commencement Notice is submitted to the Council prior to the commencement of development. Failure to submit the Commencement Notice prior to the commencement of development will result in the loss of any exemptions claimed; the loss of any right to pay by instalments; and additional costs to you in the form of surcharges. You are advised to await acknowledgement of receipt of the Commencement Notice from the Charging Authority before commencing any works. Further details can be viewed at <https://www.basingstoke.gov.uk/community-infrastructure-levy>.

6. Application – 20/03229/ROC: Variation of condition 2 of BDB/72970 to allow car park to be available for unrestricted use on 4 days by parents and students enrolling at the college before start of academic year between the hours of 08.00 and 19.30. Site: Queen Marys College Cliddesden Road Basingstoke RG21 3HF

The Committee considered the report set out on pages 175 to 185 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

The Committee discussed the application and were in support to allow students to enrol at the College.

Councillor Leeks left the meeting during this item.

RESOLVED that: the application be **APPROVED** subject to the conditions listed below and for the following reasons.

Reasons for Approval

- 1 The proposed development would not result in an undue noise and disturbance impacts to neighbouring properties and as such complies with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011-2029.
- 2 The development would not cause an adverse impact on highway safety and

adequate parking would be provided to serve the development and as such the proposal complies with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the Parking Supplementary Planning Document (2018).

subject to the following conditions and informatives:-

Conditions

- 1 The gate/barrier approved under the requirements of Condition 3 attached to planning permission BDB/65522, shall be kept closed and locked between the hours of 18.30 and 08.00 Mondays to Fridays and shall be locked on Saturdays, Sundays and any recognised public holiday, unless being used in the exceptional circumstances set out within Condition 2 of this permission.

REASON: In the interests of the amenities of the neighbouring properties and in accordance with Policy EM10 of the Basingstoke and Deane Local Plan 2011-2029.

- 2 The car park shall be available for general parking for the purposes of enrolment for a total of four days only in late August or early September each calendar year, between the hours of 08:00 and 19:30 hours. Outside of these times the car park shall only be used outside of the core restricted hours, as set out in Condition 1 of this permission, on no more than 25 weekend days in each calendar year and no more than 45 weekday evenings in each calendar year. On those occasions when the car park is used outside of the core restricted hours the car park shall not be used before 08:00 hours nor after 22:30 hours. A record of the occasions when the car park is used under this condition shall be maintained by the college and made available to the Local Planning Authority on request.

REASON: In the interests of the amenities of the neighbouring properties and in accordance with Policies EM10 of the Basingstoke and Deane Local Plan 2011-2029.

Informative(s):-

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.

1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 The applicant's attention is drawn to the fact that the Local Planning Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission.

It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.

2. In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-

seeking further information following receipt of the application;
considering the imposition of conditions

In this instance:

the applicant was updated of any issues after the initial site visit;

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. The Borough Council declared a Climate Emergency during 2019 formally making this declaration at the meeting of Cabinet in September 2019. 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 borough. In this respect, the Council is working with consultants at present to identify appropriate actions to achieve the targets that have been set. Beyond the requirements of any conditions that may be applicable to this planning permission and the current planning policy framework, the applicant is encouraged to explore all opportunities for implementing the development in a way that minimises impact on climate change. Where this in itself might require separate permission applicants can contact the council for advice through the following link: <https://www.basingstoke.gov.uk/before-making-a-planning-application>. For information more generally on the Climate Emergency please visit: <https://www.basingstoke.gov.uk/climateemergency>.

7. Application – 20/03569/FUL: Change of use from C1 to 'sui generis' for a 14 resident HMO and demolition of existing garage. Site: 4 Fairfield Road Basingstoke RG21 3DR

The Committee considered the report set out on pages 186 to 208 of the agenda together with the further material set out on the addendum sheet and other matters discussed at the meeting.

RESOLVED that: the application be **APPROVED** subject to the conditions listed below

and for the following reasons.

Reasons for Approval

- 1 The proposed development would be of an appropriate design and relate to surrounding development in a sympathetic manner and as such complies with the National Planning Policy Framework (February 2019), Policy EM10 of the Basingstoke and Deane Local Plan 2011 - 2029 and guidance contained within the Design and Sustainability Supplementary Planning Document (July 2018).
- 2 The proposed development would preserve the character and appearance of the Fairfields Conservation Area and would not harm the significance of the Conservation Area or that of a notable building, a non-designated heritage asset which has been identified as making a positive contribution to the character and appearance of the Conservation Area. Having due regard to Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal is considered to comply with the National Planning Policy Framework (February 2019) and Policy EM11 of the Basingstoke and Deane Local Plan 2011-2029.
- 3 The proposed development would not result in an undue loss of privacy or cause undue overlooking, overshadowing, overbearing or noise and disturbance impacts to neighbouring properties and as such complies with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011-2029.
- 4 The proposed development would not cause an adverse impact on highway safety and adequate parking would be provided to serve the proposed development and as such the proposal complies with Policy EM10 of the Basingstoke and Deane Borough Local Plan 2011 - 2029 and guidance contained within the Parking Supplementary Planning Document (July 2018).
- 5 The proposed development, subject to a tree protection plan condition, would not cause any adverse impact on nearby trees and as such the proposal is considered to be in accordance with Policy EM1 of the Basingstoke and Deane Local Plan 2011-2029 and the Landscape, Biodiversity and Trees Supplementary Planning Document (December 2018).

subject to the following conditions and informatives:-

Conditions

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan - Drawing No. L.301
Proposed Elevations - Drawing No. P.305
Proposed Plans - Drawing No. P304 Rev C
Proposed Cycle Store - Drawing No. P307 Rev A
Proposed Refuse Enclosure - Drawing No. P.308 Rev A

Landscaping Plan - Drawing No. P.309

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2 The development hereby permitted shall be begun before the expiration of 3 years from the date of this planning permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 and to prevent an accumulation of unimplemented planning permissions.

- 3 The development hereby permitted shall not be occupied or the use commences, whichever is sooner, until the provision for the parking of 14 vehicles and secure cycle short term has been made within the curtilage of the site in accordance with the approved 'Proposed Site Layout' Drawing Number: P.301 Rev A. The vehicular parking shall be thereafter retained in accordance with the approved details.

REASON: In the interests of highway safety, to ensure convenience of arrangements for parking and turning and to ensure that no obstruction is caused on the adjoining highway and in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029 and the Parking Standards Supplementary Planning Document 2018.

- 4 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match, in type, colour and texture those on the approved plans and application forms.

REASON: In the interests of visual amenity and in accordance with Policies EM10 and EM11 of the Basingstoke and Deane Local Plan 2011-2029.

- 5 Protective measures, including fencing, ground protection, supervision, working procedures and special engineering solutions shall be carried out in accordance with the BS5837 Method Statement (Trees) Job Reference: 02890Rv2 (report dated May 2021) and the submitted Tree Protection Plan (drawing no. 02890P_TPP_01 Rec C). The tree protection measures shall be retained for the duration of the construction works.

REASON: To ensure that reasonable measures are taken to safeguard trees in the interests of local amenity and the enhancement of the development itself, in accordance with the National Planning Policy Framework (2019) and Policy EM1 of the Basingstoke and Deane Local Plan 2011- 2029.

- 6 No work relating to the construction of the development hereby approved, including works of demolition or preparation prior to operations shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policies EM10 and

EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 7 No deliveries of construction materials or plant and machinery and no removal of any spoil from the site shall take place before the hours of 0730 nor after 1800 Monday to Friday, before the hours of 0800 nor after 1300 Saturdays nor on Sundays or recognised public holidays.

REASON: To protect the amenities of the occupiers of nearby properties during the construction period and in accordance with Policies EM10 and EM12 of the Basingstoke and Deane Local Plan 2011-2029.

- 8 The development hereby permitted shall not be occupied or the use commence, whichever is sooner, until the provision for the refuse enclosure has been made within the curtilage of the site in accordance with the approved 'Proposed Site Layout' Drawing Number: P.301 Rev A. Except for collection days only, no refuse shall be stored to the front of the application site hereby approved.

REASON: In the interests of highway safety, to ensure that no obstruction is caused on the adjoining highway and visual amenity, in accordance with Policies CN9, EM10 and EM11 of the Basingstoke and Deane Local Plan 2011-2029.

- 9 The internal 'communal circulation space + stores', the communal living, dining and kitchen areas and the enclosed room accessed from the ground floor communal lounge via the new door (as demonstrated on Proposed Plans - Drawing No. P.304 Rev C) serving the development hereby approved shall be made available as communal areas prior to the first occupation of the development hereby permitted and shall be retained for the lifetime of the development as communal areas.

REASON: To ensure the provision of adequate shared communal space for all residents is provided within the accommodation and in the interest of highway safety in accordance with Policies CN9 and EM10 of the Basingstoke and Deane Local Plan 2011-2029.

Informative(s):-

1. 1.1 The applicant's attention is drawn to the fact that the above conditions (if any), must be complied with in full, failure to do so may result in enforcement action being instigated.

1.2 This permission may contain pre-commencement conditions which require specific matters to be submitted and approved in writing by the Local Planning Authority before a specified stage in the development occurs. This means that a lawful commencement of the approved development CANNOT be made until the particular requirements of the pre-commencement conditions have been met.

1.3 The applicant's attention is drawn to the fact that the Local Planning

Authority has a period of up to eight weeks to determine details submitted in respect of a condition or limitation attached to a grant of planning permission. It is likely that in most cases the determination period will be shorter than eight weeks, however, the applicant is advised to schedule this time period into any programme of works. A fee will be required for requests for discharge of any consent, agreement, or approval required by a planning condition. The fee chargeable is £116 or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house. A fee is payable for each submission made regardless of the number of conditions for which approval is sought. Requests must be made using the standard application form (available online) or set out in writing clearly identifying the relevant planning application and condition(s) which they are seeking approval for.

2. In accordance with paragraph 38 of the National Planning Policy Framework (NPPF) in dealing with this application, the Council has worked with the applicant in the following positive and creative manner:-

seeking amendments to the proposed development following receipt of the application;
considering the imposition of conditions

In this instance:

the applicant was updated of any issues after the initial site visit;

In such ways the Council has demonstrated a positive and proactive manner in seeking solutions to problems arising in relation to the planning application.

3. The Borough Council declared a Climate Emergency during 2019 formally making this declaration at the meeting of Cabinet in September 2019. 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 borough. In this respect, the Council is working with consultants at present to identify appropriate actions to achieve the targets that have been set. Beyond the requirements of any conditions that may be applicable to this planning permission and the current planning policy framework, the applicant is encouraged to explore all opportunities for implementing the development in a way that minimises impact on climate change. Where this in itself might require separate permission applicants can contact the council for advice through the following link: <https://www.basingstoke.gov.uk/before-making-a-planning-application>. For information more generally on the Climate Emergency please visit: <https://www.basingstoke.gov.uk/climateemergency>.
4. The applicant's attention is drawn to the fact that this permission relates to a change of use of the building only and does not permit any external works which affect the external appearance of the building, separate permission for which may be required.

Meeting ended: 20:52

Chair