
Appeal Decisions

Inquiry held on 14, 21-24 April 2015

Accompanied site visit made on 15 April 2015

by C L Sherratt DipURP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 June 2015

Appeal A: APP/N1730/A/14/2228404

Land west of Redfields Lane, Church Crookham, Fleet, Hampshire

GU52 ORE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Martin Grant Homes Ltd against the decision of Hart District Council.
 - The application Ref 14/00504/MAJOR, dated 26 February 2014, was refused by notice dated 29 September 2014.
 - The development proposed is outline planning application for up to 315 residential units, land for up to 1,050m² D1 floorspace for a GP surgery including pharmacy and up to 370m² A1 retail floorspace for a convenience foodstore and associated access, open space, playing pitches including MUGA and car park, landscaping, Suitable Alternative Natural Greenspace (SANG) including car park and improvements to the A278/Redfields Lane junction (means of access into the main site to be considered, all other matters reserved).
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Appeal B: APP/N1730/A/14/2228408

Land west of Redfields Lane, Church Crookham, Fleet, Hampshire

GU52 ORE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Martin Grant Homes Ltd against the decision of Hart District Council.
 - The application Ref 14/01223/FUL, dated 23 May 2014, was refused by notice dated 24 July 2014.
 - The development proposed is detailed planning application for a signalised access junction on Redfields Lane to the proposed Albany Park Development.
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Procedural Matters

1. Notwithstanding the application form, amended plans and documents were submitted to the Council during the application process that relate to a reduction in the proposed number of houses to 'up to 300' and the provision of a sports pavilion. I have had regard to these amendments in determining Appeal A.
2. I made an accompanied visit to the appeal site on Wednesday 15 April 2015 followed by unaccompanied visits to parts of the Thames Basin Heath Special

Protection Area (TBH SPA) and sites of Suitable Alternative Natural Greenspace (SANGs) that the parties had requested that I visit.

3. I made further unaccompanied visits to the surrounding area throughout the duration of the inquiry.

Decisions

Appeal A: APP/N1730/A/14/2228404

4. The appeal is allowed and planning permission is granted for up to 300 residential units, land for up to 1,050m² D1 floorspace for a GP surgery including pharmacy and up to 370m² A1 retail floorspace for a convenience foodstore and associated access, open space, playing pitches including MUGA and car park, a sports pavilion, landscaping, Suitable Alternative Natural Greenspace (SANG) including car park and improvements to the A278/ Redfields Lane junction (means of access into the main site to be considered, all other matters reserved) at Land west of Redfields Lane, Church Crookham, Fleet, Hampshire GU52 0RE in accordance with the terms of the application, Ref 14/00504/MAJOR, dated 26 February 2014, and the plans submitted with it, subject to the schedule of conditions attached to this decision and the obligations contained within the section 106 agreement.

Appeal B: APP/N1730/A/14/2228408

5. The appeal is allowed and planning permission is granted for a signalised access junction on Redfields Lane to the proposed Albany Park Development at Land west of Redfields Lane, Church Crookham, Fleet, Hampshire GU52 0RE in accordance with the terms of the application, Ref 14/01223/FUL, dated 23 May 2014, and the plans submitted with it, subject to the schedule of conditions attached to this decision.

The Proposal

6. The appeal site is approximately 34 hectares and located on the south western edge of the settlement of Church Crookham to the west of Redfields Lane and to the south of Watery Lane. It is on the edge of the defined settlement boundary of Fleet and Church Crookham. The site comprises farm buildings and a number of open paddocks / fields. There are several public rights of way that run along the site boundaries and across the site.
7. The Zebon Copse Community Centre and Local Nature Reserve (LNR) adjoin the site to the north. The Basingstoke Canal, designated as a Site of Special Scientific Interest (SSSI), forms the north western boundary of the site. Poulter's Lane Meadow Site of Interest for Nature Conservation (SINC) forms part of the western end of the site. The southern section of the appeal site is bounded by Fusney Copse SINC to the west and Redfield Rows SINC to the east, both ancient woodlands.
8. The 'main' application, that is the subject of Appeal A, was made in outline only with all matters reserved for subsequent approval except means of access to the site. Vehicular access would be provided from a new roundabout junction on Redfields Lane. Improvements to the A287 / Redfields Lane junction are proposed through the provision of a new roundabout to the south of the main appeal site. A separate application, the

subject of Appeal B, was also made for a signalised junction as an alternative to a roundabout, at the proposed entrance to the appeal site on Redfields Lane.

9. A 16.18 hectare Suitable Alternative Natural Greenspace (SANG) is proposed within the site. The proposed SANG includes Poulter's Lane Meadows SINC and would provide a new circular walk. The proposed vehicular access and parking area to the SANG and proposed sports pitches and pavilion would be through the proposed new 'Albany Park' development.
10. There are two second World War pillboxes located on the southern boundary of the off-site Redfields Lane / A287 junction improvement site.

Planning Policy

11. The development plan includes saved policies in the Hart District Local Plan (Replacement) 1996 – 2006 (December 2002) (LP), saved policies of the First Alterations to the Hart District Local Plan (June 2006) (FALP), two policies retained in the South East Plan (SEP) following only the partial revocation of the Regional Strategy for the South East and the Hampshire Minerals and Waste Plan (Oct 2013) (HMWP). Those of particular relevance are referred to below.
12. Saved Policy NRM6 of the SEP concerns the Thames Basin Heath Special Protection Area (TBH SPA). It stipulates that new residential development which is likely to have a significant effect on the ecological integrity of TBH SPA will be required to demonstrate that adequate measures are put in place to avoid or mitigate any potential adverse effects. Such measures must be agreed with Natural England.
13. Where mitigation measures are required, local planning authorities, as Competent Authorities, should work in partnership to set out clearly and deliver a consistent approach to mitigation, based on the following principles. The appeal site is situated within the zone of influence which is set at 5km linear distance from the SPA boundary but outside the exclusion zone. Within this zone of influence measures must be taken to ensure that the integrity of the SPA is protected. Mitigation measures must be delivered prior to occupation and in perpetuity. Measures will be based on a combination of access management, and the provision of Suitable Accessible Natural Greenspace (SANG). The policy sets out specific standards and arrangements that apply to the provision of SANG.
14. Amongst other criteria, it requires relevant parties to co-operate with Natural England (NE) and landowners and stakeholders in monitoring the effectiveness of avoidance and mitigation measures and monitoring visitor pressure on the SPA and review/amend the approach set out in this policy, as necessary. Local authorities will collect developer contributions towards mitigation measures, including the provision of SANG land and joint contributions to the funding of access management and monitoring the effects of mitigation measures across the SPA. A minimum of 8 hectares of SANG land (after discounting current access and capacity) should be provided per 1,000 new occupants.
15. Policy CON1 of the Local Plan states that development which would adversely affect the nature conservation value of the TBH SPA will not be

permitted unless there are no alternative solutions and there are imperative reasons of overriding public interest, including those of a social and economic nature.

16. As the TBH SPA comprises several SSSIs, provisions in Part II of the Wildlife and Countryside Act 1981, as amended, also apply. This Act places a general duty on the decision maker, to take reasonable steps, in the exercise of their functions, to conserve and enhance the special interest features of SSSIs. Part of the proposed SANG is located within the Basingstoke Canal Conservation Area. The western part of Appeal A site falls within the designated Riverine Environments Area to which LP Policy CON7 is of relevance.
17. The appeal site is situated on the edge of the Fleet and Church Crookham settlement boundary within open countryside where saved LP Policy RUR2 (Development in the Open Countryside - General) is applicable. The LP identifies the main centre of Fleet and Church Crookham as the most appropriate location for major new development. Development that would lead to the coalescence with, or damage the separate identity of neighbouring Crookham Village will not be permitted in accordance with Policy CON21 (Local Gaps). The northern part of the Appeal A site, which would form part of the SANG, is located within the Fleet to Crookham Village Local Gap.
18. The requirement to negotiate affordable housing on a site by site basis based upon an overall guideline of 40% of housing to be affordable, stipulated in saved FALP Policy ALT GEN13, applies.
19. Policy 15 of the HMWP states that proposals for permanent development which would sterilise mineral deposits will be resisted unless provision is made for extraction prior to the commencement of development, or other planning considerations apply.

Main Issues

20. The applications were originally refused for a number of reasons. However, most of the Council's concerns have been alleviated through the provision of a section 106 agreement containing a number of obligations that the developer should meet should planning permission be forthcoming.
21. It is now agreed by the Council that the development is acceptable in terms of flood risk and drainage. The s106 agreement provides that 40% of the dwellings should be affordable housing in accordance with FALP Policy ALT GEN13.
22. It is agreed between the main parties that there would be no unacceptable impact to the Basingstoke Canal SSSI, Poulter's Lane SINC or biodiversity interests; the scope of the ecological surveys carried out are appropriate to enable an assessment of potential ecological issues at the site and any necessary mitigation measures; and that a 15m non-development buffer zone is appropriate between the adjacent ancient woodland edge and any form of built development.
23. The main parties now also agree that the roundabout access to the site (Appeal A) and the A287 / Redfields Lane Junction Improvement Design on the main appeal are acceptable subject to the imposition of appropriate

planning conditions. It remains the case that the alternative signalised access arrangements (Appeal B) are not acceptable to the Council as a stand alone development. However, there is agreement between the main parties that the alternative proposal would be acceptable if it was only to come forward in conjunction with the proposed development that is the subject of Appeal A. This could be secured through an appropriately worded condition. Design concerns have now been resolved between the main parties.

24. The Council accepts that the site provides a sustainable location for residential development, being on the edge of the main settlement boundary of Fleet and Church Crookham, having regard to the national planning policy framework ('the framework') and notwithstanding relevant housing policies in the now time expired LP that can no longer be relied upon as providing sufficient land to meet current housing requirements of the area. The main parties agree that the proposed developments would have no substantial effect on the settings of the Grade II Listed Meadow View Cottage and the Basingstoke Canal Conservation Area and I have no reason to disagree.
25. The remaining main issue that relates to Appeal A is the effect of the development on the nature conservation value of the TBH SPA.

Reasons

Thames Basin Heaths Special Protection Area

26. The TBH SPA was designated as such in March 2005 to protect the populations of three internationally threatened bird species that use the heathlands: woodlark, nightjar and Dartford warbler. It is a European site that enjoys statutory protection under the Habitats Regulations. Article 6(2) of the Habitats Directive requires member states to take appropriate steps to avoid the deterioration of natural habitats and species habitats as well as disturbance of the species for which the areas have been designated, in so far as such disturbance could be significant in relation to the objectives of the Directive. Article 6(3) states that any plan or project (or element thereof) not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subject to an appropriate assessment (AA) of its implications for the site in view of the site's conservation objectives. As the relevant competent authority, it is necessary for me to ascertain that the proposed development will not adversely affect the integrity of the TBH SPA. These obligations are transposed into UK law through the Habitats Regulations
27. If adverse effects can be sufficiently reduced or overcome through mitigation measures, such that the integrity of the site is not adversely affected, then planning permission may be granted subject to the necessary conditions being attached and/or the requisite section 106 being signed and sealed. Neither, the Directive nor the Regulations define what is meant by 'the integrity of the site'. However, paragraph 20 of Circular 06/2005 defines the integrity of the site as *'the coherence of its ecological structure and function, across its whole area, that enables it to sustain the habitat, complex of habitats, and/or the levels of populations of the species for which it was classified'*.

28. The question is whether there is a probability or a risk that the proposed development will have a significant effect on the site. In line with the judgement in Waddenzee it can only be concluded that a proposal would be unlikely to have a significant effect if such a risk can be excluded on the basis of objective information. However, on the basis of the judgement in Hart District Council v The Secretary of State for Communities and Local Government, Luckmore Limited & Barratt Homes Limited (2008), any proposed avoidance or mitigation measures, which form part of the proposal, should normally be taken into account in considering this.
29. Following a recommendation in the Assessor's report for the SEP, the former South East England Regional Assembly (SEERA) and other key organisations formed a Joint Strategic Partnership Board (JSPB), in order to coordinate a cross-boundary approach for the affected local planning authorities. The JSPB published the TBH SPA Delivery Framework on 12 February 2009.
30. In this case, the proposal includes contributions to facilitate strategic access management measures (SAMB), secured through the s106 agreement, and the provision of a SANG which would, it is argued, reduce the potential pressure on the TBH SPA to a sufficient degree that there will no longer be a risk of any adverse effect. The SANG would occupy an area of some 16 hectares which is well in excess of the minimum area of 6 hectares required for a proposed development of up to 300 houses.
31. The Secretary of State regards NE as his scientific adviser on this subject. NE has produced guidelines for the creation of SANGs¹. Appendix 3 explains that one of the principal threats to the three internationally-threatened bird species is disturbance during the breeding period which collectively extends from February to August. Freely roaming dogs hugely exacerbate the disturbance caused by people visiting the sites. SANGs are intended to provide mitigation for the potential impact of residential development on the TBH SPA by preventing an increase in visitor pressure on it.
32. The location and design of a SANG must be such that it is more attractive than the TBH SPA to users of the kind that currently use the TBH SPA. A visitor survey showed that a very large proportion of the TBH SPA visitors are dog walkers, many of whom visit the site on a regular (more or less daily) basis and spend less than an hour there, walking an average of about 2.5 km. Almost 50% are retired or part time workers and the majority are women. NE stipulate a number of quality guidelines that a SANG 'must' or 'should have' and a number of desirable features of which a SANG should have at least one.
33. Accessibility is one of the 'must have' requirements. Perhaps the most notable positive attribute of the proposed SANG is its location adjacent to the proposed residential development which it is intended to serve. It is therefore an extremely convenient alternative to the TBH SPA. It is also very well located for residents of the existing Zebon Copse estate. A car park is proposed in the vicinity of the existing Zebon Copse Community Hall, play areas and pitches where there is already built development. The car park would be easily accessible along the main spine road of the development and could be clearly signposted off Redfields Lane. The SANG, together with the proposed circular walk around it, would be directly

¹ LI Core Document 13/4.

accessible from the proposed car park location and from pedestrian links from the proposed and existing housing.

34. The proposed circular walk of 2.3 km around the SANG meets the requisite distance specified in the NE Guidelines. The proposed SANG would provide a significant area where dogs could run freely and safely off the lead, a key priority of a SANG. A good deal of time at the inquiry concerned the quality of this circular route, the experience that it would afford to users as an alternative to the TBH SPA and to what extent it would be available all year round due to waterlogging and flooding.
35. There is no doubt that the nature of the ground in some areas of the SANG will result in dogs getting wet and even muddy on the walk during wetter conditions particularly when off the lead given the swathe of wetter ground that corresponds to the former route of the River Hart in the centre of the southern field and seepages. However, it would be unrealistic to expect that dogs, particularly when off the lead, would not get wet and dirty if walked at the TBH SPA in poor weather conditions. The appellant commissioned someone to walk the circular route once a week between the 6 November 2014 and 27 February 2015 to record ground conditions at specific points. Whilst on some occasions, ground conditions were recorded as 'wet' at some of the points, they were only described as 'water logged' on three occasions. It is recognised that the average rainfall between December and February was below average but November experienced an exceptionally wet month with above average rainfall.
36. The Council were critical of the ground recording survey because the recording points were not at uniform distances apart, suggesting they may have been chosen to indicate drier ground conditions. However, no similar survey was conducted on behalf of the Council. A botanist report provided by the appellant records that only the very centre of the site associated with a ditch remnant of an old watercourse, supports genuine swamp/ fen vegetation which rapidly grades to damp grassland on both sides. When advised of the potential water logging in areas within the southern SANG field in particular, NE did not raise any objection to the development. Furthermore, other SANGs, existing and proposed, are situated within flood zones 2 and 3 which is an indication that this does not in itself make them ineffective.
37. It is acknowledged by the appellant, that there are sections of the route that would require boardwalks to be erected to ensure the route remains useable for the majority of the time. Notwithstanding that the precise extent of boardwalks would be a matter for reserved matters, sufficient evidence is before me to demonstrate that the extent of boardwalks necessary would not unduly detract from the overall enjoyment of the circular route or lead to congestion on sections of the route. Indeed boardwalks have been used at a number of other SANGs that I visited. No evidence is before me to suggest that their use has deterred potential users of those SANGs. Significantly, NE has not raised the use of boardwalks along some sections of the route as being detrimental to its ability to attract users away from the TBH SPA. The provision of boardwalks will ensure that the full circular route is accessible most days.

38. The NE Guidelines state that an essential requirement is that the SANG is perceived as a semi-natural space with little intrusion of artificial structures except in the immediate vicinity of the car parks. The guidelines explain that little or no artificial infrastructure is found within the TBH SPA at present apart from the provision of some surfaced tracks and car parks. The Guidelines explain that generally an urban influence is not what people are looking for when they visit the TBH SPA because it has a naturalness about it that would be extremely marred by such features. A series of pylons and pole mounted wires cross the southern field area of the proposed SANG. It may well be preferable for a SANG to contain no such artificial infrastructure but as I saw, it is not uncommon. Notwithstanding the views expressed on behalf of the Council, the natural qualities and enjoyment of the proposed SANG as a whole, would not, in my view, be spoiled by the high level lines or timber pylons. The pylon structure in the southern field is viewed in the context of an existing hedge and tree line, diminishing its wider impact. Overall the SANG would still provide a semi-natural space with little intrusion of artificial structures.
39. The proposed circular route provides variation and interest. It incorporates a short section through Poulter's Lane SINC and a river runs through the site. Although the route is close to the periphery of the site, given the features surrounding and within the SANG, it is not accepted that it would be bland or that this would be a deterrent to its use. The southern field is rectangular and relatively narrow but is bounded by ancient woodland on either side which gives the user of the SANG a very different experience to the more 'open' northern section that offers wide reaching views. The focal point, accessible from the route, is a particular feature that NE noted as a benefit in correspondence with the appellant and is identified as a 'desirable feature' in the NE Guidelines.
40. There are links from the SANG to other footpath routes including the existing green links around Zebon Copse and the Basingstoke Canal. Although I walked a route that included a section of Crondall Road to get to the canal, it can also be accessed along side the Zebon Copse SINC to the rear of the existing community centre. However, I accept that to incorporate the canal as part of the circular route suggested by the appellant, it would be necessary to walk a short section of Crondall Road which would require dogs to be on leads and does not have a footpath. To the south of the SANG, links are available to the nearby extensive Crookham Park SANG albeit that the footpath passes an industrial estate for a short distance. However linkages to other footpaths and SANGs through other green linkages are not a requisite for a SANG of the size proposed and where a 2.3 km walk can be achieved within it. The availability of linkages are nevertheless beneficial and add to the attractiveness of the SANG as an alternative to the TBH SPA. Pleasant 'green' footpath routes link up through the existing Zebon Copse estate to the proposed development area which will encourage use of the SANG and can be similarly designed into the proposed Albany Park development to add to the experience of users and ensure its effectiveness.
41. The NE Guidelines require paths to be routed so that they are perceived to be safe by the users, with some routes being through relatively open (visible) terrain. The Council's witness expressed concerns that the southern field may feel remote such that people would be deterred from using it. This rather contradicted concerns that the use of boardwalks may lead to

congestion. A balance must be struck between retaining a natural environment away from urbanising features but where users will also feel safe. The proposed development would involve the erection of housing to the north east of the southern section of the SANG such that users of the SANG would not feel too distant from housing at any time. The retention of existing mature vegetation and the large swathe of ancient woodland to the south would nevertheless ensure that the SANG is a semi-natural open space and does not feel urbanised or unduly close to housing. It is considered that the circular route would be attractive and perceived to be safe.

42. The Council's witness drew on his local experience as a birdwatcher, botanist and local resident, suggesting it is one of the most valuable wildlife sites in the Hart valley. However, the site is not designated as a site of local nature conservation value and my attention was drawn to the extensive number of sites in the Hart Valley that have been considered worthy of designation and protection. It was confirmed by the Council's advocate that it was not part of the Council's case that the site was inherently unacceptable as a SANG due to its nature conservation value. The appellant has produced a report from an expert botanist to assess the botanical composition and interest associated with the southern field. This does not dispute the presence of the grassland species highlighted by the Council's witness, but does not find the presence of these species in themselves sufficient to regard the meadow as being of exceptionally high botanical value. However, better management of the site is regarded as being beneficial to the meadow in terms of conservation, as it is in danger of gradually losing most of its diversity as the sward becomes ranker and only capable of supporting large dominant and ruder species. Scrub habitats on site are to be retained which were found to support the highest diversity and abundance of birds on the site. It is considered that the use and management of the site as a SANG would not unduly impact on existing wildlife interests and that nature conservation enhancements could be achieved.
43. The s106 agreement contains obligations for payment of the SAMM contribution, 50% of which is payable prior to the commencement of development and the other 50% prior to the occupation of 50% of the housing on any housing parcel. The SAMM contribution is to be calculated based on the number of dwellings in each housing parcel and the number of bedrooms within. A SANG monitoring contribution is to be paid to the Council before any SANG works commence and the SANG works shall be provided on the SANG land before the occupation of any dwelling. Further SANG works will be required prior to the occupation of the 200th dwelling on the site. Both are necessary, in combination with the SANG, to ensure it is effective.
44. To conclude, it is considered that the proximity of the SANG compared with the TBH SPA to the proposed development, the ease of access that can be achieved to it, and the nature of the greenspace and the features within it ensures that it will be capable of meeting the recreational needs of the residents by providing recreational opportunities which will be as attractive as the TBH SPA to deflect visitors from it. I give substantial weight to the views of NE and find that there was no clear objective scientific evidence before the inquiry which would justify a decision that contradicts their views. I find no conflict with LP Policy CON1.

Other Matters

Flooding

45. Flooding issues have been problematic in the immediate area of the site and so, understandably, interested parties are concerned that the site may not be suitable for new development or development may further exacerbate problems nearby. The application was accompanied by a Flood Risk Assessment (FRA). Additional information provided demonstrates that the nearest property to the west of the River Hart would be 1.5 metres above the 1 in 1000 year flood level and additional calculations support the conclusions in the FRA that there would be no increase in flood risk downstream. The northern most parcel of residential development to the south of the sports pitches at Albany Farm has been reduced, bringing the northern boundary southwards to correspond with the line of the 1 in 1000 year extent of the watercourse along Watery Lane, as a precautionary step. This results in the amendment to the number of dwellings proposed but ensures that all dwellings would be situated within Flood Zone 1 only. A swale would be provided to capture overland flow from a ditch along the woodland edge and provide additional conveyance and storage. Sustainable Drainage Systems would be provided. The evidence supports the Council's stance that planning permission should not be withheld on grounds of risk of flooding.

Traffic Generation and Highway Safety

46. Notwithstanding that the Council are satisfied that the impact of the development on the surrounding road network and highway safety is acceptable, many local residents remain concerned that the Traffic Assessment (TA) that accompanied the application does not accurately predict the amount of traffic likely to use the A287 route. Accordingly, they consider that the development would simply add further traffic to the already congested routes through Church Crookham.
47. The TA incorporates, within the traffic modelling, traffic growth to 2018 derived from National Transport Model data with adjustments made for local factors together with committed developments and road improvements within the study area and increases in vehicular trip generation expected to arise as a result of the proposed development. The TA is based on a development of 340 dwellings, whereas the proposal was amended to 'up to 300 dwellings', retail floorspace, and an assumption of 10 doctors for the Doctors Surgery. TRICS trip rate database was used to derive likely trip generation as a result of a development of 340 homes. No adjustments were made for the percentage of affordable dwellings proposed which typically generate less peak hour traffic. The basis of the vehicle trip generation from the proposed development, factored into the modelling data, is therefore likely to be an overestimate. The analysis is considered to be a robust assessment of traffic generation by those party to the Transport Statement of Common Ground².
48. Since the TA was produced, the availability of local bus services has ceased. However, the main parties and highway authority agreed that it was not

² The Transport Statement of Common Ground is agreed between the local highway authority, Hampshire County Council and the appellants.

necessary to revisit the trip generation estimates as the analysis did not assume a shift in the mode of transport used in any event and, as previously stated, it also over estimates the traffic generation of the appeal by at least 13% due to the reduction in the number of dwellings proposed. This 13% reduction is greater than the local bus mode share figure. Accordingly the traffic impact analyses remain robust and reliable.

49. I made a number of morning visits to experience first hand the traffic in the vicinity of the site at present. I observed substantial queues of traffic waiting on Redhills Lane to gain access onto the A287. It is anticipated and agreed in the TSoCG that a greater proportion of journeys will route south along Redfields Lane to the A287 than occurs at present, following the proposed junction improvements being made to the A287 and Redfields Lane junction. The junction improvement has been a long term aspiration of the Council and is referred to in Policy T9 of the LP.
50. However, many express the opinion that even if access to the A287 was improved to substantially reduce waiting times at the junction from an average of 8 minutes to 10 seconds, people would still not use this route to go to destinations north and eastwards because it would entail initially travelling west to meet the motorway network (M3) further south (junction 5) which increases the distance travelled by some 8 miles and risks being caught in traffic on the M3. The shorter alternative is to travel north through Church Crookham to join the M3 at J4. It is also possible to route along the A30 to the M25 instead. On this basis it was put to the inquiry that the prediction made in the TA about route choice were not realistic.
51. The TA confirms that the A287 / Redfields Lane Junction is currently operating over capacity. This was evident from my own observations of the significant queue of traffic waiting to exit onto the A287 from Redfields Lane on a morning and what I heard over the course of the Inquiry. The TA concludes that the proposed junction improvements would significantly increase reserve capacity and queue lengths despite the increased traffic that would be generated from the proposed development. I have no doubt that these improvements would influence choice of route, particularly for residents of the new development given the proximity of the site access on the edge of Church Crookham and relatively close to the A278 junction. It is acknowledged that it increases the journey distance but it does not follow that journey time and fuel consumption increases proportionately or even at all as this will be dependant on the nature of the journey. The data used by the residents group known as FACE IT does not distinguish between differing driving environments. Once on the A287, I found traffic to be free flowing from Redfields Lane to junction 5 of the M3 during the morning peak.
52. With the exception of the A287/ Redfields Lane and Gally Hill Road / Aldershot Road junction, the TA predicts all other impacted junctions would still operate within capacity taking into account both the proposed development and future traffic growth to 2018.
53. The TA demonstrates that the Gally Hill Road / Aldershot Road priority junction would operate with limited reserve capacity in the AM peak although the specific impact of site traffic on the operation of the junction is unlikely to have a significant impact, with only limited effect on the level of queuing and capacity during morning and evening peaks.

54. Transport contributions would be paid to the County Council prior to the occupation of the 50th dwelling (£100,000) and the 200th dwelling (£500,000) on the site towards various transport measures. These transport measures include improvements to the Reading Road South / Fleet Road and Aldershot Road Junctions, improvements to Malthouse Bridge pinch point, improvements to various cycle routes, improvements to Zebon Copse to Tweseldown Infant School route and improvements to bus stop and supporting infrastructure. A Travel Plan would be prepared within 12 months of the first occupation of any dwelling on the site, to be approved by the County Council, which shall contain measures and targets to be implemented and achieved, together with the appointment of a travel plan co-ordinator.
55. The relevant highway authorities are satisfied that the TA provides a robust assessment of the likely traffic impacts arising from the development. No objections are raised by the Council or relevant highway authority in relation to the access arrangements off Redfield Lane to serve the proposed housing development. The roundabout junction proposed in Appeal A would involve a greater loss of trees thus having a greater impact on the appearance of the area in the short term until replacement planting is established. However, over time, its impact would be no greater than the signalised junction proposed in Appeal B and indeed could be regarded a less urbanising feature given its location on the edge of the settlement. Like the Council, I consider both solutions are acceptable if constructed in association with the housing development.
56. Having carefully considered the views of interested parties, it is nevertheless considered, for the reasons set out above, that the impact of the development on the free flow of traffic would be acceptable and that highway safety would not be compromised as a result of the development.

Infrastructure

57. The addition of 'up to' 300 homes would add pressure on to existing services and facilities, some of which I heard were already operating up to capacity. An executed section 106 agreement has been provided. Should planning permission be forthcoming the developer would be bound by the obligations within it which includes contributions to leisure and education facilities.
58. Leisure and open space contributions would be paid in two payments; the first 50% prior to the commencement of development on any housing parcel and the remaining 50% before the occupation of 50% of the housing on that parcel. This will range from £691 per one bed dwelling to £3110 per 4 bed dwelling. It will contribute to the provision and / or improvement of the facilities at Fleet Leisure Centre, works and costs in moving the Leisure Centre, enhancements to Fleet Pond and the Basingstoke Canal project comprising towpath surfacing works. This would be necessary to ensure sufficient leisure and open space facilities are available in the local area to accommodate the demands on such facilities from the proposed residential development.
59. A new sports pavilion, play area, multiple use games area (MUGA) and pitches would be provided to supplement the existing facilities at the Zebon Copse Community Centre. The pavilion would free up space in the community centre that is currently used for changing rooms thereby

providing larger community facilities. At the Inquiry the appellant agreed to provide additional parking for the Zebon Copse Centre and to fund the necessary works to complete the alterations.

60. The same commencement triggers will require payment of a financial contribution towards primary education facilities and infrastructure at Tweasdown Infants School and Church Crookham Junior School and secondary facilities through the further expansion of Calthorpe Park Secondary School. For primary education this equates to between £3370 for a 2 bed dwelling and £6741 for a 4 bed or more dwelling and for secondary provision, between £4101 and £8203. This would be necessary to ensure the infrastructure is in place to accommodate the educational requirements likely to be generated by family housing.
61. Concern was expressed at the inquiry about the provision of a medical facility and the negative impact this may have on an existing local surgery. The Council's Infrastructure Delivery Plan finds it likely that additional health care facilities will be required due to forecast population growth to 2018. The appellant acknowledges that the GP surgery is only likely to go ahead with the support of the Hampshire Health and Wellbeing board and the North East Hampshire and Farnham Clinical Commissioning Group (CCG). It creates an opportunity to provide additional health care facilities to serve the local area. There is no requirement for it to progress before the housing development can be occupied or finalised.

Heritage assets

62. It is regrettable that the junction improvements to the A287 would require the removal of two WWII pillboxes. The two Type 24 pillboxes are examples of a standard design that was widely built and is well represented in the area. There is no intervisibility between the pillboxes and other elements of the General Headquarters Anti-Tank Line of which they were originally a part. The intrinsic significance of the pillboxes is therefore limited as examples of a common, standard type, and represents a lesser proportion of their heritage significance compared to their setting in relation to the stop-line defences and their local topography.
63. There is an unavoidable consequence of the need to improve the junction which is identified in the LP. The highway improvements to this junction would benefit highway safety improving vertical alignment and visibility through re-alignment. Paragraph 141 of the framework requires that developers record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. Archaeological recording prior to their removal would therefore be necessary and a report would be submitted to the Hampshire Archaeology and Historic Building Record together with the deposition of the archive with the Hampshire Records Office.
64. Subject to an appropriate layout and design, the proposed development would have no substantial effect on the setting of the Grade II Listed Meadow View Cottage due to the limited intervisibility that would exist between the proposed development and the heritage asset. The SANG would be adjacent to the Basingstoke Canal ensuring that the development

would preserve the character and appearance of the Basingstoke Canal Conservation Area.

St. Nicholas School

65. Child protection concerns were raised about the proximity of the proposed housing to St. Nicholas School. However, the exact juxtaposition of housing with the school grounds, together with any landscaping and boundary treatments associated with the nearest properties would be a matter for the reserved matters application. There are no policy requirements that stipulate that a buffer is required between school grounds and a dwellinghouse that would justify outline planning permission being withheld on these grounds.
66. I heard that most parents drop-off at and collect children from the school using private vehicles. It was suggested that conflict would arise between heavy goods vehicles delivering construction materials to the site and traffic generated at the start and end of the school day. However, whilst it may add some inconvenience to parents and teachers, no substantive evidence was put to the inquiry that Redfields Lane is of a design or layout that its use by construction traffic between the A287 and the site access point, would compromise highway or pedestrian safety.

Safeguarded Mineral Resource

67. A small proportion of the site, within the SANG area, is situated within a Minerals Safeguarding Area, identified in the HMWP. It would not therefore be sterilised by built development although the use of the site as a SANG would be compromised if minerals were to be worked in this location. Hampshire County Council considers it unlikely that the site would ever come forward for mineral extraction because it does not appear to have enough of the resource to be a viable commercial operation. Accordingly there is insufficient justification to withhold permission on this ground. Whilst there would be conflict with the HMWP other considerations would outweigh any necessity to continue to safeguard the land.

Sustainable development

68. Interested parties suggest that the development would be unsustainable due to the location of the site in relation services and facilities, particularly given the recent loss of bus services previously operating from stops close to the site. However, the appeal site is situated on the edge of the settlement of Fleet and Church Crookham, identified in the LP as the largest and most sustainable settlement within the district and is therefore well located in the context of the district. Additional facilities are also proposed within the development.
69. In any event, the framework confirms that there are three dimensions to sustainable development: economic, social and environmental. The development would help boost the supply of housing, including the provision of a substantial proportion of affordable housing, and create jobs. I agree with the main parties that the proposed development would provide a sustainable form of development having regard to the framework.
70. I heard that Church Crookham Parish Council is in the very early stages of preparing a Neighbourhood Plan. No documents were before the inquiry.

The Parish Council representatives at the inquiry indicated a preference for small scale development only in Church Crookham. Whether or not that may be appropriate would be a matter for a review of the Local Plan and any Neighbourhood Plan that may be produced. It is not a matter that can be afforded any weight at this stage.

Planning Obligation and Conditions

71. The section 106 Agreement contains a series of planning obligations. In most cases these are bespoke and specific to the development and no other current planning obligations relate to it. Where they relate to other specific infrastructure projects, no more than five planning obligations exist. An obligation to provide 40% affordable housing is not 'infrastructure' for the purposes of the CIL regulations. Similarly, SMM contributions are not for the "provision" or "funding" of "infrastructure". Accordingly, the planning obligations, if carried into effect, would accord with the provisions of the Community Infrastructure Levy (CIL) Regulations 123.
72. The main parties agreed a list of conditions that should be imposed should the development proceed³. It is necessary to impose standard time limit conditions for the submission of reserved matters to comply with section 92 of the Act. The application is accompanied by a Master Plan reflecting the principles set out in the Design and Access statement. It is reasonable and necessary to require the reserved matters application(s) to generally accord with those design principles against which the development has been assessed to ensure high standards of design and integration of land uses is achieved and the submitted plans. Details of external surfaces would also be required to ensure a satisfactory standard of development.
73. Concerns were expressed about the traffic implications and disturbance that would arise during the construction phase of the development. To safeguard the amenities of the surrounding area and minimise the impact, it is necessary for a Construction Method Statement to be provided and agreed by the Council. Importantly, lorry routeing to and from the site should be from the south via the A287 and Redfields Lane only. Furthermore, it is necessary to ensure that development and demolition works and deliveries occur only at reasonable hours with none permitted on Sundays and Bank Holidays to protect the living conditions of the occupiers of neighbouring properties. It was suggested that the hours within which deliveries could take place should be restricted further to avoid vehicle conflict during the school opening and closing times. However, it is considered that such a restriction would be unduly onerous. The highway authority is satisfied that the construction traffic can be accommodated subject to routeing from the A287 only. Although the junction with the A287 becomes congested with queuing traffic no substantive evidence was put to the inquiry to demonstrate that the use of Redfields Lane by construction traffic at certain times would be prejudicial to highway or pedestrian safety.
74. To protect the amenities of the area, it is reasonable and necessary to agree details of how it is intended to relocate spoil either on or off the site. It is reasonable and necessary to require details of finished ground and floor levels to be submitted to ensure that the development satisfactorily integrates with the surrounding area and that the properties would not be

³ Inquiry Document 31.

subject to flooding. To ensure sufficient capacity is made available to cope with the new development and in the interests of the environment it is necessary to require a drainage strategy for each part of the site and the drainage works subsequently implemented.

75. Further details of the road construction are necessary in order to ensure a satisfactory access to the development. It is also necessary to ensure that the vehicular access, drive, parking and turning areas and cycle parking for any individual property is complete and available prior to its first occupation.
76. Critically, the SANG must be made available for public use prior to the first occupation of any dwelling to provide a suitable alternative to the TBH SPA for residents of the development. It is essential, in the interests of biodiversity and ecology interests that measures are agreed to ensure the protection of the Basingstoke Canal SSSI, wildlife, the River Hart and existing trees, hedges, hedgerows and shrubs that are to be retained. Such measures should include a construction method statement for the provision of the SANG to ensure the protection of wildlife and habitats within it. The submission and approval of hard and soft landscaping is necessary to ensure the development satisfactorily integrates with the surrounding area together with a landscape management plan.
77. It is reasonable and necessary to require the developer to secure the implementation of a programme of archaeological work to mitigate the effect of the works upon heritage assets, including the WWII pillboxes that would be lost, and to record and preserve relevant information for future generations. To conserve and enhance the significance of the Vickers Machine Emplacement situated within the proposed SANG it is necessary to secure a programme of enhancement and interpretation works that shall be approved and implemented.
78. It was suggested that a noise assessment may be necessary to assess the affect of the buildings to be used for the purposes of Class A1 and D1 on the living conditions of nearby properties. However, it is considered should this be considered necessary it is a matter that would be better addressed at the reserved matters stage having regard to the detailed design and layout of the development. Hours of opening can reasonably be restricted to protect the living conditions of the occupiers of nearby properties.
79. A requirement to carry out a contaminated land investigation and implement any remediation measures found to be necessary is reasonable to ensure a safe residential environment is provided for future occupiers.
80. Amended plans ensure that residential development can be accommodated within Flood Zone 1 only to accord with the Flood Risk Assessment. A condition is necessary to ensure such a restriction is adhered too to prevent the risk of flooding together with the provision of an appropriate buffer to the River Hart and ordinary watercourse crossing the site. In addition, to reduce the risk of flooding a surface water drainage scheme based on sustainable drainage principles and an assessment of hydrological and hydrogeological context of the development.
81. The improvements to the A287 /Redfields Lane junction through the provision of a roundabout must be fully operational prior to the first occupation of any dwellings to ensure highway safety is not compromised as

a result of the increase in traffic generated by the development. To ensure a direct and easy access to the SANG in accordance with the NE Guidelines, no through access for vehicles shall be provided via the Zebon Copse estate along Danvers Drive, except for the first two years while the development progresses sufficiently to provide the permanent access or upon the occupation of the 150th dwelling, whichever occurs sooner. No restrictions on pedestrian, cycle or emergency vehicular access are necessary. A parking assessment of the sports pitches is necessary to ensure a satisfactory level of parking is provided.

82. In the alternative, Appeal B provides for a signalised junction at the site entrance rather than a roundabout. The impact that the signalised junction or roundabout would have is only justified in association with the housing development. Accordingly it is necessary to impose a condition that ensures the junction works are only implemented in conjunction with the housing development.
83. For the reasons already rehearsed in relation to Appeal A, it is necessary to impose a standard time limit condition, require development to accord with the approved plans and the submission of details of the road construction, hard and soft landscaping and measures for the protection of trees, hedges, hedgerows and shrubs to be retained for Appeal B. A landscape and ecological management plan would also be necessary to ensure the development satisfactorily integrates with its surroundings.

Overall Conclusions

84. On the main issue, I find that any adverse effects can be sufficiently reduced or overcome through mitigation measures, such that the integrity of the TBH SPA is not adversely affected and that planning permission may be granted subject to necessary conditions and the obligations set out in the section 106 agreement. The development is acceptable in all other respects. For the reasons given above I therefore conclude that the appeals should be allowed.

Claire Sherratt

Inspector

APPEAL A – SCHEDULE OF CONDITIONS

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission, except for the medical facility land which shall be made to the local planning authority before the expiration of 4 years of the date of this planning permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The reserved matters submitted in accordance with condition 1 and details submitted in accordance with any other conditions of this planning permission shall be in general accordance with the principles outlined in the Application Master Plan (drawing number RG-M-A126E) shall be substantially in accordance with the principles and parameters described and illustrated in the Albany Park Design and Access Statement (February 2014), DAS Addendum (May 2014), including the following plans contained therein: Density Plan RG-M-A119C; Building Heights Plan RG-M-A120C; Access and Movement Plan RG-M-A121C; and Urban Design Principles Plan RG-M-A124C.

Any application for reserved matters approval relating to the proposed sports pitches shall include details of ground levels, surface water drainage, details of any proposed fencing or other means of enclosure proposed. The development shall be completed and retained in accordance with the approved details.

- 5) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Site Boundary Plan (Ref: RG-M-15 Rev T)
 - Land Use Plan (Ref: RG-M-15 Rev T)
 - A287/Redfields Lane Roundabout Junction Improvements (Ref: ITB7063-GA-031 Rev A)
 - Offsite Junction (A287 Farnham Road and Redfields Lane) Proposed Landscaping (Ref: CSa/0381/131)
 - Redfields Lane Site Access Arrangement – Three Arm Roundabout (Ref: ITB7063-GA-018 Rev E)
 - Access via Danvers Drive (ref – ITB7063-GA-028 Rev D)
 - Pedestrian/Cycle Access to Watery Lane (Ref – ITB7063-GA-030 Rev B)
 - Proposed Site Access Arrangement with Geometry (Ref: ITB7063-GA-042)
- 6) No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning

authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i) the parking of vehicles of site operatives and visitors
 - ii) loading and unloading of plant and materials
 - iii) storage of plant and materials used in constructing the development
 - iv) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - v) wheel washing facilities and the dispersal of water
 - vi) measures to control the emission of dust and dirt during construction
 - vii) a scheme for recycling/disposing of waste resulting from demolition and construction works
 - viii) details of the site office / compound
 - ix) construction traffic management plan, to include lorry routes which shall be to and from the south of the site via the A287 and Redfields Lane only, together with haul roads, parking and turning provision to be made on site and a programme for construction
 - x) site waste management
 - xi) details of the control measures for air quality, biodiversity, waste management, and lighting in relation to the Basingstoke Canal SSSI.
- 7) Any demolition, construction works or delivery of materials to the site shall not take place outside 07:30 hours to 18:00 hours Mondays to Fridays and 08:00 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.
- 8) No works shall start on land to which reserved matters relate until plans showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, garages and parking areas and the height of any retaining walls within the application site have been submitted to and approved in writing by the local planning authority for that part of the site. The development shall be completed and retained in accordance with the details so approved.
- 9) No development shall commence on land to which the reserved matters relate until details of the width, alignment, gradient and type of construction proposed for the roads, footways and accesses, including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposing of surface water, and details of a programme for the making up of roads and footways for that part of the site shall be submitted to and approved by the local planning authority in writing before development commences. The development shall be completed in accordance with the details so approved.
- 10) No dwelling shall be occupied until all proposed vehicular accesses, driveways, parking and turning areas serving that dwelling have been constructed in accordance with details that have been submitted to and approved in writing by the local planning authority. The number of car parking spaces for each dwelling shall be in compliance with the Council's

parking standards in force at the time of any reserved matters application.

- 11) No dwelling shall be occupied until the approved cycle parking serving that dwelling has been provided on site and shall be retained thereafter for their intended purpose.
- 12) No development shall take place until details and samples of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 13) No development shall take place until details of how it is intended to relocate any spoil or arisings caused by the development of that part of the site, either on or off the site, have been submitted to and approved in writing by the local planning authority. The works shall take place in accordance with the approved details.
- 14) Prior to the commencement of any works on site, details of measures to prevent bank erosion of the northern boundary of the SANG adjacent to the Basingstoke Canal shall be submitted to and approved in writing by the local planning authority. The works shall take place in accordance with the approved details.
- 15) All works and development must only be carried out in accordance with the recommendations in the approved ecological appraisal and phase 2 survey report ref CSa/381/023 (Rev A) dated November 2013.
- 16) No works shall commence until updated badger surveys, including details of any necessary mitigation measures, have been submitted to and approved in writing to the local planning authority. Once approved the development shall be completed at all times in accordance with the agreed details.
- 17) Details of any flood lighting to serve the sports pitches, ATP or Multi Use Games Area shall be submitted and approved in writing by the local planning authority, once approved the development shall be completed and maintained at all times in accordance with the agreed details.
- 18) No works shall commence on site until a full ecological management plan for all parts of the site except the SANG which is detailed in the Suitable Alternative Natural Greenspace delivery document and management plan (Ref: CSa 0381/021f)), detailing ecological enhancements is submitted to and agreed in writing with the local planning authority. The works shall take place in accordance with the approved details.
- 19) No works shall commence until a surface water management plan to ensure that there will be no impact upon the Basingstoke Canal SSSI as a result of the development has been submitted to and approved in writing by the local planning authority. The works shall take place in accordance with the approved management plan details.
- 20) No works shall commence on site until a scheme of protection measures to ensure that the construction, operation, use and maintenance of the sports playing fields will have no negative impact on the Basingstoke SSSI i.e. no negative impacts from additional illumination and nutrient improvement, has been submitted to and approved in writing by the local

planning authority. The works shall be carried out in accordance with the approved scheme.

- 21) No development shall take place until a scheme for the provision and management of a minimum buffer zone of 8 metres alongside the River Hart is submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme. The buffer zone shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:
- A scaled plan clearly showing the extent and layout of the buffer zone in relation to the watercourse and the development;
 - Details of the planting scheme and / or seed mixes within the buffer zone, which should be of native species only;
 - Details of any footpaths and fencing within the buffer zone;
 - Details demonstrating how the buffer zone will be protected during development; and
 - Details demonstrating how the buffer zone will be managed / maintained over the longer term.
- 22) No development shall take place in respect of the SANG until a construction method statement that is in accordance with the approach outlined in the Sustainable Alternative Greenspace Delivery Document and Management Plan (ref: CSa 0381/021f), has been submitted to and approved in writing by the local planning authority. This shall deal with the treatment of any environmentally sensitive areas, their aftercare and maintenance during the implementation stage of the SANG as well as a plan detailing the works to be carried out showing how the environment will be protected during the works. It shall include details of the following:
- The timing of the works;
 - The measures to be used during the development in order to minimise environmental impact of the works, including a pollution management plan to ensure the River Hat is adequately protected at all times;
 - The ecological enhancements as mitigation for the loss of habitat resulting from the development;
 - A map showing habitat areas to be specifically protected , as identified in the ecological report, during the works;
 - Any necessary mitigation measures required for protected species;
 - Construction methods;
 - Any necessary pollution protection methods;
 - Details and information on the persons / bodies responsible for particular activities associated with the method statement that demonstrates they are qualified for the activity they are undertaking. The works shall be carried out in accordance with the approved method statement.

- 23) The Sustainable Alternative Greenspace (SANG) which shall serve the development hereby permitted shall be made available for public use prior to the first occupation of the residential development hereby permitted and shall be maintained thereafter in accordance with the approved Management Plan.
- 24) No work shall take place until details of the means of protection, including method statements where appropriate, for all trees, hedges, hedgerows and shrubs on site, unless indicated as being removed in the approved plans and particulars, have been submitted to and approved in writing by the local planning authority. The trees, hedges, hedgerows and shrubs shall be retained and protected in accordance with the approved details for the duration of the works on the site and retained for at least five years following occupation of the approved development. Any such vegetation immediately adjoining the site shall be protected on the site for the duration of works on the site.
- Any such vegetation that is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective during such period shall be replaced and / or shall receive remedial action as required by the Authority. Such works shall be implemented as soon as is reasonably practicable and, in any case, replacement planting shall be implemented by not later than the end of the following planting season, with planting of such size and species and in such number and positions as may be agreed with the local planning authority in writing.
- 25) No development shall take place on land to which reserved matters relate until full details of both hard and soft landscaping have been submitted to and approved in writing by the local planning authority for that part of the site.
- Hard details shall include, as appropriate, proposed finished levels and / or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and artefacts and structures (e.g. furniture, refuse or other storage units, signage, lighting, external services, manholes etc).
- Soft landscape details shall include planting plans, written specifications (including cultivation and other operations associated with plant establishment), schedule of plants, noting species, planting sizes and proposed densities where appropriate.
- Details shall further include a proposed timetable for planting and laying out of hard surfaces and roads.
- 26) Notwithstanding the submitted Landscape and Ecology Management Plan (Ref – Csa/0381/022d), no works shall take place on land to which reserved matters relate until a landscape management plan for that part of the site, including a maintenance schedule and a written undertaking including proposals for the long term management of landscape areas, other than for privately occupied domestic garden areas, has been submitted to and approved in writing by the local planning authority. The subsequent maintenance shall be implemented in accordance with the approved details.
- 27) No works shall take place on land to which reserved matters relate until the developer has secured the implementation of a programme of archaeological work in accordance with a Written Scheme of Investigation

that has been first submitted to and approved in writing by the local planning authority for that part of the site. The works shall take place in accordance with the approved details.

- 28) Following the completion of archaeological fieldwork, a report shall be produced in accordance with an approved programme including where appropriate, post –excavation assessment, specialist analysis and reports.
- 29) Prior to their demolition, the pillboxes which will be removed to facilitate the junction improvement of the A287, shall fully be recorded in accordance with a scheme to be submitted to and agreed in writing by the local planning authority.
- 30) Development shall not commence on land to which reserved matters relate until a drainage strategy for that part of the site has been submitted to and approved by, the local planning authority, prepared in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the approved strategy have been completed.
- 31) Development shall not commence, other than that required to carry out an approved scheme of remediation, until paragraph 1 of this condition has been complied with. If the initial investigation and risk assessment required by paragraph 1 of this condition identifies contamination, development other than that required to be carried out as part of an approved scheme of remediation must not commence on those parts of the site affected by the contamination until paragraphs 2 and 3 have been complied with in relation to that contamination. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the local planning authority in writing until paragraph 4 of this condition has been complied with in relation to that contamination.

1. Site Characterisation

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the local planning authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report shall be subject to the approval of the local planning authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:
human health, property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes; adjoining land, groundwaters and surface waters; ecological systems; archaeological sites and ancient monuments;

2. Submission of Remediation Scheme

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

3. Implementation of Approved Remediation Scheme

The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development on the affected part of the site other than that required to carry out remediation, unless otherwise agreed in writing by the local planning authority. The local planning authority must be given two weeks written notification of commencement of the remediation scheme works.

4. Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the local planning authority. An investigation and risk assessment must be undertaken in accordance with the requirements of paragraph 1 of this condition, and where remediation is necessary a remediation scheme for the affected part of the site must be prepared in accordance with the requirements of paragraph 2 of this condition, which is subject to the approval in writing of the local planning authority.

Following completion of the measures identified in the approved remediation scheme a verification report must be produced which shall be subject to the approval of the local planning authority in accordance with paragraph 3 of this condition.

- 32) The premises hereby approved falling within Class A1 or D1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or in any statutory instrument revoking or re-enacting that Order with or without modification shall not open between the hours of 23:00 and 07:00 hours. No deliveries to these premises shall take place between the hours of 23:00 and 07:00 hours.
- 33) The development hereby permitted by this planning permission shall only be carried out in accordance with the approved WSP Albany Park Flood Risk Assessment (FRA) Rev 2 dated 14 February 2014, further associated clarification emails and the following mitigation measures detailed in the FRA:
- (a) No residential development is to be located within Flood Zones 2 or 3 of the River Hart;

- (b) No residential development is to be located in areas at greater than an annual chance of 1 in 1000 (0.01%) risk of flooding from the ordinary watercourse, including an allowance for climate change, as shown by the modelling presented in WSP's letter dated 20 June 2014;
 - (c) An 8 metre buffer zone will be provided along the River Hart and a 5 metre buffer zone along the ordinary watercourse crossing the site between the residential areas and the proposed sports pitches.
 - (d) Finished floor levels are to be set no lower than 150mm above the adjacent finished ground level.
- 34) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:
- 1. Calculations demonstrating that surface water discharge rates and volumes will not increase during each phase in comparison with the existing situations for storm events up to the 1 in 100 storm event with a suitable allowance for climate change.
 - 2. Calculations demonstrating the pipe network can contain up to the 1 in 30 year storm without flooding and any flooding in the 1 in 100 plus climate storm event will safely be contained in the site;
 - 3. If infiltration is used, infiltration tests must be carried out in accordance with BRE 365.
 - 4. Drainage scheme drawings with pipe numbers clearly labelled and utilising a wide range of Sustainable Drainage Systems.
 - 5. Any surface water sub-catchment on site will be identified and provisions made to ensure that surface water sub-catchment sizes will not be altered;
- 35) Prior to the first occupation of any property, a programme for the enhancement and interpretation of the Vickers Machine Gun Emplacement situated within the proposed SANG land together with a timetable for the implementation of the works shall be submitted to and approved in writing by the local planning authority. The works detailed in the approved programme shall be implemented in accordance with the approved programme and timetable.
- 36) Any reserved matters application in respect of the proposed sports pitches, pavilion and sports pitch car parking, shall include a parking demand assessment for the approval in writing by the local planning authority. The parking demand assessment will detail the need for and, if required, the quantity of any sports pitch car parking in addition to the 30 car parking spaces shown on the application Master Plan (drawing number RG-M-AI26E)

- 37) The A287 / Redfields Lane roundabout hereby approved shall be completed and fully operational prior to the first occupation of the development.
- 38) The access via Danvers Drive hereby approved (ref: ITB7063-GA=028 Rev D) shall only be used for pedestrian, cycle and emergency access purposes only in accordance with approved drawing reference ITB7063-GA-028 Rev D, except to provide vehicular access to the SANG car park for a limited period of two years from the date of the first occupation of the residential development or prior to the occupation of the 150th dwelling, whichever occurs sooner.

Richborough Estates

Schedule of Conditions – Appeal B

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - a. Location Plan Ref: ITB7063-GA-045 Rev C
 - b. Proposed Signal Site Access Arrangement Plan Ref: ITB7063-GA-059 Rev B
 - c. Tree Constraints Plan Ref: 8138B/01
 - d. Tree Protection Plan Ref: 8138B/02
- 3) No development shall commence until details of the width, alignment, gradient and type of construction proposed for the roads, footways and accesses, including all relevant horizontal cross sections and longitudinal sections showing the existing and proposed levels, together with details of street lighting and the method of disposing of surface water, and details of a programme for the making up of roads and footways for that part of the site shall be submitted to and approved by the local planning authority in writing before development commences. The development shall be completed in accordance with the details so approved.
- 4) No work shall take place until details of the means of protection, including method statements where appropriate, for all trees, hedges, hedgerows and shrubs on site, unless indicated as being removed in the approved plans and particulars, have been submitted to and approved in writing by the local planning authority. The trees, hedges, hedgerows and shrubs shall be retained and protected in accordance with the approved details for the duration of the works on the site and retained for at least five years following occupation of the approved development. Any such vegetation immediately adjoining the site shall be protected on the site for the duration of works on the site.

Any such vegetation that is removed, uprooted or destroyed or dies, or becomes seriously damaged or defective during such period shall be replaced and / or shall receive remedial action as required by the Authority. Such works shall be implemented as soon as is reasonably practicable and, in any case, replacement planting shall be implemented by not later than the end of the following planting season, with planting of such size and species and in such number and positions as may be agreed with the local planning authority in writing.
- 5) No development shall take place until full details of both hard and soft landscaping have been submitted to and approved in writing by the local planning authority.

Hard details shall include, as appropriate, proposed finished levels and / or contours, means of enclosure, car parking layouts, other vehicle and pedestrian access and circulation areas, hard surfacing materials and artefacts and structures (e.g. furniture, refuse or other storage units, signage, lighting, external services, manholes etc).

Soft landscape details shall include planting plans, written specifications (including cultivation and other operations associated with plant

establishment), schedule of plants, noting species, planting sizes and proposed densities where appropriate.

Details shall further include a proposed timetable for planting and laying out of hard surfaces and roads.

6. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (a) the parking of vehicles of site operatives and visitors;
 - (b) loading and unloading of plant and materials;
 - (c) storage of plant and materials used in constructing the development;
 - (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (e) wheel washing facilities and the dispersal of water;
 - (f) measures to control the emission of dust and dirt during construction;
 - (g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - (h) details of the site office / compound;
 - (i) construction traffic management plan, to include lorry routes which shall be to and from the south of the site via the A287 and Redfields Lane only, together with haul roads, parking and turning provision to be made on site and a programme for construction; and
 - (j) site waste management
7. No development shall take place until a landscape and ecological management plan for the site, including a maintenance schedule and a written undertaking including proposals for the long term management of landscape areas has been submitted to and approved in writing by the local planning authority. The subsequent maintenance shall be implemented in accordance with the approved details.
8. The development hereby permitted shall only be implemented in conjunction with the residential development granted planning permission reference 14/00504/MAJOR. Prior to the commencement of the development hereby permitted an implementation scheme shall be submitted for the approval of the local planning authority showing how the access hereby permitted shall form the access to serve the adjoining residential development. The access hereby permitted shall be implemented in accordance with the approved implementation scheme and retained thereafter.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Michael Bedford	Instructed by the local planning authority.
He called	
Richard Hellier CMLI	Witness for the Council

FOR THE APPELLANT:

Christopher Young	Instructed by Barton Willmore.
He called	
Dr Aidan Marsh	Ecology Witness of CSA Environmental Planning
Nicholas Martin Patterson-Neild BA (Hons) MPhil MRTPI	Planning Witness of Barton Willmore
Mr Self	Landscape Witness of Barton Willmore

INTERESTED PERSONS:

Dr Tyrrell	GP for Crondall Surgery
Mrs Ambler	Crookham Parish Council
Mr John Tomalin	Interested party
Mr Ian Rose	Face-It Group & local resident
Mr Tony Gower-Jones	Face -It Group & local resident
Mr Tim Lawrenson	Local resident
Councillor David Jackson	Ward Councillor and part of Planning Committee
Mr Richard Eastment	On behalf of Wendy Makepeace-Browne local resident.
Mrs Judy Johnson	Local resident
Mrs Whatmough	Head Teacher of St. Nicholas School
Councillor Radley	Local resident
Mrs Annette Blackwell	Local resident
Mr Clive Eastwood	Local resident
Mrs Lynn Ten Kate	Local resident
Ms Kerry Ten Kate	Local resident

INQUIRY DOCUMENTS

ID1	Opening Submissions for the Appellants
ID2	Opening Submissions for the Council
ID3	Statement and appendices from Crookham Village Parish Council
ID4	Statement by Tomlin Highway Planning (Interested party)
ID5	FACE-IT Albany Park Transport Assessment.
ID6	Photo / Section locations from Richard Hellier's Proof of Evidence.
ID7	Site Visit Plans provided to Inspector.
ID8	Agreed Conditions.
ID9	Copy of Drawing no. CSa Revision A (Outline Landscape Strategy)
ID10	i-Transport response to Parish Council comments on parking provision on behalf of the appellant.
ID11	Distance / Journey times between site and SPA (provided by the appellant)
ID12	SANGs Accessibility Plan (400m & 520m).

ID13	Shinfield West SANG Accessibility Plan (400m & 520m).
ID14	Crookham Village Parish Council Statement of Councillor D Jackson.
ID15	Crookham Village Parish Council Statement of Councillor R Eastment.
ID16	Statement of Judy Johnson (Interested party).
ID17	Letter from Peter Merriman, Cycle Touring Club Right to Ride Representative.
ID18	Letter from Kerry Ten Kate (interested party).
ID19	Zebon Copse Centre Cost Estimate of Works produced for the appellant.
ID20	Statement of Tim Lawrenson on Flooding (Interested party).
ID21	Supplementary Statement of Common Ground on Planning Evidence.
ID22	Statement of James Radley.
ID23	Statement of Annette Blackwell.
ID24	Heads of Section 106 agreement – CIL compliance Statement of appellant.
ID25	i-Transport response to Third Party Highway Comments (for the appellant)
ID26	Mineral Safeguarding Area Plans.
ID27	Joint note on Regulation 123 CIL Regulations Compliance.
ID28	Statement of Kerry ten Kate (Interested Party).
ID29	Statement of Councillor John Bennison.
ID30	Draft Deed of Agreement.
ID31	Agreed Draft Conditions (Final).
ID32	Additional Conditions suggested by Council.
ID33	Draft Deed of Agreement (further revision)
ID34	Potential for Mineral extraction – response of the appellant.
ID35	Closing Submissions for the Council.
ID36	Closing Submissions for Martin Grant Homes.