



Appeal Decision

Site visit made on 17 September 2025

by **G Ellis BSc (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 November 2025

Appeal Ref: APP/N1730/W/25/3363735

38 Rounton Road, Church Crookham, Fleet, Hampshire GU52 6HB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Dariston Land and Development Ltd against the decision of Hart District Council.
 - The application Ref is 24/01779/FUL.
 - The development proposed is the demolition of existing dwelling and outbuildings and erection of three detached dwellings, associated car and cycle parking, frontage planting and access works.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing dwelling and outbuildings and erection of three detached dwellings, associated car and cycle parking, frontage planting and access works at 38 Rounton Road, Church Crookham, Fleet, Hampshire GU52 6HB in accordance with the terms of the application, Ref 24/01779/FUL, subject to the conditions set out in the attached schedule.

Background and Main Issues

2. The Council's decision notice included a single reason for refusal relating to the character of the area. However, matters relating to biodiversity, including the Special Protection Area, were proposed to be addressed through a Planning Obligation. A Unilateral Undertaking (UU) dated 27 June 2025 and made under section 106 of the Act has been submitted with the appeal. It has been agreed with the Council and, in general terms, covenants the owner/developer of the land to make contributions towards the Strategic Access Monitoring and Maintenance (SAMM) and Suitable Alternative Natural Greenspace (SANG) mitigation in relation to the Thames Basin Heaths Special Protection Area and Biodiversity Net Gain (BNG).
3. Consequently, it is also necessary to consider whether the UU secures appropriate provisions and would address the impact of the development on these ecological aspects.
4. Therefore, the main issues are: -
 - the effect of the proposed development on the character and appearance of the area, with specific regard to the site frontage, and
 - the effects of the proposal on Biodiversity and the Thames Basin Heath Special Protection Area (TBH SPA).

Reasons

Character and appearance

5. Rounton Road is a residential area with primarily two-storey properties along the section where the appeal site is located. Due to the setback, landscaping to the frontages, including boundary treatments and street trees, it has a pleasant and verdant character. The length of the front boundary hedging and other treatments varies along the road, and many properties have driveways that can accommodate several vehicles.
6. The proposed three dwellings would replace a detached bungalow, which is currently in a dilapidated state, with the site overgrown. Each property is designed with an undercroft parking space and sufficient space for two cars within the driveway.
7. This proposal follows a similar scheme for three dwellings, which was dismissed on appeal in July 2024 (Appeal reference APP/N1730/W/233332435). That scheme was found to be harmful to the character and appearance of the area, particularly plot 3, due to the proposed open frontage. Notably, in comparison to the previous scheme, where the majority of the parking spaces were to be directly accessible from the road, this current proposal features single-width access points and landscaping along the frontage.
8. While the previous appeal decision related to the openness of the frontage and visibility of the parking, no specific concerns were raised regarding the number of driveways. There are already two sections of dropped kerb to the road, and Hampshire County Council, as the Highway Authority, has raised no technical objections.
9. Properties served by their own individual driveways are part of the pattern of development along Rounton Road. With hedging proposed to the front boundary between the individual driveways, the general form would be reflective of the street scene. Due to the proximity, the lengths of hedging would not be extensive, but they would be sufficient to provide enclosure and softening to the frontage. The width of plots and the spacing between properties also vary along the road. While narrower than some and replacing a single property, the proposed properties would be similar in scale to their immediate neighbours, and I concur with the previous Inspector that they would not appear incongruous.
10. Reference is made to the previous Inspector's consideration and rejection of undercroft parking. That scheme did not include undercroft parking, and it is unclear if the potential revisions mentioned in that case reflect what is now proposed. Notwithstanding this, the Inspector's comments in paragraph 9 of that decision set out reasons (quantum of parking, the description of development, and the potential visual effects of the undercroft parking) why it would not be reasonable to secure amendments through a condition and also meet the tests for conditions. In my view, this does not imply an assessment and conclusion regarding any alternative details.
11. While I have had regard to this previous appeal decision as a material consideration, I have considered the design of the proposal before me on its own merits against the policies of the development plan. I acknowledge that undercrofts are not features of the existing properties along Rounton Road; however, the

integral form is not dissimilar to a garage, and I do not find that they would be visually intrusive or detract from the overall character of the area.

12. Accordingly, I find that the proposal would not harm the character and appearance of the area, with specific regard to the site frontage. Thus, the proposal would comply with policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032 (HLP) and saved policy GEN1 of the Hart District Local Plan (Replacement) 1996-2006 (HDLPR), which together require that development achieves a high-quality design, positively contributes to the overall appearance of the area, and is in keeping with the local character.
13. It would also comply with the National Planning Policy Framework (the Framework), which similarly promotes good design and requires development to be sympathetic to local character.

Biodiversity and the TBH SPA

Biodiversity Net Gain

14. Schedule 7A of the Town and Country Planning Act 1990 (as amended) (the Act) introduced a statutory framework for BNG, and it applies to all planning applications for non-major development submitted on or after 2 April 2024, with a requirement of at least a 10% increase in biodiversity value. The application was accompanied by a Biodiversity Impact Calculation, which identifies that a further 0.68 habitat units are likely to be required to achieve the 10%. The Planning obligation submitted with the appeal covenants the owner to purchase sufficient offsetting units/credits in accordance with a Biodiversity Gain Plan (BGP) to ensure that there would be no net loss of biodiversity and to secure measurable net gains.
15. This being so, adequate compensation could be secured, and I am satisfied this obligation meets the necessary tests, and the aims of HLP policy NBE4 which require that development enhances biodiversity.

TBH SPA

16. The appeal site lies within the zone of influence for the TBH SPA. The TBH SPA is designated for its population of breeding Nightjar, Woodlark and Dartford Warbler. It is subject to statutory protection under the Conservation of Habitats and Species Regulations 2017 (the Habitats Regulations).
17. The TBH SPA comprises a network of heathland sites which support internationally important numbers of bird species which nest on or near the ground, and as a result, they are very susceptible to predation. The Habitats Regulations requires an appropriate assessment to ensure that the development would not adversely affect the integrity of the Special Protection Area.
18. The proposal in combination with other projects has the potential to affect the integrity of the TBH SPA as a result of increased recreational pressures that would arise from the additional local population from the new properties. Where it cannot be concluded that there would be no adverse effects on a site's integrity, it is necessary to consider potential mitigation.
19. Natural England confirms that the Council has measures in place to manage the potential impacts through a strategic solution which they consider will be effective in preventing adverse impacts. It is common ground between the parties that financial

contributions towards SAMM and SANG would be required to mitigate any likely significant effect of the development on the integrity of the TBH SPA.

20. The appellant has provided a completed UU to secure the provisions. The UU provides for confirmation to be provided to the Council that, prior to the commencement of development, the financial contributions towards the Allocable SANG land at Queen Elizabeth Barracks, Church Crookham, have been made, and details of the agreement with the third-party owners of that SANG have also been provided. This SANG provision would draw visitors away from the TBH SPA by providing an alternative recreational destination in close proximity to the development. The UU also secures a contribution in accordance with the Council's tariff for SAMM based on the net increase in dwellings.
21. As competent authority, I am satisfied that the SANG and SAMM mitigation measures secured through the UU will ensure that the development would not result in an adverse effect on the integrity of the TBH SPA when considered on its own and in combination with other plans and projects. It is also necessary in order to make the development acceptable in planning terms.
22. Regulation 122 of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) state that a planning obligation may only constitute a reason for granting planning permission if the obligation is, necessary to make the development acceptable in planning terms, directly related to the development and fairly related in scale and kind to the development.
23. For the reasons set out above, the provisions within the UU are necessary to make the proposal acceptable in planning terms and secure appropriate mitigation in relation to BNG and the SPA and ensure no harm to biodiversity or TBH SPA.

Other Matters

24. Interested parties have raised a number of other objections to the proposal, including matters relating to the design and number of houses, level of parking, and the impact on the amenity of the neighbouring occupants. These matters were considered by the Council and addressed in the committee report. Based on my observations on site and the specific evidence before me, I see no reason to take a different view. Conditions are also proposed in relation to some aspects; the provision and retention of parking, landscaping and obscure glazing to windows, and are considered further below.

25.

Conditions

26. I have had regard to the list of conditions provided by the Council, which the appellant has seen and confirmed agreement to. I have also considered them against the advice in the Planning Practice Guidance (PPG), and where necessary, I have reworded them for clarity and simplicity.
27. In addition to the standard time limit condition [1], condition [2] requires the development to be carried out in accordance with the approved plans. Condition [3] requires details for the protection of trees during construction, and condition [4] requires details of the sustainable urban drainage to provide certainty and to avoid the increased risk of flooding.

28. In the interests of biodiversity, condition [5] is required to secure the ecological mitigation. The biodiversity gain condition has its own separate statutory basis, as a planning condition under paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990. The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and therefore, a separate condition is not necessary.
29. Condition [6] is to ensure the full details of the hard and soft landscaping are agreed in the interest of the character and appearance of the area. Similarly, the materials to be used in the construction of the dwellings are secured through condition [7].
30. Conditions are also necessary in the interest of highway safety and to promote sustainable transport in relation to the provision and retention of the parking spaces [8] and cycle storage [9]. I have deleted the reference to other storage for garden equipment as I have not been directed to any policy basis, and the condition relates to cycle storage provision.
31. To ensure that the construction phase takes place in a considerate manner and to protect the nearby residents, a working hours condition is included [10]. In addition, to protect privacy, the first-floor windows in the flank elevations of plots 1 and 3 are to be obscurely glazed [condition 11].

Conclusion

32. The proposal accords with the development plan as a whole, and there are no other material considerations which indicate a decision should be made other than in accordance with the development plan.
33. Further to the previous appeal decision and the determination of the current planning application, the Council is unable to demonstrate a five-year housing supply. There is, therefore, a presumption in favour of sustainable development, and the proposal would make efficient use of land and contribute to boosting the housing supply, with associated economic and social benefits. As I have not identified any conflicts with the development plan, a balancing exercise in accordance with paragraph 11 d) of the Framework is not necessary.
34. Therefore, for the reasons set out, I allow the appeal.

G Ellis

INSPECTOR

Conditions Schedule

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan - drawing no 23-01-01A, Proposed Site Plan - drawing no 23-01-02 REV F, Proposed Block Plan Showing Visibilities - drawing no 23-01-10 REV A, Plot 1 - Proposed Elevations - drawing no 23-01-05 REV B, Plot 1 - Proposed Ground Floor, First Floor and Roof Plans - drawing no 23-01-04, REV B, Plot 2 – Proposed Elevations - drawing no 23-01-07 REV B, Plot 2 - Proposed Ground Floor, First Floor and Roof Plans - drawing no 23-01-06 REV B, Plot 3 - Proposed Elevations - drawing no 23-01-09 REV A, and Plot 3 - Proposed Ground Floor, First Floor and Roof Plans - drawing no 23-01-08 REV A
- 3) No works (including demolition and site clearance) or development shall take place until an Arboricultural Method Statement and Tree Protection Plan specific to this scheme has been submitted and approved in writing by the Local Planning Authority. The Tree Protection Plan and Arboricultural Method Statement shall be written in accordance with, and address sections 5.5, 6.1, 6.2, 6.3 and 7 of British Standard 5837:2012 Trees in relation to design, demolition and construction recommendations. Nothing shall be stored or placed in any fenced area (construction exclusion zone) in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written approval of the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details until completion of the development.
- 4) Prior to the commencement of development, a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, shall be submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

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

5. Provision of a Maintenance plan setting out what maintenance will be needed on the drainage system and who will maintain this system going forward.
- 5) Prior to the commencement of any above-ground construction, a scheme of ecological mitigation and enhancement measures including those set out in the Ecological Assessment produced by The Ecology Co-op dated 24 March 2023 (project number P5598) shall be submitted to and agreed in writing by the Local Planning Authority. The mitigation measures shall be implemented in accordance with the approved details. The scheme shall demonstrate enhancements for biodiversity through native planting, habitat creation or habitat features (such as bat and bird box enhancements, swift bricks and hedgehog gaps in boundaries).
- 6) Prior to any development above ground level of the buildings hereby permitted, full details of both hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The landscaping works shall be carried out in accordance with the approved details. The details shall include:-
- Hard landscaping - dimensions, materials and finished levels of means of enclosures (e.g. fences and walls) and hard surfaces (e.g. driveways, car parking, footpaths, patios, decking).
- Soft landscaping - a soft landscaping plan to a recognised scale clearly illustrating the location of all trees/shrubs/hedges/plants to be planted and areas of turf to be laid; a detailed written soft landscape specification detailing the quantity, density, size, species, position and the proposed time or programme of the planting of all trees/shrubs/hedges/plants.
- If within a period of five years from the date of the planting of any tree/shrub/hedge/plant shown on the approved plan(s) forward of the property, or any tree/shrub/ hedge/plant in replacement for it, is removed, uprooted, destroyed, dies, or becomes seriously damaged or defective, another tree/shrub/hedge/plant of the same species and size as that originally planted, shall be planted in the immediate vicinity.
- 7) Notwithstanding the submitted information, the dwellings hereby permitted shall not be occupied until details of secure and covered parking for cycles has been provided for each property and agreed in writing by the Local Planning Authority. The cycle storage shall be carried out in accordance with the approved drawing(s)/details. The cycle parking/storage shall be permanently retained for the parking of bicycles and used for no other purpose.
- 8) The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as per the approved materials palette.
- 9) Prior to the occupation of each dwelling hereby permitted, a minimum of 3 parking spaces for each dwelling shall be laid out as identified on the approved plans and shall thereafter be kept available at all times for the parking of vehicles

- 10) No development, working on the site or delivery of materials shall take place at the site except between 07:30 hours to 18:00 hours weekdays or 08:00 to 13:00 hours Saturdays. No development, working on the site or delivery of materials shall take place on Sundays, Bank Holidays or Public Holidays.
- 11) The first floor side facing window in the eastern elevation of Plot 1 serving the bathroom and the western elevation of Plot 3 serving the en-suites of the development hereby approved shall be glazed with obscure glass (of Pilkington Glass level 3 or above, or equivalent) only and shall thereafter be retained as such. The windows shall be non-opening below 1.7m above the floor of the room that it serves.

End of Schedule