

# Public Document Pack

## AMENDMENT SHEET

### **DEVELOPMENT MANAGEMENT COMMITTEE - WEDNESDAY, 18TH SEPTEMBER, 2019**

The following amendment sheet was circulated at the Development Management Committee meeting. It sets out any proposed amendments and updates to reports since the agenda was published.

- (1) Amendment sheet (Pages 1 - 6)

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| <p style="text-align: center;"><b><u>AMENDMENT SHEET FOR</u></b><br/><b><u>DEVELOPMENT MANAGEMENT COMMITTEE</u></b><br/><b><u>18 September 2019</u></b></p> |
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**Section C – Items for Determination**

**Item 6, page 19**

|                 |                                                                                                                                                                                                              |
|-----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application No. | 19/00337/FULPP                                                                                                                                                                                               |
| Proposal        | Demolition of existing structures and erection of 197 dwellings comprising 86 one bedroom flats; 77 two bedroom flats and 34 three bedroom houses with associated access, parking and landscape arrangements |
| Address         | <b>Meudon House, Meudon Avenue, Farnborough, Hampshire, GU14 7NB</b>                                                                                                                                         |

**Update to the Report:**

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Update Consultation Responses:

|                                           |                                                                                                             |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------|
| HCC Surface Water Drainage Consultations: | HCC have provided a 3 <sup>rd</sup> response to the application details (Flood Risk Assessment) as amended. |
|-------------------------------------------|-------------------------------------------------------------------------------------------------------------|

HCC have advised that the general principles for the surface water drainage proposals are acceptable but there are still some discrepancies between the microdrainge model and drawings. As such HCC have recommended a planning condition requiring further details of detailed design and updated calculations be imposed.

*Case Officer's Response: Noted. A condition is proposed accordingly.*

**Page 33**

Replace paragraph 4 and 5 with:

***Affordable Housing Provision***

As with the extant permission, no affordable housing is proposed to be provided in the current scheme and a Financial Viability Assessment has been submitted in support

of the application. The planning policy background is that the lack of affordable housing contravenes local plan policy LN2 which require 30% affordable housing. The Council's Housing team also advise that this scheme is not policy compliant in that there is no provision of affordable housing of either rent or intermediate product types. These concerns are noted. However, policy LN2 is qualified by the phrase "subject to site viability". Therefore, as with the previously approved scheme, the Financial Viability Assessment has been independently assessed.

Regarding the independent assessment, in the case of the current scheme this was carried out by BPS Chartered Surveyors and their report was shared with the applicants. Their (BPS) conclusion is that notwithstanding a difference of opinion between them and the applicants' advisors on the site value (£7.74m by the applicants and £4.9m by BPS), and expected profit level (20% by the applicants and 17.5% by BPS, in line with the latest amendments to the NPPF and NPPG); the scheme remains unviable to contribute towards affordable housing.

With the previous proposal the s106 agreement incorporated a review mechanism which would trigger a viability re-assessment and possible payment in lieu of affordable housing were the scheme to take over three years to deliver post implementation. BPS recommend that, rather than a review solely triggered by delayed completion, the s106 agreement should require a 'late stage review' at a pre-determined stage in the development in order to ensure the viability is re-tested based on figures arising from the actual cost values of the development in progress.

Legal advice in respect of the BPS assessment recommends that the trigger for the outturn re-test should be 'prior to occupation of 75% of the residential units and any arising deferred contribution to affordable housing should be paid prior to occupation of 80% of the private residential units'. It is on this basis, together with the other matters set out in the report and addendum, that a recommendation to grant permission subject to a s106 legal agreement is before this committee.

Subsequent to consideration of the previous application for this site, in February 2019 the revised version of the NPPF introduced paragraph 64 which states that on major developments involving housing, planning policies and decisions should 'expect' at least 10% of the houses to be available for 'affordable home ownership' and does not refer to a test of viability in this respect. The appropriate manner in which to incorporate this expectation into future projects and policies is under consideration. However, in the case of the current scheme, it is essentially a revision of a consented current planning permission which pre-dates and does not incorporate this expectation and can be implemented. It is not therefore considered appropriate to seek to fulfil it in the current scheme at this stage.

Therefore, subject to the obligations outlined above, no objection is raised to the proposal in relation to the provision of affordable housing.

#### **Amended Recommendation:**

Replace condition 4 (*Tree Protection*) with two separate conditions, and re-number the remaining conditions accordingly:

#### *Tree Protection*

- (No.) Prior to the demolition of the existing building(s) on site and the removal of any trees identified for removal on drawing numbers 10140 TPP 01 (1/3), (2/3) and (3/3), the tree protection measures as shown at Appendix C of the submitted Arboricultural Impact Assessment (drawing numbers 10140 TPP 01 (1/3), (2/3) and (3/3)) shall be implemented in full and approved by a suitably qualified Arboriculturalist before any demolition, its associated preparation and tree removal commences. The approved tree protection measures shall remain in situ until all development has ceased on site. Prior to first occupation of the development, a completion report shall be submitted to and agreed in writing by the local planning authority, to demonstrate satisfactory compliance with the tree protection measures outlined in the Arboricultural Impact Assessment as approved.\*

Reason - To safeguard retained trees on site and to safeguard the character and appearance of the area and biodiversity.

#### *Arboricultural Method Statement*

- (No.) Notwithstanding any details submitted with the application, no development other than demolition of the existing building(s) and the removal of any trees identified for removal on drawing numbers 10140 TPP 01 (1/3), (2/3), 3/3), shall be carried out until an Arboricultural Method Statement, to include the details of any tree works and works within or affecting the Root Protection Area of any retained trees, together with a scheme for auditing tree protection and subsequent reporting, has been submitted to, and approved in writing by the Local Planning Authority. Such works should be carried out strictly in accordance with the approved details. Prior to first occupation of the development, a completion report shall be submitted to and agreed in writing by the local planning authority, to demonstrate satisfactory compliance with the tree protection measures outlined in the Arboricultural Method Statement as approved.\*

Reason: To safeguard retained trees on site and to safeguard the character and appearance of the area and biodiversity.

## **Page 42**

Amended condition 21:

#### *Electric Vehicle Charging Facilities*

- 21 The electric charging facilities shown on the approved plans associated with that part of the development they are to serve **shall be** completed and made ready for use by the occupiers prior to first occupation of that part of the

development to which they relate. The electric charging facilities shall be thereafter retained

Reason - In the interests of sustainable development, energy efficiency and to promote alternative modes of transport.\*

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Insert additional condition:

### *Surface Water Drainage*

(No.) Prior to the erection of any part of the new buildings hereby approved and notwithstanding the details submitted with the planning application, a detailed surface water drainage strategy, together with details of arrangements for future maintenance shall be submitted to and approved in writing by the local planning authority. The surface water drainage strategy must show that the runoff from storm events up to and including 1 in 30 year should be managed within the system. Surface flooding for storm events above this maybe acceptable providing buildings are not flooded, access ways are not adversely affected and flood risk to off-site areas is not increased. There should be no flooding of buildings for storms up to the 1 in 100 year plus CC% event. The approved scheme shall be implemented in full prior to the occupation of the development to which it relates and retained in perpetuity.

Reason: In order to prevent surface water flooding and pollution of the water environment.\*

## Items 7 & 8, page 55

|                 |                                                                                                                                                                                                                                         |
|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Application No. | 19/00469/FULPP                                                                                                                                                                                                                          |
| Proposal        | Change of use of two separate restaurant units (Class A3) to a gym (Class D2)                                                                                                                                                           |
| Address         | <b>Units 6 and 7, Westgate, Aldershot, Hampshire</b>                                                                                                                                                                                    |
| <hr/>           |                                                                                                                                                                                                                                         |
| Application No. | 19/00470/REVPP                                                                                                                                                                                                                          |
| Proposal        | Variation of Conditions 15 and 23 attached to planning permission 10/00076/FULPP dated 03/12/2010 to allow 24 hour operation of a gym (Class D2) at Units 6 and 7 and to increase the floor space of D2 Use Class in Westgate by 865sqm |

Address

**Units 6 and 7, Westgate, Aldershot, Hampshire**

Update to report

p.56 – The combined floor area of the amalgamated units is 865sqm.

p.57 – Neighbour comments

A further 3 letters of objection have been received on the following grounds:

- Focus should be on finding the right tenant
- Family/entertainment purpose of Westgate should be retained
- Will there be sufficient parking to support 7,000+ members?
- There are already a sufficient mix of gyms in Aldershot

Amended Condition No.2 (Drawing numbers) - 19/00469/FULPP

To include amended plans showing proposed plant

2     *The permission hereby granted shall be carried out in accordance with the following approved drawings - Drawing numbers:*

2157 L1 - Location Plan    2157 X01A - Existing floor plans    2157 X02 A -  
Existing roof plans    2157 P02B – Proposed floor plans    2157 P03B -  
Proposed elevations    2157 P04A - Proposed roof plans

Reason – as set out in the Report.

Amended Condition No.23 – 19/00470/REVPP:

23.   *The finished development shall contain no more than 3,033 sqm of Class C1 (hotel), 3,201 sqm of Class D2 (cinema), 7,663 sqm of Class A1 (foodstore and petrol filling station), 865sqm Class D2 (gym), 1298 sqm of Class A3 (restaurant and cafes), and 409 sqm of Class A3/A4/A5. All figures are gross internal area (GIA). There shall be no increase in floor space by means of the installation of additional mezzanine floors or similar structures.*

*Reason – To accord with the terms of the application and to ensure that the development does not have an adverse impact on the vitality and viability of the town centre shopping core as the focus for comparison goods sales in Aldershot. “*

Reason – as set out in the Report.

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