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RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

*at the Council Offices, Farnborough on
Wednesday, 14th September, 2022 at 7.00 pm*

To:

VOTING MEMBERS

Cllr Calum Stewart (Chairman)
Cllr L. Jeffers (Vice-Chairman)

Cllr Mrs. D.B. Bedford
Cllr Jib Belbase
Cllr P.I.C. Crerar

Cllr C.P. Grattan
Cllr Michael Hope
Cllr Peace Essien Igodifo

Cllr S.J. Masterson
Cllr T.W. Mitchell
Cllr Sophie Porter

NON-VOTING MEMBERS

Cllr A.R. Newell (Planning and Economy) (ex-officio)

STANDING DEPUTIES

Cllr C.W. Card
Cllr A.H. Gani
Cllr Nadia Martin

Enquiries regarding this agenda should be referred to Adele Taylor,
Democracy and Community, 01252 398831 adele.taylor@rushmoor.gov.uk

A G E N D A

1. **DECLARATIONS OF INTEREST –**

All Members who have or believe that they have any interest under the Rushmoor Borough Council Councillors' Code of Conduct, adopted in April 2021, in any matter to be considered at the meeting are required to disclose that interest at the start of the meeting (preferably) or as soon as possible thereafter and to take the necessary steps in light of their interest as to any participation in the agenda item.

2. **MINUTES –** (Pages 1 - 8)

To confirm the Minutes of the meeting held on 17th August, 2022 (copy attached).

3. **PLANNING APPLICATIONS –** (Pages 9 - 54)

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2234 on planning applications recently submitted to the Council (copy attached).

Sections A & B of the report set out the items to be considered at future meetings and petitions received:

| Item | Reference Number | Address | Recommendation |
|-------------|-------------------------|---|-----------------------|
| 1 | 20/00400/FULPP | Land at former Lafarge Site, Hollybush Lane, Aldershot | For information |
| 2 | 21/00271/FULPP | Block 3, Queensmead, Farnborough | For information |
| 3 | 22/00193/OUTPP | Proposed Farnborough Civic Quarter Development Site, Meudon Avenue, Farnborough | For information |
| 4a | 22/00068/REM | Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot | For information |
| 4b | 22/00138/REMPP | Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot | For information |
| 4c | 22/00277/REMPP | Blandford House and Malta Barracks Development Site, | For information |

Shoe Lane, Aldershot

| | | | |
|----|----------------|---|-----------------|
| 4d | 22/00340/REMPP | Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot | For information |
| 5 | 22/00480/FULPP | Nos. 209-211 Lynchford Road, Farnborough | For Information |

Section C of the report sets out planning applications for determination at this meeting:

| Item | Pages | Reference Number | Address | Recommendation |
|------|-------|------------------|---|----------------|
| 6 | 17-42 | 22/00402/FULPP | Land Between Nos. 242 & 244 Farnborough Road, Farnborough | Grant |

Section D of the report sets out planning applications which have been determined under the Council's scheme of delegation for information.

4. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT – (Pages 55 - 64)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2235 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

MEETING REPRESENTATION

Members of the public may ask to speak at the meeting, on the planning applications that are on the agenda to be determined, by writing to the Committee Administrator at the Council Offices, Farnborough by 5.00 pm on the day prior to the meeting, in accordance with the Council's adopted procedure which can be found on the Council's website at

<http://www.rushmoor.gov.uk/speakingatdevelopmentmanagement>

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DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 17th August, 2022 at the Princes Hall, Princes Way, Aldershot GU11 1NX at 7.00 pm.

Voting Members

Cllr Calum Stewart (Chairman)

Cllr Mrs. D.B. Bedford
Cllr Jib Belbase
Cllr P.I.C. Crerar
Cllr Michael Hope
Cllr Peace Essien Igodifo
Cllr S.J. Masterson
Cllr T.W. Mitchell
Cllr Sophie Porter

Apologies for absence were submitted on behalf of Cllr C.P. Grattan and Cllr L. Jeffers.

Non-Voting Member

Cllr A.R. Newell (Planning and Economy Portfolio Holder) (ex officio)

13. DECLARATIONS OF INTEREST

There were no declarations of interest for this meeting.

14. MINUTES

The Minutes of the Meeting held on 20th July, 2022 were approved and signed as a correct record of the proceedings.

15. REPRESENTATIONS BY THE PUBLIC

In accordance with the guidelines for public participation at meetings, the following representations were made to the Committee and were duly considered before a decision was reached:

| Application No. | Address | Representation | In support of or against the application |
|-----------------|--|----------------|--|
| 22/00282/FULPP | Phase 5, North Town Redevelopment Site, land | Mr Alex King | In support |

bounded by
North Lane,
Deadbrook Lane
and Eastern
Road, Aldershot

16. REPRESENTATIONS BY WARD MEMBERS

In the absence of a North Town elected Ward Councillor on the Committee, the Committee agreed that a representation be made by Cllr Keith Dibble in support of Planning Application No. 22/00282/FULPP. The representation was duly considered before a decision was reached.

17. PLANNING APPLICATIONS

RESOLVED: That

(i) the applications dealt with by the Head of Economy, Planning and Strategic Housing, where necessary in consultation with the Chairman, in accordance with the Council's Scheme of Delegation, more particularly specified in Section "D" of the Head of Economy, Planning and Strategic Housing's Report No. EPSH2227, be noted

(ii) the following applications be determined by the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman:

* 22/00029/FULPP Aldershot Bus Station, No. 3 Station Road, Aldershot

* 22/00282/FULPP Phase 5, North Town Redevelopment Site, land bounded by North lane, Deadbrook Lane and Eastern Road, Aldershot

(iii) the current position with regard to the following applications be noted pending consideration at a future meeting:

** 20/00400/FULPP Land at former Lafarge Site, Hollybush Lane, Aldershot

** 21/00271/FULPP Block 3, Queensmead, Farnborough

** 22/00193/OUTPP Proposed Farnborough Civic Quarter Development Site, Meudon Avenue, Farnborough

** 22/00068/REM Land at Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot

Land at Blandford House and Malta Barracks

- ** 22/00138/REMPP Development Site, Shoe Lane, Aldershot
- ** 22/00277/REMPP Land at Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot
- ** 22/00340/REMPP Land at Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot
- 22/00402/FULPP No. 244 Farnborough Road, Farnborough
- * The Head of Economy, Planning and Strategic Housing's Report No. EPSH2227 in respect of these applications was amended at the meeting.
- ** It was agreed that site visits would be arranged to these sites

18. **PLANNING APPLICATION NO. 00/00029/FULPP - ALDERSHOT BUS STATION, NO. 3 STATION ROAD, ALDERSHOT**

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. EPSH2227 (as amended at the meeting) regarding the demolition of the existing bus station and re-development of the site.

RESOLVED: That

Subject to the completion of a satisfactory Planning Obligation or Deed of Variation under Section 106 of the Town and Country Planning Act 1990 by 31st August 2022 or such other date as agreed by an extension of time to secure:

- (i) The stated financial contribution towards the maintenance of SPA avoidance and mitigation;
- (ii) The stated Public Open Space Contribution; and
- (iii) Financial viability re-assessment clauses in the event that the implementation and completion of the scheme is protracted and market conditions improve the value of the scheme;

the Head of Planning in consultation with the Chairman be authorised to **Grant** planning permission subject to the following conditions and informatives as set out in Report No. EPSH2227 (as amended at the meeting).

However, in the event that a satisfactory S106 Agreement is not received by 31st August 2022 or at a mutually agreed alternative date, the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not make satisfactory provision for public open space in accordance with Local Plan Policy DE6; make a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and Local Plan Policy NE1.

Also, in addition to the amended and additional conditions as set out in the Amendment Sheet (attached), further consideration be given to the removal of the

trees with TPO's, taking account of how the trees are disposed of after removal. A request was also made to add in the standard informative regarding Employment and Skills.

19. **PLANNING APPLICATION NO. 22/00282/FULPP - PHASE 5, NORTH TOWN REDEVELOPMENT SITE, LAND BOUNDED BY NORTH LANE, DEADBROOK LANE AND EASTERN ROAD, ADERSHOT**

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. EPSH2227 (as amended at the meeting) regarding the development of 30 affordable homes, to include a community space, parking access and landscaping.

RESOLVED: That

Subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 31st October, 2022 or such other date as agreed by an extension of time to secure:

- (i) A financial contribution (£35,164.50 + £3,882.58) towards the provision of maintenance and monitoring of SANG in respect of the net gain of 6 additional residential units in accordance with the Council's avoidance and mitigation strategy;
- (ii) A Public Open Space Contribution (£11,642.40);
- (iii) The provision of a temporary community facility sufficient to enable an appropriate range and level of community activity (prior to the demolition of the existing building, to be in place until the opening of the new community facility within the development); and;
- (iv) Securing, via a contractual arrangement to be first agreed, funding for a full-time community support worker or equivalent resource for a period of not less than five years from the date of first occupation of the development;

The Head of Economy, Planning and Strategic Housing in consultation with the Chairman be authorised to **Grant** planning permission subject to the conditions and informatives as set out in Report No. EPSH2227 (as amended at the meeting).

However, in the event that a satisfactory S106 Agreement is not completed by 31st October, 2022 or at a mutually agreed alternative date, the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not make a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and Local Plan Policy NE1.

20. APPEALS PROGRESS REPORT

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. EPSH2233 concerning the following appeals decisions:

| Application / Enforcement Case No. | Description | Decision |
|---|---|-----------------------------|
| 21/00856/TELEPP | Against notification that Prior Approval was required and refusal for the installation of a 20metre high monopole supporting six antennas and two transmission dishes, four equipment cabinets and development works ancillary thereto at land to the front of Nos. 82-86 Cove Road, at the junction of Bridge Road and Cove Road, Farnborough. | New Appeal to be Determined |
| 21/00074/FULPP | Against the refusal of planning permission for the construction of new Home Shopping storage areas and associated cold rooms, construction of a new click and collect canopy and associated steel works and works at ASDA, Westmead, Farnborough. | Dismissed |

RESOLVED: That the Head of Economy, Planning and Strategic Housing's Report No. EPSH2233 be noted.

21. ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT

| Enforcement Reference No. | Description of Breach |
|----------------------------------|--|
| 22/00030/RESWRK | <p>A complaint had been received regarding a porch that had been erected at No. 52 Sidlaws Road. The complainant alleged that the porch encroached on a neighbouring property.</p> <p>A site visit had been carried out and the owner had been advised that the pitched roof required planning permission. An application had not however been forthcoming.</p> <p>The matter of encroachment is a civil matter between landowners and the complainant had been advised of this.</p> <p>Notwithstanding the absence of a planning application, the</p> |

development as constructed was considered acceptable in planning terms. Material harm resulting from the development was not therefor considered to have occurred to the extent that enforcement would be expedient.

No further action will therefore be taken.

An update on enforcement matters had been provided:

| Enforcement Reference No.: | Update | Issue Date |
|-----------------------------------|--|--|
| 21/00158/GENWRK | An enforcement notice had been issued requiring the removal of unauthorised storage of tyres within the rear parking area at 183 Ash Road, Aldershot. | 27 July 2022 (with a compliance period of three months) |
| 21/00157/COUGEN | An enforcement notice had been issued requiring the cessation of the unauthorised material change of use of the domestic outbuilding to use for commercial purposes and the removal of a fence sub-dividing the residential garden at 185 Ash Road, Aldershot. | 15 July 2022 (with a compliance period of three months) |
| 22/00054/COUGEN | Planning Contravention Notices had been served on two separate owners of 146 Tongham Road, Aldershot in connection with a Council investigation of an alleged unauthorised change of use of the property. A response had been received from both owners of the property confirming that the unauthorised change of use had ceased. The situation would be monitored. | 4 July 2022 (with the requirement for a written response by 25 July 2022) |

RESOLVED: That the Head of Economy, Planning and Strategic Housing's Report No. EPSH2228 be noted.

22. **PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER APRIL TO JUNE 2022**

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. EPSH2229 which provided an update on the position with respect to achieving performance indicators for the Development Management Section of the

Planning Service and the overall workload of the Section for the quarter from 1st April to 30th June 2022.

RESOLVED: That the Head of Economy, Planning and Strategic Housing's Report No. EPSH2229 be noted.

The meeting closed at 8.37 pm.

CLLR CALUM STEWART (CHAIRMAN)

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**Development Management
Committee 14th September
2022**

**Head of Economy, Planning
and Strategic Housing
Report No. EPSH2234**

Planning Applications

1. Introduction

- 1.1 This report considers recent planning applications submitted to the Council, as the Local Planning Authority, for determination.

2. Sections In The Report

- 2.1 The report is divided into a number of sections:

Section A – FUTURE Items for Committee

Applications that have either been submitted some time ago but are still not ready for consideration or are recently received applications that have been received too early to be considered by Committee. The background papers for all the applications are the application details contained in the Part 1 Planning Register.

Section B – For the NOTING of any Petitions

Section C – Items for DETERMINATION

These applications are on the Agenda for a decision to be made. Each item contains a full description of the proposed development, details of the consultations undertaken and a summary of the responses received, an assessment of the proposal against current policy, a commentary and concludes with a recommendation. A short presentation with slides will be made to Committee.

Section D – Applications ALREADY DETERMINED under the Council's adopted scheme of Delegation

This lists planning applications that have already been determined by the Head of Economy, Planning and Strategic Housing, and where necessary with the Chairman, under the Scheme of Delegation that was approved by the Development Management Committee on 17 November 2004. These applications are not for decision and are FOR INFORMATION only.

- 2.2 All information, advice and recommendations contained in this report are understood to be correct at the time of publication. Any change in circumstances will be verbally updated at the Committee meeting. Where a recommendation is either altered or substantially amended between preparing the report and the Committee meeting, a separate sheet will be circulated at

the meeting to assist Members in following the modifications proposed. This sheet will be available to members of the public.

3. Planning Policy

- 3.1 Section 38(6) of the Town and Country Planning Act 1990 (as amended) requires regard to be had to the provisions of the development plan in the determination of planning applications. The development plan for Rushmoor comprises the Rushmoor Local Plan (February 2019), the Hampshire Minerals and Waste Plan (October 2013) and saved Policy NRM6 of the South East Plan.
- 3.2 Although not necessarily specifically referred to in the Committee report, the relevant development plan will have been used as a background document and the relevant policies taken into account in the preparation of the report on each item. Where a development does not accord with the development plan and it is proposed to recommend that planning permission be granted, the application will be advertised as a departure and this will be highlighted in the Committee report.

4. Human Rights

- 4.1 The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

5. Public Speaking

- 5.1 The Committee has agreed a scheme for the public to speak on cases due to be determined at the meeting (Planning Services report PLN0327 refers). Members of the public wishing to speak must have contacted the Meeting Coordinator in Democratic Services by 5pm on the Tuesday immediately preceding the Committee meeting. It is **not** possible to arrange to speak to the Committee at the Committee meeting itself.

6. Late Representations

- 6.1 The Council has adopted the following procedures with respect to the receipt of late representations on planning applications (Planning report PLN 0113 refers):
- a) All properly made representations received **before** the expiry of the final closing date for comment will be summarised in the Committee report. Where such representations are received after the agenda has been published, the receipt of such representations will be reported orally and the contents summarised on the amendment sheet that is circulated at the Committee meeting. Where the

final closing date for comment falls **after** the date of the Committee meeting, this will be highlighted in the report and the recommendation caveated accordingly.

- b) Representations from both applicants and others made **after** the expiry of the final closing date for comment and received **after** the report has been published will not be accepted unless they raise a new material consideration which has not been taken into account in the preparation of the report or draws attention to an error in the report.
- c) Representations that are sent to Members should not be accepted or allowed to influence Members in the determination of any planning application unless those representations have first been submitted to the Council in the proper manner (but see (b) above).
- d) Copies of individual representations will not be circulated to members but where the requisite number of copies are provided, copies of individual representation will be placed in Members' pigeonholes.
- e) All letters of representation will be made readily available in the Committee room an hour before the Committee meeting.

7. Financial Implications

- 7.1 There are no direct financial implications arising from this report. However, in the event of an appeal, further resources will be put towards defending the Council's decision. Rarely, and in certain circumstances, decisions on planning applications may result in the Council facing an application for costs arising from a planning appeal. Officers will aim to alert Members where this may be likely and provide appropriate advice in such circumstances.

Tim Mills
Head of Economy, Planning and Strategic Housing

Background Papers

- *The individual planning application file (reference no. quoted in each case) Rushmoor Local Plan (Adopted Feb 2019)*
- *Current government advice and guidance contained in circulars, ministerial statements and the National Planning Practice Guidance (NPPG).*
- *Any other document specifically referred to in the report.*
- *Regional Spatial Strategy for the South East, policy NRM6: Thames Basin Heaths Special Protection Area.*
- *The National Planning Policy Framework.*
- *Hampshire Minerals and Waste Plan (2013).*

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Section A

Future items for Committee

Section A items are for INFORMATION purposes only. It comprises applications that have either been submitted some time ago but are still not yet ready for consideration or are recently received applications that are not ready to be considered by the Committee. The background papers for all the applications are the application details contained in the Part 1 Planning Register.

| Item | Reference | Description and address |
|------|----------------|---|
| 1 | 20/00400/FULPP | <p>Development of site to create a leisure facility comprising aquatic sports centre including restaurant, indoor childrens' play area, equestrian centre and associated stabling; 9 floating holiday lodges (comprising 7 X -3-bedroom and 2 X 4-bedroom units) with associated car parking, landscaping and bund (revised proposals submitted 24 August 2022)</p> <p>Land At Former Lafarge Site Hollybush Lane Aldershot Hampshire</p> <p>Amended plans have been received reducing the extent of the residential accommodation proposed to enable SPA mitigation to be sought to address SPA impact and the applicants are currently seeking to acquire SANGS mitigation capacity from the Bramshot Lane SANG. In addition, this Committee has previously resolved that a Members' site visit will take place prior to consideration of this proposal.</p> |
| 2 | 21/00271/FULPP | <p>Erection of an extension to Kingsmead Shopping Centre; commercial, business and service uses on the ground floor (3,088sqm), 104 apartments over nine floors, private amenity space, 53 car parking spaces, up to 222 bicycle parking spaces, a bridge link and alterations to existing block 2 car park and the meads, a new entrance to The Meads shopping centre</p> <p>Block 3 Queensmead Farnborough Hampshire</p> <p>The application is subject to a request for an extension of time to consider further amendments.</p> |

| | | |
|----|----------------|---|
| 3 | 22/00193/OUTPP | <p>Outline Planning Application (with scale, layout, appearance and landscaping reserved for future consideration) for a mixed-use development, including demolition of all existing structures and erection of up to 1,006 residential units [Use Class C3] and non-residential floorspace comprising of the following mix of uses: leisure centre [Use Class E], hotel [Use Class C1], office floorspace [Use Class E], retail, commercial, healthcare, entertainment floorspace [Use Class E/Sui Generis] and community floorspace (including new library) [Use Class F1/F2]. Construction of two transport mobility hubs, associated infrastructure and highway works. Creation of new publicly-accessible open spaces including replacement skate park and associated access, servicing, landscaping and works</p> <p>Proposed Farnborough Civic Quarter Development Site Meudon Avenue Farnborough Hampshire</p> <p>Consideration of this application continues and it is too early for this item to be considered by Committee.</p> |
| 4a | 22/00068/REM | <p>PART APPROVAL OF RESERVED MATTERS: for the erection of 9 dwellings (Phase1), including internal access roads, public open space, parking, lighting and associated infrastructure, pursuant to Condition 3 (1-24) of Hybrid Outline Planning Permission 17/00914/OUTPP dated 15th May 2020.</p> <p>Blandford House And Malta Barracks Development Site, Shoe Lane, Aldershot, Hampshire</p> <p>Consideration of this application continues in the context of Phase 2, 3 and 4 and it is too early for this item to be considered by Committee.</p> |
| 4b | 22/00138/REMP | <p>PART APPROVAL OF RESERVED MATTERS: for the erection of 76 dwellings (Phase 2), including internal access roads, public open space, parking, lighting and associated infrastructure, following demolition of existing buildings and hardstanding, pursuant to Condition 3 (1-24) of Hybrid Outline Planning Permission 17/00914/OUTPP dated 15th May 2020.</p> <p>Blandford House And Malta Barracks Development Site, Shoe Lane, Aldershot, Hampshire</p> <p>Consideration of this application continues and it is too early for this item to be considered by Committee.</p> |

| | | |
|----|----------------|---|
| 4c | 22/00277/REMPP | <p>PART APPROVAL OF RESERVED MATTERS: for the erection of 11 dwellings (Phase 3), including internal access roads, public open space, parking, lighting and associated infrastructure, following demolition of existing building and hardstanding, pursuant to Condition 3 (1-24) of Hybrid Outline Planning Permission 17/00914/OUTPP dated 15th May 2020.</p> <p>Blandford House And Malta Barracks Development Site, Shoe Lane, Aldershot, Hampshire</p> <p>Consideration of this application continues and it is too early for this item to be considered by Committee.</p> |
| 4d | 22/00340/REMPP | <p>PART APPROVAL OF RESERVED MATTERS: for the erection of 71 dwellings (Phase 4), including access from Shoe Lane and Forge Lane, internal access roads, public open space, parking, lighting and associated infrastructure, following demolition of existing buildings and hardstanding, pursuant to Condition 3 (1-24) of Hybrid Outline Planning Permission 17/00914/OUTPP dated 15th May 2020.</p> <p>Blandford House And Malta Barracks Development Site, Shoe Lane, Aldershot, Hampshire</p> <p>Consideration of this application continues and it is too early for this item to be considered by Committee.</p> |
| 5 | 22/00480/FULPP | <p>Erection of an apartment building and ten terraced houses comprising a total of 17 dwellings (3 x 1-bed, 4 x 2-bed and 10 x 3-bed) with associated landscaping, parking and refuse storage, with vehicular access from Morris Road but refuse collection from Lynchford Road, following demolition of all buildings on site</p> <p>209-211 Lynchford Road, Farnborough, Hampshire</p> <p>This application has only recently been received and consultations are underway. It is therefore too early for this item to be considered by Committee.</p> |

Section B

There are no Items in this Section.

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The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

| | |
|------------------------------|--|
| Case Officer | Katie Ingram |
| Application No. | 22/00402/FULPP |
| Date Valid | 22nd July 2022 |
| Expiry date of consultations | 18th August 2022 |
| Proposal | Erection of a three-storey building with a commercial E-Class use unit on the ground floor and 2No. 2-bed flats on the upper floors with associated parking and refuse storage |
| Address | 244 Farnborough Road Farnborough Hampshire |
| Ward | Knellwood |
| Applicant | Mr Uddin |
| Agent | Mr N Griffin |
| Recommendation | Grant subject to s106 Planning Obligation |

Site Description

The application site is level and undeveloped and located on the eastern side of Farnborough Road in-between Nos.242 and 244 Farnborough Road, to the south of the Clockhouse Roundabout. The application site has a road frontage boundary to Farnborough Road of 7.45m wide to the and is 22m deep.

Adjoining the north site boundary is an 'L' shaped two-storey mixed commercial and residential building fronting the corner of Farnborough Road and the Clockhouse Roundabout : comprising 244-248 Farnborough Road and 1 Salisbury Road on the ground floor; and flats at 244A and 1A Salisbury Road on the first floor. The ground floor uses currently comprise a beauty salon, pharmacy and hot food takeaway.

Adjoining the south site boundary is 242 Farnborough Road, a two-storey building in use as a Funeral Directors. Beyond this is an electricity sub-station enclosed with high brick walls.To the east of the application site is No.3 Salisbury Road, a two-storey detached building used as a dental surgery. Opposite the site, on the western side of Farnborough Road, is the Max House SACO Aparthotel at No.2 Victoria Road.

The application site has a vehicular entrance via the small public car park on the corner of Salisbury Road and Rectory Road. This also serves 242 Farnborough Road and is a

pedestrian right of way for the occupants of flats at 244A Farnborough Road and 1A Salisbury Road. The site was previously used as an informal parking area for offices at 244 Farnborough Road, but has been boarded-up since 2006.

Relevant Planning History

There have been four lapsed planning permissions for a development of a similar design and scale to the one submitted as part of this application since 2006 - namely a two or three storey building built out to the side boundaries, with commercial use at ground floor and either commercial or residential above, served by parking in an undercroft arrangement at the rear.

| | | | |
|----------------|---|-------------------------|---|
| 06/00651/FUL | Erection of a two-storey building for class A2 use (Financial and Professional Services) with associated on site parking at the rear | Permitted 22.11.2006 | Not implemented, lapsed |
| 10/00002/FUL | Erection of a three-storey building comprising A2 Use on first and second floors with flexible use of either A1, A2, A3 or A5 (retail/restaurant/café) on ground floor with associated parking in an undercroft arrangement at the rear | Permitted 05.02.2010 | Not implemented, lapsed |
| 13/00103/EXTPP | Application to extend the time limit of Planning Permission 10/00002/FULPP for a further three years | Permitted 16.04.2013 | Not implemented, lapsed |
| 15/00039/FUL | Erection of a three-storey building with associated parking at the rear in an undercroft arrangement comprising flexible use of either A1, A2 or A3 (coffee shop) use on ground floor, either A2 or B1 (offices/services) use and a one-bedroom flat on first floor, and two studio flats on second floor, and associated parking and refuse storage | Permitted April 2016 | Not implemented, lapsed. This was due to inability to modify the extract flue serving the adjoining takeaway at 1 Salisbury Road to discharge further away from the approved flats. |

In July 2020, planning permission was refused for a building of a similar scale and design to that approved in 2010, 2013 and 2016, but with larger 2-bedroom flats on the upper floors with habitable rooms re-located to the front of the building to avoid impact from the takeaway extraction flue; 20/00127/FULPP. The reasons for refusal were as follows:-

- 1. The proposal does not provide the required number of off-road residential parking spaces under the adopted Rushmoor Borough Council Parking Standards SPD (2017) and would not meet the operational needs of the proposed development. It also fails to demonstrate that adequate cycle storage for the residential use of the site can be provided. It is therefore contrary to Policy IN2 of the Rushmoor Local Plan (2019) and Principles 3, 6 and 18 of the Rushmoor Car and Cycle Parking Standards SPD (2017).*
- 2. The proposed development, by reason of lack of available space in the communal*

service yard because it is shared with the adjoining building 244-248 Farnborough Road, 244A Farnborough Road and 1 and 1A Salisbury Road, has failed to demonstrate that it can provide adequate refuse storage areas for the proposed building and this would have a materially adverse impact on occupant amenity and in this regard the proposal is contrary to Policy IN2 of the Rushmoor Local Plan (2019).

- 3. The proposal fails to make provision for an appropriate Special Protection Area Mitigation and Avoidance contribution towards suitable accessible natural green space, and strategic access management measures in order to address the impact of the proposed development upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposal is thereby contrary to the requirements of the Habitats Regulations, Policy NE1 of the adopted New Rushmoor Local Plan (2014-2032) and saved Policy NRM6 of the South East Plan.*

The appeal against this refusal was dismissed in February 2021, with the Inspector upholding the reason for refusal in respect of the refuse storage area in the shared rear yard of Nos.244 to 248 Farnborough Road and 1 Salisbury Road, stating that there were a number of competing demands that would result in inadequate refuse provision for the development. However, the Inspector did not uphold the Council's refusal on parking grounds.

The Current Application Proposals

The current proposal is seeking permission for a building of the same size, height and overall design as the dismissed appeal scheme (20/00127/FULPP), but there is a different parking and refuse storage arrangement to address the Inspector's concerns; and the room layout of the flats has also been changed.

The proposed new building would be three storeys with a flat roof, with the second floor recessed by 1.5m. The ground floor would be occupied by a commercial unit (Use Class E) and the upper levels would be occupied by a 2-bedroom flat on each floor. The proposed flats would be reached via the external staircase to first-floor level currently serving flats 244A Farnborough Road and 1A Salisbury Road; and then with an internal staircase within the new building to the second floor. One parking space for each flat would be provided in an undercroft area at ground level to the rear of the proposed building. Refuse and cycle storage would also be in this area. The building would have a depth of 17m and a width of 7.45m with a maximum height of 9.4m.

The ground floor commercial unit would have a shop front with display windows and an internal area of 70sqm. The first floor flat would have an internal floor area of 109sqm, and the second floor flat would have an internal floor area 97sqm. External materials would comprise white rendered walls to the front and sides, with grey cladding to the third level.

The application is accompanied by an Acoustic Report and a Design and Access Statement.

Consultee Responses

Ecologist Officer Recommends receipt of mapped document to demonstrate that there will be no net loss of biodiversity resulting from the development.

Scottish & Southern No comments received.
Energy

| | |
|-----------------------------------|---|
| Parks Development Officer | No objection subject to stated contribution. |
| HCC Highways Development Planning | No objection subject to submission of a construction traffic management plan. |
| Environmental Health | No objection subject to pre commencement condition requiring details of measures to protect building from external noise and odours. |
| Contracts Management | No objection. |
| Planning Policy | No objection. |
| Thames Water | Advises that the development incorporate sustainable drainage systems unless clear evidence that this is inappropriate. Recommends informative around taking care of nearby underground waste-water assets and securing a groundwater risk management permit to demonstrate what measures will be undertaken to minimise groundwater. |

Neighbours notified

In addition to posting a site notice, individual letters of notification were sent to 10 adjoining properties on Farnborough Road and Salisbury Road.

Neighbour comments

Five representations have been received, raising objections on the following grounds:

| | |
|--|--|
| 7 Salisbury Road | It is a very small plot that will overlook rear of my property which I already have the pleasure from other flats |
| 242 Farnborough Road (Ford Mears and Partners) | The rear access is too narrow for lorries to go down, the site is too small to develop safely. We are funeral directors we need 24 HOUR ACCESS. The parking allowed in the planning is totally inadequate for the building in the planning two flats plus commercial ground floor. We feel granting this planning would restrict our business from functioning properly. |
| 6 Elsenwood Crescent, Camberley | Writes as owners of Nos.244/244A and 246 to 248 Farnborough Road, and 1/1A Salisbury Road. 1) The joining property has no legal right over the staircase of our properties. 2) The access to the upper development should be from their own property not from ours. 3) It's already being used by two flats occupied by two families consisting eight people. |

4) We own 244,246,248 Farnborough Rd and 1 & 1A Salisbury Rd.

1A Salisbury Road, Farnborough I would like to register my objection as the staircase would be overcrowded in case of emergency. I have been informed that the owners of adjoining Land have no legal rights to the staircase.

Flat at 244 Farnborough Road I have 12 years lease of the shop and I live with my family consisting of 4 people. I hereby object to the application to avoid any overcrowding of the staircase. My landlord also informed me that owners of the joining Land do not have any legal rights to the staircase

Policies and determining issues:

The site is located within the defined built-up area of Farnborough. Farnborough Road is a designated Green Corridor. Policies SS1 (Presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), IN1 (Infrastructure and Community Facilities), IN2 (Transport), IN3 (Telecommunications), DE1 (Design in the built environment), DE2 (Residential Internal Space Standards), DE3 (Residential Amenity Space Standards), DE10 (Pollution), LN7 (Retail Impact Assessment), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE4 (Biodiversity), NE6 (Managing Fluvial Flood Risk) and NE8 (Sustainable Drainage Systems) of the Rushmoor Local Plan (2014-2032) are relevant to the determination of the application. Also of relevance is the Rushmoor Car and Cycle Parking Standards Supplementary Planning Document (SPD), the Shop Front Design Guide (2015) and policy in the National Planning Policy Framework (amended 2021).

The main determining issues of this application are:

1. Principle of development
2. Impact on appearance and character of the site and surrounding area
3. Impact on neighbouring amenity
4. The living environment created
5. Highways and parking considerations
6. Open Space provision
7. Flooding and drainage
8. Impact on wildlife.

Commentary

1. Principle of development -

The site is not located within or adjacent to a Conservation Area; and nor is it near or within the curtilage of a Listed Building.

The Inspector's decision and commentary on refused application 20/00127/FULPP is an important material consideration in the determination of this application. In his decision letter dated 25 February 2022, he considered the main issues of the application to be:

- Whether the proposal makes adequate provision for off-road vehicle and cycle parking
- Whether the proposal makes adequate provision for refuse storage; and
- The effect of the proposed development on the integrity of the Thames Basin Heaths Special Protection area

The previous approvals outlined in the planning history set out earlier in this Report were of a similar design, scale and massing as that proposed in this application, and are also an important material consideration to the determination of the application. It is acknowledged however that since the last approval in January 2016, the Council has adopted the new Rushmoor Local Plan 2014-2032 (in February 2019) and the Rushmoor Car and Cycle Parking Standards SPD in February 2017 replacing the previous development plan which is also a material consideration.

The site proposes a commercial Use Class E unit that could be a retail use. Policy LN7 (Retail Impact Assessments) states that any retail proposal deemed to have the potential to have a significant adverse impact and that is within 500 metres of a town centre or local neighbourhood facility will be required to carry out a retail impact assessment. Paragraph 87 of the NPPF and Policy SS2 of the Rushmoor Local Plan also require a sequential test for main town centres uses outside the town centre boundaries. However, as a result of the small size of the proposed commercial use and its proximity to the town centre, the Council's Planning Policy Manager has commented that a retail impact assessment or a sequential test is not considered necessary in this case.

It is considered that the principle of the proposed development is acceptable in this location subject to satisfactory compliance with development control criteria and resolution of the issues raised by the Planning Inspector with refused application 20/00127/FULPP.

2. Impact on appearance and character of the site and surrounding area -

Policy DE1 (Design in the Built Environment) states that new development, where relevant to the proposal, should include high-quality design that respects the character and appearance of the local area, respects established building lines, takes account of adjacent building heights, fenestration, roof and cornice lines, uses materials sympathetic to local character, includes a level of architectural detail that gives the building visual interest for views both near and far, makes a positive contribution to the public realm facing the street and animating it and demonstrates through a design and access statement that the wider context has been factored into the proposals with regards to scale, massing, layout, surrounding uses and materials.

The main visual impact of the building would be to Farnborough Road. The adjoining building Nos.244-248 is a two-storey flat-roofed building comprising two shop fronts with moulded timber framed display windows and the first-floor elevations have top-hung windows surrounded by a glazed tiled façade. The building has decorative elements such as pilasters and string coursing. No. 242 Farnborough Road abutting the southern site boundary is also a two-storey building with a fully hipped roof and two storey side extension, finished with off white render and a brown concrete tiled roof.

The proposed building is identical in mass and bulk to that previously presented to the Council for determination and approval since 2010. The proposed building would not be attached to Nos.244 or 242 - there would be 0.2m and 0.3m gaps respectively; and the proposed new building would match the front building line. It would be three storeys in height with a flat roof, with the third storey set-back from the front elevation by 1.5m, and clad in a light grey cladding to reduce the visual prominence of the third storey. Overall, the proposed building would be 1.25m taller than the adjoining building to the north and 0.9m taller than the building to the south. The second storey would match the height of Nos.244-248 Farnborough Road. The building would fill a noticeable gap in the street frontage between Nos.244 and 242 Farnborough Road. The submitted plans show that the first-floor windows would match the

first-floor window heights of Nos.244 to 248 Farnborough Road. External materials would be off white render with a light grey cladding on the third storey, which are considered to be acceptable and to provide further consistency with the external appearance of the existing adjoining buildings. Other design details adding interest to the proposed elevations, such as stone coping and roof materials, as well as the details of external materials such as window frames, can be secured by condition prior to commencement. It is also considered that the shop front would benefit from a stall riser to match adjoining building and confirmation of these details can also be secured by condition.

The rear of the building would also be viewed from Salisbury Road through a gap between Nos.1 and 3 Salisbury Road. The building would be set back from the side elevation of 1 Salisbury Road by 3.8m and would not appear disproportionate to the site or overly cramped as seen in this more distant view.

It is noted that this scheme is very similar to the design and scale of the application 20/00127/FULPP. The Inspector did not raise any design concerns in his decision.

It is considered that the proposed scheme would have an acceptable impact on visual amenities of the site and surrounding area in terms of its external design and appearance. It therefore complies with Policy DE1 of the Rushmoor Local Plan (2014-2032) and meets the requirements of the Rushmoor Shop Front Design Guide Supplementary Planning Document (2015).

3. Impact on neighbouring amenity -

The nearest residential properties are the first-floor flats in the building to the north, Nos.244A Farnborough Road and 1A Salisbury Road. These are entered via an external staircase and walking platform attached to the rear of the building at first-floor level. The other nearest residential property is No.7 Salisbury Road, 26m to the southeast.

The proposed building would extend rearwards from the front property boundary by 17m. It is acknowledged that the building will therefore have some impact to the south facing kitchen window in the side elevation of the first-floor flat at 1A Salisbury Road in terms of sense of enclosure and loss of light. However, a building of the general footprint and massing has been approved on the site as two stories since 2006; and as three stories since 2010. When the application for the flat at 1A Salisbury Road was considered in 2007 (07/00630/COU 'External alterations and conversion of existing offices to one 1 bedroom flat and one 2 bedroom flat'), the resultant relationship between the flat and the approved building on the application site was considered to be acceptable and permission was subsequently granted to 1A Salisbury Road. Although the proposed building is now of three storey height, it is considered that the impact on No.1A would not be materially different that of a two storey building. It is also noted that the flat at 1A Salisbury Road has a dual aspect to Rectory Road/Clockhouse Roundabout and, as such, derives daylight from other elevations unaffected by the current proposed development.

The proposed new building would have one obscure window on each side elevation at first floor level serving a bathroom and communal circulation space. These can be conditioned to be obscure glazed in the event of approval.

The first-floor flat above 244-246 Farnborough Road (244A Farnborough Road), which is closest to the application site, has windows in its rear elevation which serve a WC, a bathroom and a hallway with all windows serving habitable rooms overlooking Farnborough Road or

Rectory Road. The proposed new building would extend beyond this flat by 8m. However, given that these windows serve non-habitable rooms, and having regard to the fact that the Planning Inspector did not raise an issue with the impact of the building on neighbouring amenity in February 2022, the resultant relationship between the proposed building and this flat is not considered to result in a harmful loss of amenity to these occupiers that could reasonably justify refusal of the application. There are no windows on the northern elevation to habitable rooms that would result in any overlooking.

There will be some loss of light to the courtyard to the rear of Nos. 244 to 248 and 1 Salisbury, but this serves largely as a commercial refuse and plant storage area for the ground floor units and is not used as residential amenity space.

With regard to the impact on the occupiers of No.242 Farnborough Road, the new building remains located to the north of the existing building and therefore would have little impact upon direct sunlight. It would project 6.5m beyond the rear elevation. However, given the approved building relationship and the commercial use of the premises at ground and first floor level, it is considered that the loss of outlook or amenity resulting from the proposal would not warrant the refusal of planning permission.

The rear elevation of the building would be 9m from the boundary with No.3 Salisbury Road. This building is in use entirely as a dental surgery and there would be no material impact on the amenities of users of this neighbouring non-residential building.

The building would be 26m from the rear garden of No. 7 Salisbury Road. Views from the first and second floor rear windows would be oblique and it is considered that, given the separation distances involved, the impact to neighbouring amenity would also be acceptable in planning terms.

It is considered that the overall impact of the proposed development on neighbouring amenity is acceptable in planning terms and the application therefore accords with Policy DE1 of the Rushmoor Local Plan.

4. The Living Environment created -

The proposed first floor flat has two double bedrooms and an internal floor area of 109sqm, which meets the minimum floor, storage area and bedroom size requirements of Local Plan Policy DE2 'Internal Residential Space Standards' : a minimum of 70sm is required. There is no balcony or other private amenity space for the flat. However, more than the minimum 5sqm additional internal floor space is provided as compensation as is allowed by the Policy. The proposed second floor flat would have an internal floor area of 97sqm and a front terrace area of 7sqm, which would also meet the required policy standards.

The application has been accompanied by a Noise Impact Assessment report that concludes that the proposed glazing would provide a satisfactory internal noise environment for potential occupiers. The Environmental Health Officer is satisfied that this would be the case subject to imposition of a condition to require the submission of details of noise insulation measures to the Council for approval to ensure the internal living environment would be satisfactory.

The rear facing windows serve the combined kitchen/living room/dining rooms. There is a commercial extraction flue at the rear of 1 Salisbury Road that would be 3m from these windows with the potential to cause odour and noise nuisance for future occupants. This is contrary to DEFRA guidance that requires that the vent of such extraction systems must be at

least 1m above the roof ridge of any building within 20m of the building housing the commercial kitchen. The applicant has proposed the installation of a Mechanical Heat and Ventilation Recovery Unit with intake at a high level a suitable distance away from the flue and in principle, subject to further details that can be secured by a condition, this solution is considered acceptable by the Council's Environmental Health Officer.

Refuse storage areas for all uses on the site would be located in the ground floor undercroft area, and not in the rear yard of the adjoining property Nos.244-248 Farnborough Road, overcoming the reason for refusal of application 20/00127/FULPP and the Inspector's dismissal of the appeal.

5. Parking and highways considerations -

The Rushmoor Car and Cycle Parking Standards require 2 spaces be provided for a two-bedroom dwelling. This application proposes 2 parking spaces in the undercroft area to serve the proposed flats and the refuse and secure cycle storage area is also proposed to be situated in the undercroft area.

Refused application 20/00127/FULPP proposed 3 spaces in the undercroft area comprising one space each for the two-bedroom flats and one space for the commercial unit. Although the Planning Inspector dismissed the appeal, the Inspector did not uphold the Council's reason for refusal on the grounds of lack of adequate parking provision. The Inspector concluded that the proposed provision of 1 residential vehicle space per flat would be consistent with policy guidance in the NPPF to encourage the use of public transport and unlikely to have an adverse effect on highway safety or occupant amenity given the proximity of the site to the town centre and train station and the apparent lack of street parking problems in the vicinity. On this basis it is considered that the proposed on-site parking provision is acceptable.

The application has been reviewed by the County Highway Authority. They have concluded that the vehicular trip generation would not have a severe detrimental impact on highway network and have raised no objection to the scheme, subject to the agreement of a Construction Management Plan prior to commencement of development.

It is considered that parking for the commercial use will be able to make use of the existing nearby public parking without have a detrimental impact on highway safety that would warrant a reason for refusal.

The undercroft area would have a total width of 7.2m wide and 7m depth. The marked parking bays are of the acceptable dimensions. The proposed refuse storage area is also considered to be of adequate size. The covered cycle storage area measures 1.52m x 0.9m and can accommodate 4 bikes securely. It is considered that the proposed parking layout satisfactorily demonstrates that the proposed parking can be accommodated without blocking access to the adjacent business to the south.

An objection has been received from the operators of the funeral directors at 242 Farnborough Road to the effect that they consider the rear access is too narrow for construction lorries; the site is too small to be developed safely; and that the parking provided is inadequate. However, it is long-standing Government guidance that planning permissions cannot be refused on account of the impacts arising from the construction period of a development. It is considered that the Construction Management Plan to be required by condition would be able to address such issues as far as is possible given the evident constraints of the site.

Given the Inspector's decision on this site, it is considered that the application is acceptable in highway terms.

6. Open space provision -

The Local Plan seeks to ensure that adequate open space provision is made to cater for future residents in connection with new residential development. Policy DE6 requires a contribution to be made towards the enhancement and management or create of open space, for part or all of the open space requirement.

The Council's Parks Development Officer has reviewed the scheme and considers that a financial contribution towards general park improvements including landscaping, furniture, footpaths and playing ground improvements at Rectory Road Recreation Ground, or Queen Elizabeth Park would be appropriate, to be secured by a s106 Planning Obligation. The applicant is in the process of completing such an agreement. The application is therefore considered acceptable within the terms of Policy DE6 subject to the satisfactory completion of the necessary s106 Planning Obligation.

7. Flooding and drainage issues -

The site is located in Flood Zone 1 i.e. land at least risk of flooding and comprises existing hardstanding. Thames Water have reviewed the application and advise that the development incorporate sustainable drainage systems unless there is clear evidence that this is inappropriate. The method of drainage can be secured through a Permit process with Thames Water and there will be informatives provided in the event of approval to remind the applicant of their obligations.

The application is therefore satisfactory with regards to Local Plan Policy NE8 requirements.

8. Impact on wildlife -

On site biodiversity –

Farnborough Road is designated as a Green Corridor by Policy NE2. The application has been reviewed by the Council's Ecology Officer who has stated the following:

'The proposed development includes some vegetation and brown field habitats that may provide a biodiversity resource in an otherwise fairly urban environment. The footprint appears to occupy the majority of the development site. No information has been presented as to how the existing ecology value of the site will be maintained or enhanced. Paragraph 174 of the NPPF (amended July 2021) makes it clear that "planning policies and decision should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity, including by establishing a coherent ecological network that are more resilient to current and future pressures". Demonstration of no net loss of biodiversity and proposals for biodiversity net gain should be clearly recorded and reported through use of an appropriate metric such as the DEFRA Small Sites Biodiversity Metric. Natural England advises that any net gain should be fully secured and funded for the lifetime of the development. Documentation should be submitted in support of this application that clearly demonstrates that the proposed development will not result in a net loss for biodiversity as an absolute minimum and seeks measurable net gains. An appropriately detailed and mapped document, written by a suitably qualified ecologist to demonstrate that no net loss of

biodiversity will result from the proposed development and that measurable net gains, secure for the lifetime of the development is sought, prior to determination of this application’.

Subject to receipt of the documentation and no objections or further information being required in this respect from the Council’s Ecology & Biodiversity Officer, it is considered that the proposed development would satisfactorily address the requirements of adopted Local Plan Policies NE2 (Green Corridors) NE4 (Biodiversity) and the requirements of the NPPF (amended July 2021).

Thames Basin Heath Special Protection area –

The project the subject of the current planning application would result in a net increase of dwellings within 5 km of a boundary of part of the Thames Basin Heaths SPA. In line with Natural England guidance and adopted New Rushmoor Local Plan Policy NE1 and Thames Basin Heaths Avoidance & Mitigation Strategy, a permanent significant effect on the SPA due to an increase in recreational disturbance as a result of the proposed new development is likely. As such, in order to be lawfully permitted, the proposed development will need to secure a package of avoidance and mitigation measures.

Rushmoor Borough Council formally adopted the latest version of the Thames Basin Heaths SPA Avoidance & Mitigation Strategy (AMS) in 2021. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

The AMS comprises two elements. Firstly the maintenance of Suitable Alternative Natural Greenspace (SANG) in order to divert additional recreational pressure away from the SPA; and, secondly, the maintenance of a range of Strategic Access Management and Monitoring Measures (SAMMs) to avoid displacing visitors from one part of the SPA to another and to minimize the impact of visitors on the SPA. Natural England raises no objection to proposals for new residential development in the form of Standing Advice provided that the mitigation and avoidance measures are in accordance with the AMS.

In order to meet the requirements of Policy NE1 and the AMS applicants must:-

- (a) secure an allocation of SPA mitigation capacity from either the Council’s SANGS schemes, or from another source acceptable to Natural England and to the Council; and
- (b) secure the appropriate SANG and/or SAMM in perpetuity by making the requisite financial contribution(s) by entering into a satisfactory s106 Planning Obligation that requires the payment of the contribution(s) upon the first implementation of the proposed development.

These requirements must be met to the satisfaction of Natural England and Rushmoor Borough Council (the Competent Authority) before the point of decision of the planning application.

In this case the applicants have provided written evidence that they have acquired SANGS capacity from the Hart District Council Bramshot Farm SANGS scheme sufficient for the new dwelling units proposed. Furthermore, the applicants are also seeking to secure a financial contribution towards SAMM by way of a s106 planning obligation submitted to Rushmoor BC requiring payment of this additional SPA financial contribution upon the implementation of the

proposed development.

On this basis, the Council are satisfied that, subject to the receipt of a satisfactory completed s106 Planning Obligation, the applicants will have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of New Rushmoor Local Plan Policy NE1 and the AMS. Accordingly, it is considered that planning permission could then be granted for the proposed development on SPA grounds.

Conclusions -

The proposals, both residential and commercial components, are considered acceptable in principle and in highway terms; would have no material and harmful impact upon the overall visual character and appearance of the area; would have no material and adverse impact on neighbours and would provide an acceptable living environment, subject to condition; and subject to financial contributions being secured in respect of Special Protection Area mitigation and avoidance and Public Open Space with a s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area and appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. Subject to receipt of a report confirming no net loss of biodiversity as a result of the development and no further objection from the Council's Ecology Officer the application would not result in harm with regards to biodiversity impacts. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, DE6, IN2, DE11, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

Full Recommendation

It is recommended that subject to:-

- a) The completion of a satisfactory s106 Planning Agreement between the applicants and Rushmoor Borough Council by 25 October 2022 or unless otherwise agreed by an extension of time, to secure the required SPA SAMM and Public Open Space financial contributions as set out in the report; and
- b) Receipt of a document produced by a suitably qualified ecologist demonstrating no net loss of biodiversity and the Council's Ecology & Biodiversity Officer confirming they have no objections to the proposal as set out in the report, by 25 October 2022 or unless otherwise agreed by an extension of time, and imposition any additional condition(s) considered necessary in that respect;

the Head Economy, Planning and Strategic Housing in consultation with the Chairman be authorised to **GRANT** planning permission subject to the following conditions and informatives:-

In the event that no satisfactory s106 Agreement and/or biodiversity submissions are received by 25 October 2022 and no extension of time has been agreed, the Head of Economy, Planning and Strategic Housing be authorised to Refuse planning permission on the grounds that the proposal does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and adopted Rushmoor Local Plan Policy NE1; does not make appropriate provision for Public Open Space in accordance with the requirements of adopted Rushmoor Local Plan

Policy DE6 and/or results in a net loss of biodiversity in accordance with the requirements of the National Planning Policy Framework (amended July 2021) and Local Plan Policy NE4.

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

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to reflect the objectives of the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy as amended August 2019 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

- 2 The permission hereby granted shall be carried out in accordance with the following approved drawings Drawing numbers: 101 Rev B Location and Block Plan, 100 Existing Ground floor plan, 101 Existing first floor plan, 102 Existing roof plan, 103 Existing front and rear elevations (adjoining), 104 Existing side elevations (adjoining), 200 Rev C Proposed ground floor plans, 201 Rev B Proposed first floor plan, 202 Rev D proposed second floor plan, 203 Rev C Proposed roof plan, 204 Rev C Proposed front/rear elevations, 205 Rev C Proposed side elevations, 208 Parking Plan.

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

- 3 Notwithstanding any details submitted as part of this application, prior to commencement of the development a schedule and/or samples of the following materials to be used in the proposal shall be submitted to, and approved in writing by, the Local Planning Authority. Those elements of the development shall be carried out using the materials so approved and thereafter retained:

External walls
Roofing materials
Window frames

Reason - To ensure satisfactory external appearance*.

- 4 Surfacing of access driveways, forecourts or other paths and hardsurfaces within the development hereby approved shall not start until a schedule and/or samples of the surfacing materials to be used for them have been submitted to, and approved in writing by, the Local Planning Authority. Those elements of the development shall be carried out using the materials so approved and thereafter retained

Reason - To ensure satisfactory external appearance and drainage arrangements*.

- 5 Prior to first occupation of the ground floor of the building and notwithstanding any details submitted with the application, details of the shop front shall be submitted in writing to the Local Planning Authority for approval to include a stall riser. Once approved the shop front shall be installed in accordance with these details and thereafter retained.

Reason - In the interests of visual amenity and to ensure compliance with the Rushmoor Shop Front Design Guide SPD (2015).*

- 6 No development shall start on site until a construction traffic management plan has been submitted to and approved in writing by the Planning Authority, which shall include:
- (a) A programme of and phasing of demolition (if any) and construction work;
 - (b) The provision of long term facilities for contractor parking;
 - (c) The arrangements for deliveries associated with all construction works;
 - (d) Methods and phasing of construction works;
 - (e) Access and egress for plant and machinery;
 - (f) measures to mitigate impacts on neighbouring highways; and
 - (g) details of wheel water spraying facilities;
 - (h) Protection of pedestrian routes during construction;
 - (i) Location of temporary site buildings, compounds, construction material, and plant storage areas; Demolition and construction work shall only take place in accordance with the approved method statement.

Reason - In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.*

- 7 The development hereby approved shall not be occupied until measures to protect buildings from traffic or other external noise and odours including extraction flue serving 1 Salisbury Road have been implemented in accordance with a scheme to include, for example, double glazing and MHAV units, which have been first submitted to and approved in writing by the Local Planning Authority.

Reason - To protect the amenity of the occupiers of the development.*

- 8 Should the ground floor commercial unit be occupied by a hot-food preparation business details of the system for the extraction of odours on the premises must be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of that use.

Reason - To safeguard the amenities of the area.*

- 9 The development hereby approved shall not be occupied until the garaging/off-street parking facilities and cycle parking facilities shown on the approved plans have been completed and made ready for use by the occupiers. The parking facilities shall be thereafter retained solely for vehicle and cycle parking purposes (to be used by the occupiers of, and visitors to, the development).

Reason - To ensure the provision and availability of adequate off-street parking.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order (2105) (England) as amended, (or any other Order revoking or re-enacting that Order) the ground floor unit shall be used only for the purpose of Commercial E Use Class; and for no other purpose, without the prior permission of the Local Planning Authority.

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

11 Notwithstanding the details shown on the submitted plans, the first and second floor windows on the northern and southern elevations of the development hereby approved shall be fitted with obscure glass and fixed closed with the exception of:

o High level windows with a cill height not less than 1.7m above the internal floor level of the room.

o Opening top light windows forming the upper part of a larger window where the horizontal division is no less than 1.7m above the internal floor level of the room, and where the section below the division is obscurely glazed and fixed closed.

Reason - To prevent overlooking and loss of privacy to neighbouring residential properties.

12 Commercial refuse collections shall only take place from the premises between the hours of 0700 to 1900 Monday to Friday.

Reason - To safeguard the amenities of neighbouring occupiers.

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

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

14 Prior to the first occupation of any part of the building, the refuse storage facilities as shown on the approved plans shall be provided and made available for use. The refuse storage facilities shall thereafter be retained for their designated purpose.

Reason - To preserve the privacy and amenities of neighbouring property.

15 Prior to commencement of development details of measures to incorporate Sustainable Drainage Systems (SUDS) into the new built development shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented in full prior to the first occupation of the development and retained in perpetuity.

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

Informatives

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

2 INFORMATIVE – The Council has granted permission because the proposals, both residential and commercial components, are considered acceptable in principle and in

highway terms; would have no material and harmful impact upon the overall visual character and appearance of the area; would have no material and adverse impact on neighbours and would provide an acceptable living environment, subject to condition; and subject to financial contributions being secured in respect of Special Protection Area mitigation and avoidance and Public Open Space with a s106 Planning Obligation, the proposals would have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area and appropriately address the Council's adopted Local Plan Policy DE6 concerning Public Open Space. Subject to receipt of a report confirming no net loss of biodiversity as a result of the development and no further objection from the Council's Ecology Officer the application would not result in harm with regards to biodiversity impacts. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, DE6, IN2, DE11, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

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

- 3 INFORMATIVE – This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 4 INFORMATIVE – Your attention is specifically drawn to the conditions marked *. These condition(s) require either the submission and approval of details, information, drawings etc. by the Local Planning Authority BEFORE WORKS START ON SITE, BEFORE SPECIFIC ELEMENTS OF THE PROPOSAL ARE CARRIED OUT or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING.

Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out WITHOUT PLANNING PERMISSION.

The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.

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

- 6 INFORMATIVE – The planning permission hereby granted does not authorise the applicant, or his agents, to construct a new/altered access to, or other work within, the public highway. A separate consent for works within the highway must first be obtained from the highway authority who may be contacted at the following address:- Hampshire County Council Highways Sub Unit, M3 Motorway Compound, Hook, Hampshire, RG27 9AA.
- 7 INFORMATIVE – Measures should be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway throughout the construction period.
- 8 INFORMATIVE – No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Head of Operational Services for advice.
- 9 INFORMATIVE – The applicant is advised that there may be a need to comply with the requirements of the Party Wall (etc.) Act 1996 before starting works on site. The Party Wall (etc.) Act is not enforced or administered by the Council but further information can be found on the Planning Portal website <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance> and you are able to download The Party Wall Act 1996 explanatory booklet.
- 10 INFORMATIVE – The applicant is requested to bring the conditions attached to this permission to the attention of all contractors working or delivering to the site, in particular any relating to the permitted hours of construction and demolition; and where practicable to have these conditions on display at the site entrance(s) for the duration of the works.
- 11 INFORMATIVE – In order to avoid risk arising from overbuilding of the gas network, the applicant is advised to check their proposals against the information at <https://www.linesearchbeforeudig.co.uk> and contact the Plant Protection Team at Scotland Gas Networks Plc plantlocation@sgn.co.uk Tel: 0800 912 1722
- 12 INFORMATIVE – The applicant is advised to read Thames Water guide on working near or diverting TW pipes <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

The development is located within 15m of underground waste water assets and as such could cause the assets to fail if appropriate measures are not taken. Please read TW guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you are considering working above or near Thames Water pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-yourdevelopment/Working-near-or-diverting-our-pipes>

For further information contact developer.services@thameswater.co.uk 0800 009 3921 M to F 0800 to 1700.

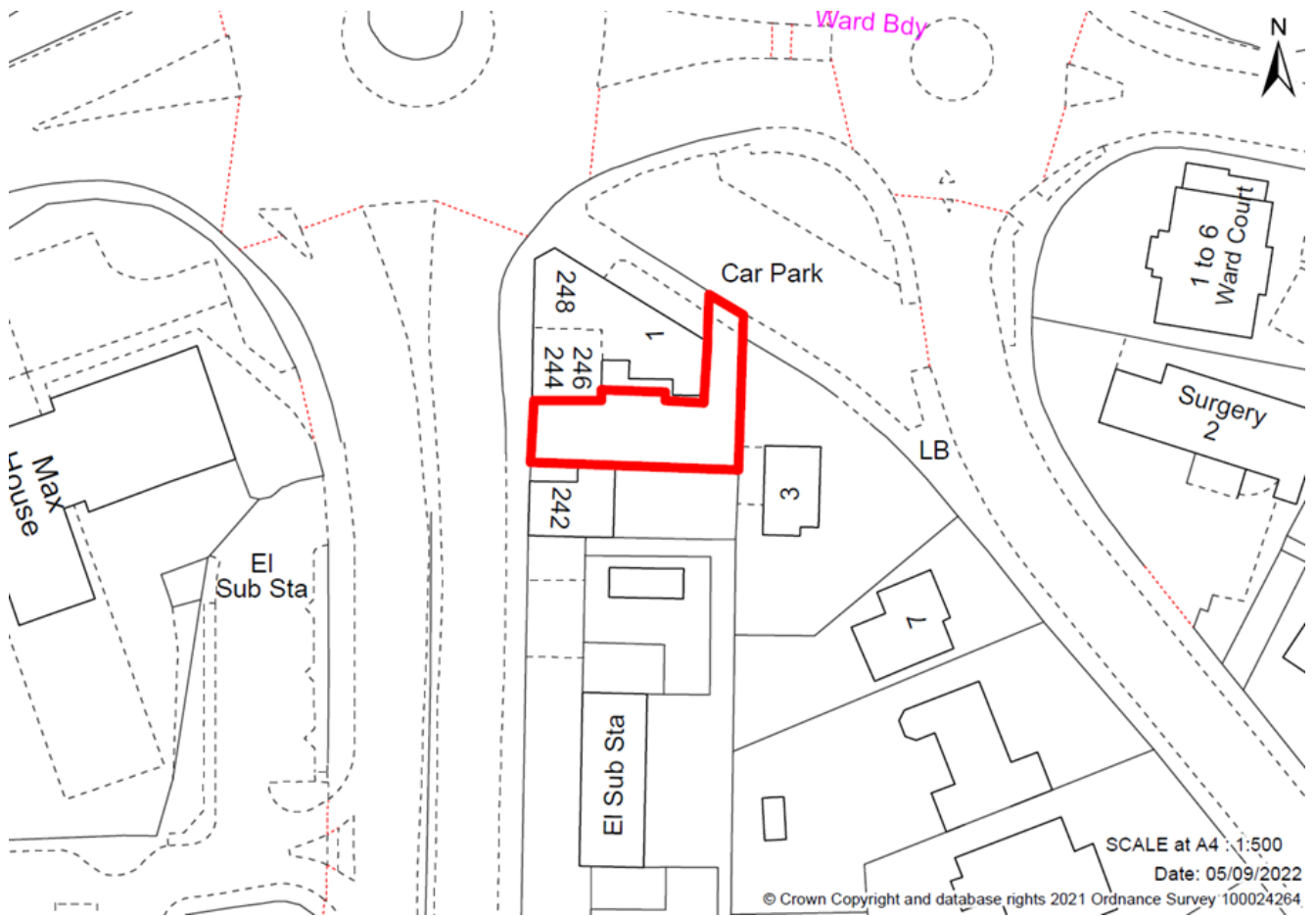
- 13 INFORMATIVE – Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should further information be required please refer to the TW website:

<https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/workingnear-our-pipes>

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. The developer must demonstrate what measures will be undertaken to minimise ground water discharges into the public sewer. Permit enquiries should be directed to TW Risk Management Team on 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk referring to the Wholesale:Business Customers: Groundwater discharges section.

Water supply within the area is covered by the South East Water Company. Tel 01444 448200.

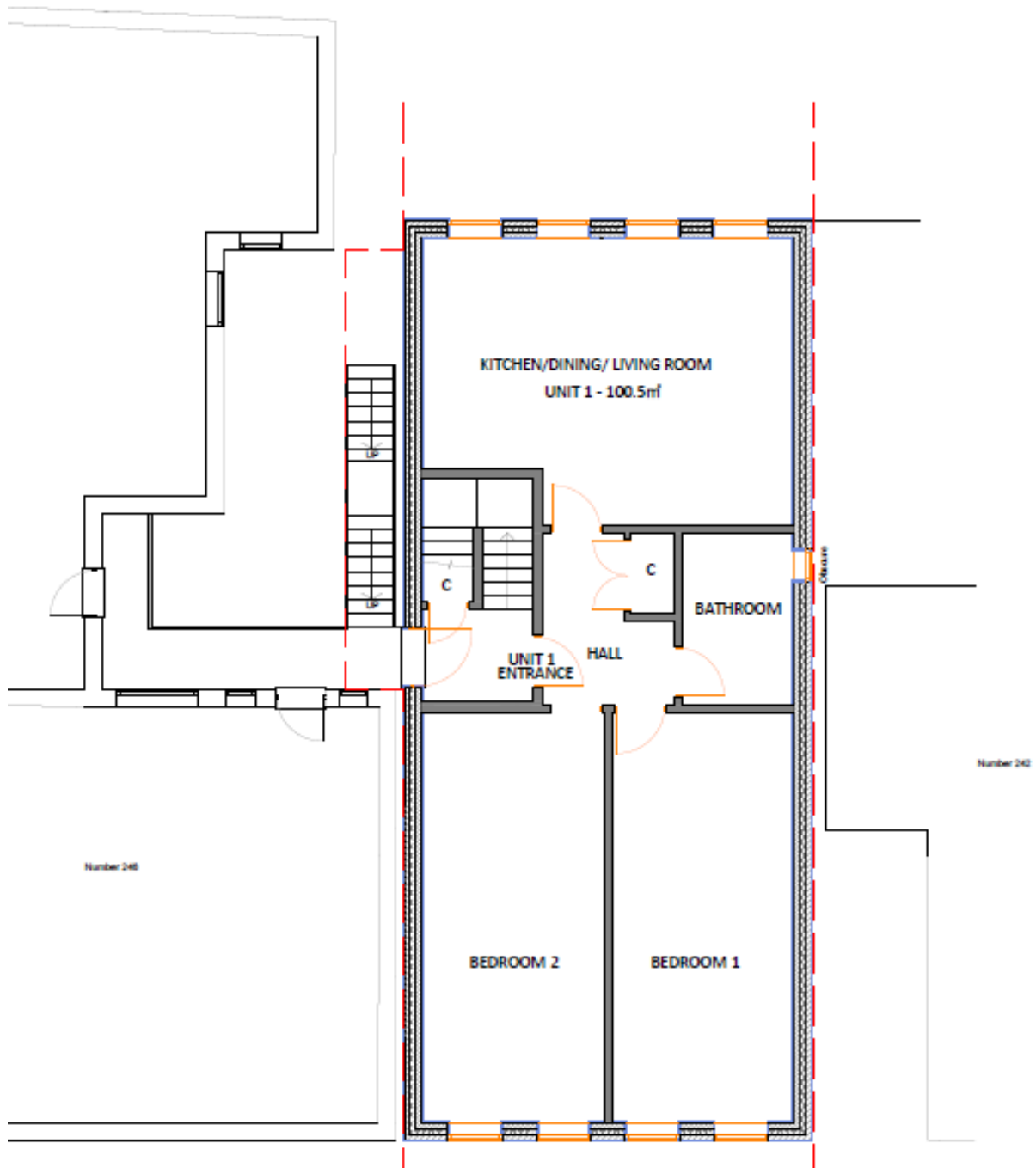
Site Location Plan:



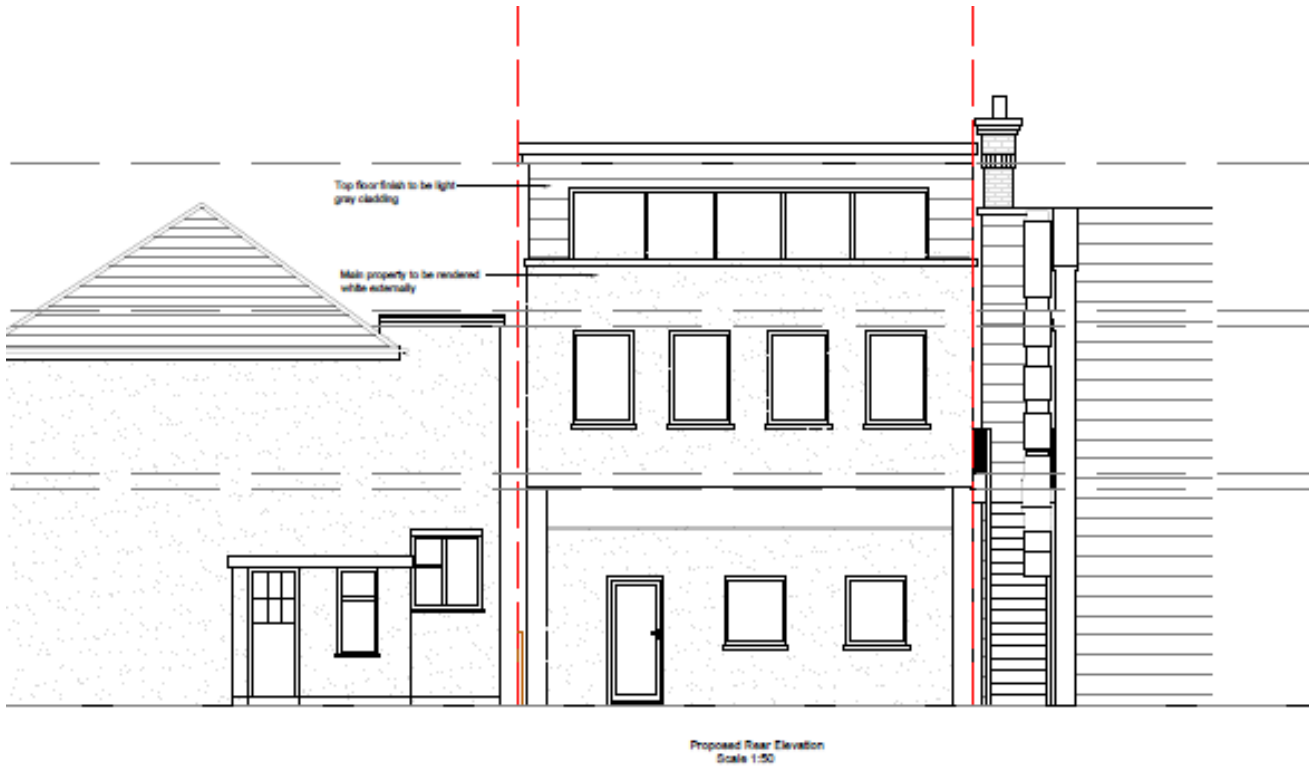
Block Plan:



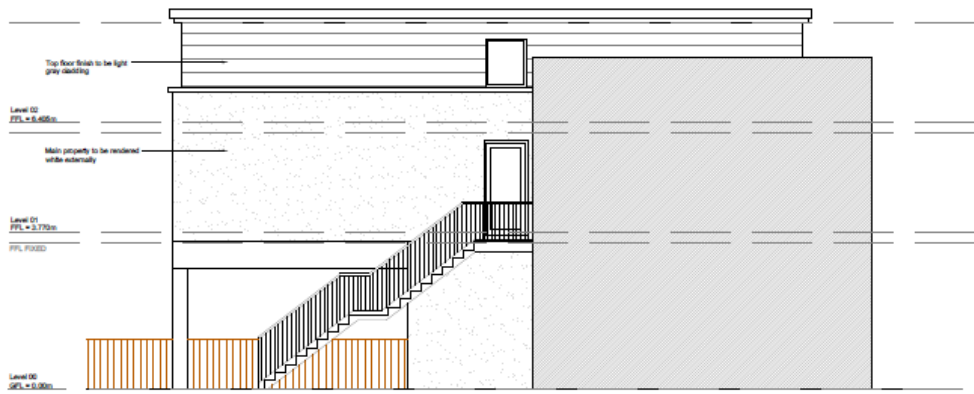
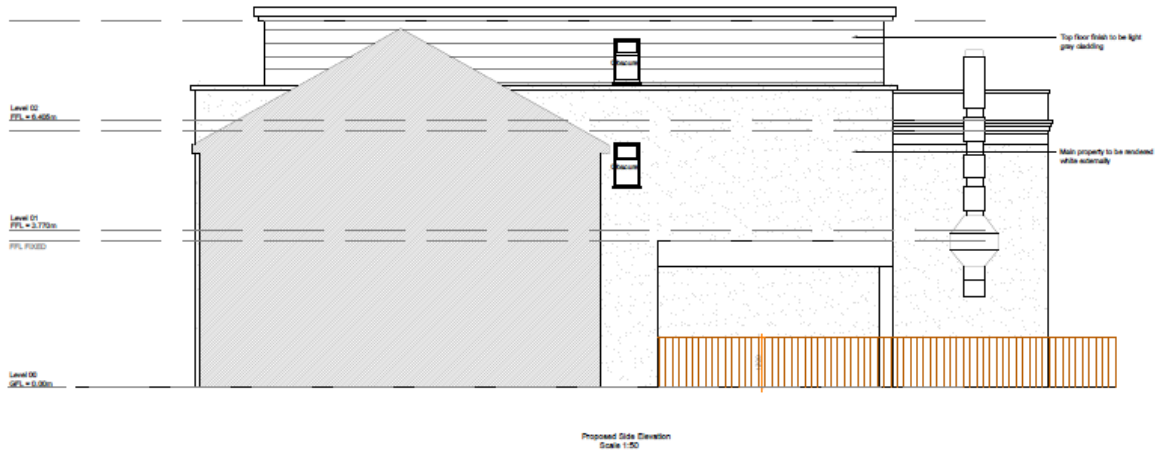
Proposed First-Floor Plan:



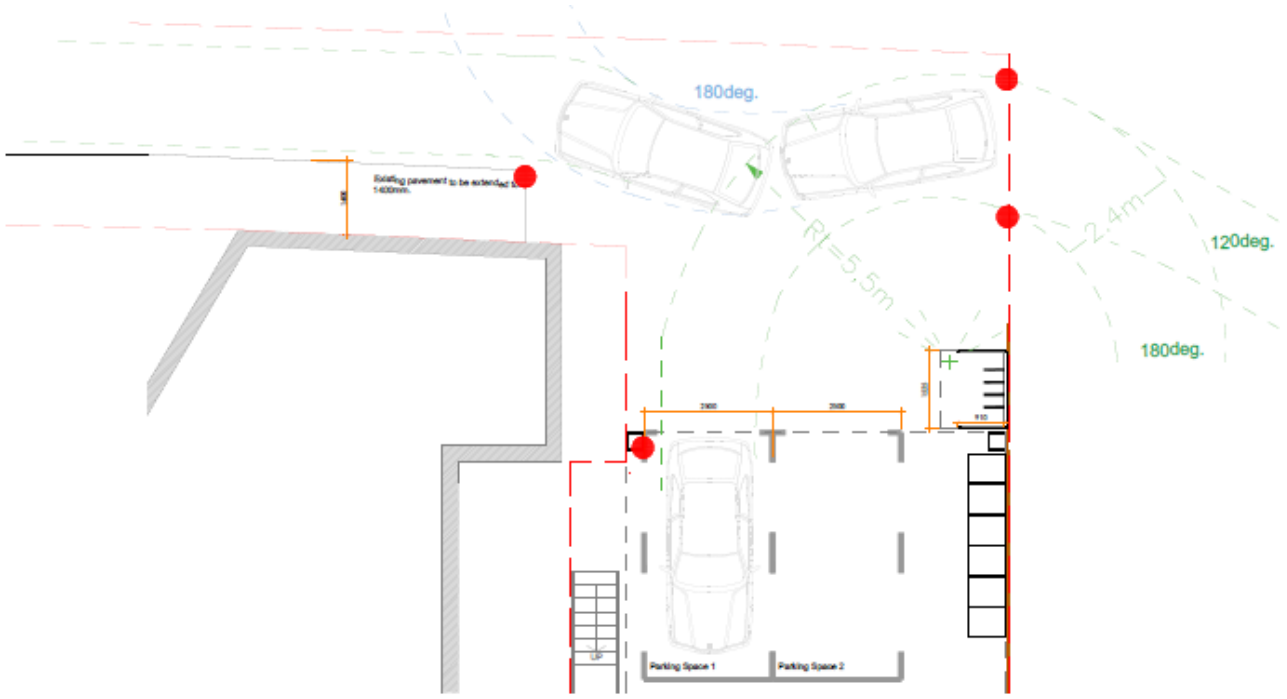
Proposed Front & Rear Elevations:



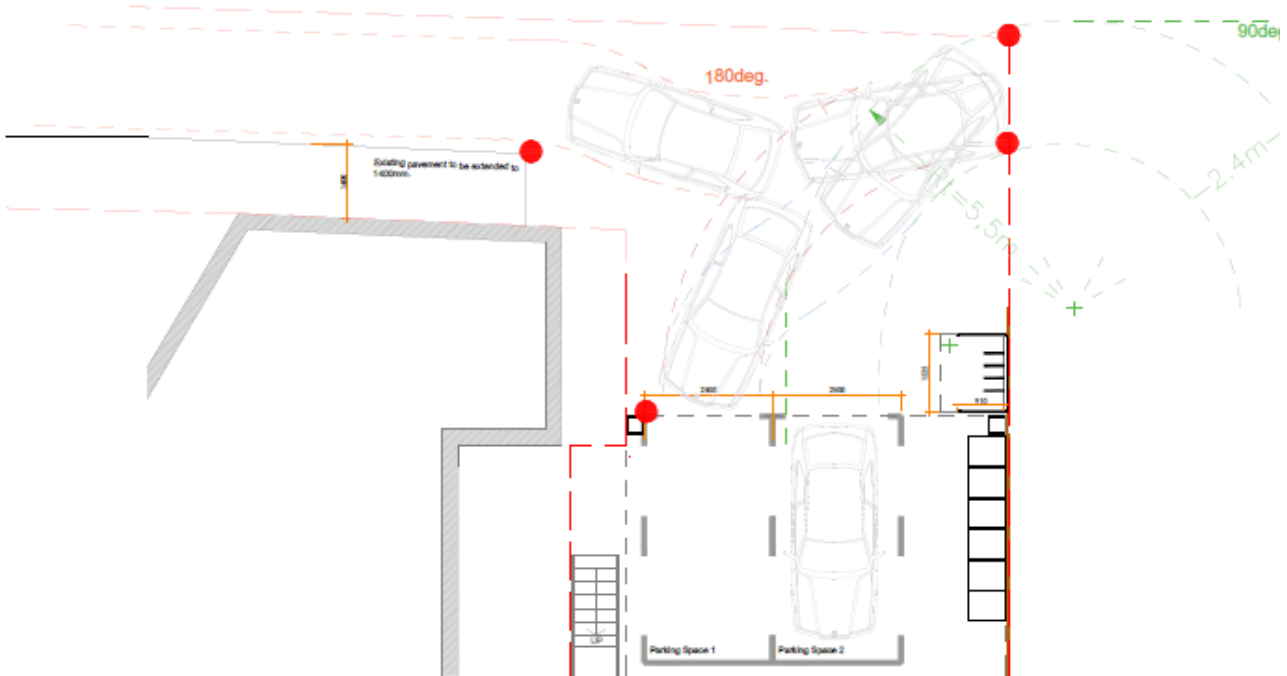
Proposed Side Elevations:



Parking Plan:



Proposed Parking Plan
Scale 1:50



Section D

The following applications are reported for INFORMATION purposes only. They relate to applications, prior approvals, notifications, and consultations that have already been determined by the Head of Economy, Planning and Strategic Housing and where necessary, in consultation with the Chairman, in accordance with the Council's adopted Scheme of Delegation.

If Members wish to have more details about the decision on any of the applications on this list please contact David Stevens (01252 398738) or John W Thorne (01252 398791) in advance of the Committee meeting.

| | | |
|----------------|---|------------------|
| Application No | 22/00214/FULPP | Ward: West Heath |
| Applicant: | Miss Kushma Chand | |
| Decision: | Permission Granted | |
| Decision Date: | 08 August 2022 | |
| Proposal: | Erection of a single storey rear extension and change to pitch roof to existing front porch | |
| Address | 32 Avon Close Farnborough Hampshire GU14 9LN | |

| | | |
|----------------|---|------------------|
| Application No | 22/00325/FULPP | Ward: North Town |
| Applicant: | Mr Paul Turner | |
| Decision: | Permission Granted | |
| Decision Date: | 10 August 2022 | |
| Proposal: | Erection of a two storey rear extension | |
| Address | 36 Roberts Road Aldershot Hampshire GU12 4RD | |

| | | |
|----------------|---|---------------|
| Application No | 22/00356/FULPP | Ward: Rowhill |
| Applicant: | Mrs Nicola Orr | |
| Decision: | Permission Granted | |
| Decision Date: | 17 August 2022 | |
| Proposal: | Demolition of existing extension and erection of a single story rear extension to provide a sunroom | |
| Address | Living Accommodation 3 Eggars Hill Aldershot Hampshire GU11 3NH | |

Application No 22/00359/FULPP Ward: Empress
Applicant: MR & MRS BALASIS
Decision: **Permission Granted**
Decision Date: 11 August 2022
Proposal: Erection of single storey side and rear extensions
Address **4 Charlotte Mews Farnborough Hampshire GU14 8BB**

Application No 22/00387/FULPP Ward: St John's
Applicant: Miss Patel
Decision: **Permission Granted**
Decision Date: 15 August 2022
Proposal: Conversion of existing garage with first floor extension above along with changes to fenestration
Address **1 Nightingale Close Farnborough Hampshire GU14 9QH**

Application No 22/00392/ADVPP Ward: Wellington
Applicant: C/o Agent
Decision: **Permission Granted**
Decision Date: 18 August 2022
Proposal: ADVERTISEMENT CONSENT: to display no.7 flags on existing lamp posts and erection of 4 flagpoles with associated flags
Address **Street Record Hope Grant's Road Wellesley Aldershot Hampshire**

Application No 22/00405/FULPP Ward: St John's
Applicant: Tanya Alexander
Decision: **Permission Granted**
Decision Date: 10 August 2022
Proposal: Erection of a two storey side extension, single storey side and rear extension
Address **69 Cripsey Road Farnborough Hampshire GU14 9QB**

Application No 22/00415/FULPP Ward: St Mark's
Applicant: Mrs Charlotte Baimbridge
Decision: **Permission Granted**
Decision Date: 10 August 2022
Proposal: Replacement of Welsh slates with solar PV slates to the front roof elevation
Address **Ridgemount 35 Southampton Street Farnborough Hampshire GU14 6AU**

Application No 22/00418/FULPP Ward: Knellwood
Applicant: Mr & Mrs Ameer
Decision: **Permission Granted**
Decision Date: 23 August 2022
Proposal: Erection of a two storey front and two storey and single storey side extensions
Address **29 Cambridge Road West Farnborough Hampshire GU14 6QA**

Application No 22/00419/FUL Ward: Rowhill
Applicant: Mr Mir
Decision: **Permission Granted**
Decision Date: 19 August 2022
Proposal: Erection of a front porch, new boundary treatment with gates and formation of new hardstanding. Retention of two velux windows in the rear roof slope and windows/doors together with internal changes. (Alterations to implemented planning permission ref 19/00832/FULPP dated 16th January 2020 - Raise ridge height to form a first floor and two storey front and side extensions and new boundary fencing)
Address **39 Cargate Avenue Aldershot Hampshire GU11 3EW**

Application No 22/00420/FULPP Ward: Empress

Applicant: Ms Dorota Adamczyk

Decision: **Permission Granted**

Decision Date: 31 August 2022

Proposal: Erection of a single storey rear extension, open side covered canopy to side, replacement of roof tiles, replacement windows along with installation of external insulated panels with a finished render on the side and rear facing elevation of property

Address **10 Greens School Lane Farnborough Hampshire GU14 7PS**

Application No 22/00422/FULPP Ward: Aldershot Park

Applicant: Mr TESSY JOSE

Decision: **Permission Granted**

Decision Date: 10 August 2022

Proposal: Demolition of existing single story side extension and erection of single storey side extension

Address **9 Christmas Avenue Aldershot Hampshire GU12 4PJ**

Application No 22/00426/TELEPP Ward: Fernhill

Applicant: CK Hutchison Networks (UK) Ltd

Decision: **Prior Approval Required and Granted**

Decision Date: 11 August 2022

Proposal: Proposed 5G telecoms installation: 15m high H3G street pole and additional equipment cabinets

Address **Proposed Telecommunication Equipment On Land At The Junction Of All Saints Crescent And Perring Avenue Farnborough Hampshire**

Application No 22/00428/TELEPP Ward: St John's
Applicant: CK Hutchison Networks (UK) Ltd
Decision: **Prior Approval Required and Granted**
Decision Date: 12 August 2022
Proposal: Proposed 5G telecoms installation: H3G street pole and additional equipment cabinets
Address **Proposed Telecommunication Equipment On Land At The Junction Of Melrose Avenue And Whetstone Road Farnborough Hampshire**

Application No 22/00429/TELEPP Ward: Cherrywood
Applicant: CK Hutchison Networks (UK) Ltd
Decision: **Prior Approval Required and Granted**
Decision Date: 12 August 2022
Proposal: Proposed 5G telecoms installation: H3G street pole and additional equipment cabinets
Address **Proposed Telecommunication Equipment On Land At The Junction Of Caswell Close And Mayfield Road Farnborough Hampshire**

Application No 22/00436/FULPP Ward: Cherrywood
Applicant: Demin And Sharaddha Gurung
Decision: **Permission Granted**
Decision Date: 16 August 2022
Proposal: Erection of single storey rear extension
Address **70 Prince Charles Crescent Farnborough Hampshire GU14 8DL**

Application No 22/00441/PRIORP Ward: St Mark's
Applicant: Mrs Patricia Lotherington
Decision: **Prior Approval Required and Granted**
Decision Date: 12 August 2022
Proposal: Change of use of shop (Use Class E) to residential (Use Class C3) with external alterations under Part 3 Class MA Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 to facilitate enlargement of existing first-floor flat into two-storey 3-bedroom dwellinghouse
Address **51 Osborne Road Farnborough Hampshire GU14 6AE**

Application No 22/00443/FULPP Ward: St John's
Applicant: Mr David Osborne
Decision: **Permission Granted**
Decision Date: 10 August 2022
Proposal: Erection of a two storey rear and side extension, porch to front and outbuilding in rear garden
Address **Dovedale 34 Minley Road Farnborough Hampshire GU14 9RS**

Application No 22/00448/FUL Ward: Rowhill
Applicant: Mr Paul Veitch
Decision: **Permission Granted**
Decision Date: 24 August 2022
Proposal: Erection of a single storey rear extension
Address **17 Cranmore Lane Aldershot Hampshire GU11 3AJ**

Application No 22/00451/FULPP Ward: Aldershot Park
Applicant: Mr Henry Slevin
Decision: **Permission Granted**
Decision Date: 10 August 2022
Proposal: Erection of a first floor side extension, front porch, dormer window to side elevation and changes to rear fenestration
Address **2 The Avenue Aldershot Hampshire GU12 4BJ**

Application No 22/00452/TPO Ward: West Heath

Applicant: Mr Malcolm Tyler

Decision: **Permission Granted**

Decision Date: 18 August 2022

Proposal: Two co-dominant Oak trees to rear (part of G2 of TPO 360) reduce extended branches to house aspect by no more than 3m and blend in to shape.

Address **4 Varney Close Farnborough Hampshire GU14 8RN**

Application No 22/00456/FULPP Ward: St Mark's

Applicant: Mr Ben Brown

Decision: **Permission Granted**

Decision Date: 15 August 2022

Proposal: Erection of single storey side and single storey rear extension

Address **249 Lynchford Road Farnborough Hampshire GU14 6HH**

Application No 22/00457/FULPP Ward: St Mark's

Applicant: Mr & Mrs Holmes

Decision: **Permission Granted**

Decision Date: 19 August 2022

Proposal: Erection of a two storey side extension, formation of driveway and drop kerb

Address **10 Southampton Street Farnborough Hampshire GU14 6AX**

Application No 22/00458/FULPP Ward: St John's

Applicant: T Underwood

Decision: **Permission Granted**

Decision Date: 11 August 2022

Proposal: Erection of a two storey rear extension

Address **54 Nightingale Close Farnborough Hampshire GU14 9QH**

Application No 22/00468/FULPP Ward: West Heath

Applicant: Mr & Mrs Warrington

Decision: **Permission Granted**

Decision Date: 10 August 2022

Proposal: Erection of a single storey rear extension

Address **128 Prospect Road Farnborough Hampshire GU14 8LB**

Application No 22/00469/FULPP Ward: West Heath

Applicant: MR & MRS SMITH

Decision: **Permission Granted**

Decision Date: 16 August 2022

Proposal: Erection of a single storey rear extension

Address **5 Clouston Road Farnborough Hampshire GU14 8PN**

Application No 22/00478/FULPP Ward: West Heath

Applicant: Lisa Goldsmith

Decision: **Permission Granted**

Decision Date: 19 August 2022

Proposal: Erection of a single storey extension, bay window and roof canopy to front elevation and erection of a single storey side and rear wrap around extension

Address **99 West Heath Road Farnborough Hampshire GU14 8QZ**

Application No 22/00479/TPOPP Ward: Empress

Applicant: Mr and Mrs Chillman

Decision: **Permission Granted**

Decision Date: 24 August 2022

Proposal: One Sweet Chestnut (part of group G13 of TPO 442) T1 on submitted plan, crown reduce by no more than 2 metres overall and remove epicormic growth to a height of 6 metres

Address **9 Pierrefondes Avenue Farnborough Hampshire GU14 8NB**

Application No 22/00482/TPO

Ward: Empress

Applicant: Mr Hutchinson

Decision: **Permission Granted**

Decision Date: 18 August 2022

Proposal: T1 Sweet Chestnut - reduce height by no more than 1m and sides by no more 2m for tree maintenance (T4 of TPO443A), T2 Sweet Chestnut - Fell as dying (T5 of TPO443A)

Address **32 Empress Avenue Farnborough Hampshire GU14 8LX**

Application No 22/00483/TPO

Ward: Cove And Southwood

Applicant: Mr Page

Decision: **Permission Granted**

Decision Date: 24 August 2022

Proposal: T1 Oak Tree - Crown reduce overall by no more than 2m (cutting back to growth points) and lift the canopy to give no more than 5m ground level clearance (T1 of TPO414)

Address **49 The Copse Farnborough Hampshire GU14 0QD**

Application No 22/00484/PDCPP

Ward: Aldershot Park

Applicant: Sue Bennett

Decision: **Development is Lawful**

Decision Date: 12 August 2022

Proposal: Lawful Development Certificate for the formation of a hip to gable and rear dormer roof extension and two roof lights

Address **2 Coleman Road Aldershot Hampshire GU12 4BY**

Application No 22/00487/FULPP Ward: Aldershot Park
Applicant: Mrs Corina Vlad
Decision: **Permission Granted**
Decision Date: 31 August 2022
Proposal: Formation of 3 pitch dormer windows and roof light in front roof slope and box dormer in rear roof slope to facilitate conversion of loft to form habitable rooms, erection of a single storey side extension following demolition of the existing garage and a pitched roof extension to replace existing flat roof
Address **4 Royale Close Aldershot Hampshire GU11 3PT**

Application No 22/00514/CONDPP Ward: Fernhill
Applicant: Hamberley Development
Decision: **Conditions details approved**
Decision Date: 16 August 2022
Proposal: Submission of further details pursuant to Condition No.21 (Reptile Translocation, Mitigation, Management and Monitoring Strategy) of planning permission 18/00614/FULPP dated 11 April 2019
Address **Randell House Fernhill Road Blackwater Camberley Hampshire GU17 9HR**

Application No 22/00523/REXPD Ward: North Town
Applicant: Mr Zuberni
Decision: **Prior approval is NOT required**
Decision Date: 26 August 2022
Proposal: Erection of a single storey rear extension measuring 6 metres from the rear wall of the property, 2.85 metres to the eaves and 4 metres overall height
Address **15 Roberts Road Aldershot Hampshire GU12 4RD**

Application No 22/00538/REXPD

Ward: Rowhill

Applicant: Mr John Connolly

Decision: **Prior approval is NOT required**

Decision Date: 25 August 2022

Proposal: Erection of a single storey rear extension measuring 3.4 metres deep from the original rear wall x 2.88 metres high to the eaves x 3.11 metres overall height

Address **11 John Close Aldershot Hampshire GU11 3BA**

Application No 22/00547/FULPP

Ward: North Town

Applicant: Mr Ross Allaker

Decision: **Permission Granted**

Decision Date: 26 August 2022

Proposal: Erection of a single storey side and rear extension

Address **9 Clive Road Aldershot Hampshire GU12 4RE**

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Development Management Committee
14th September 2022

Agenda item 4
Head of Economy, Planning and
Strategic Housing
Report No.EPSH 2235

Enforcement and possible unauthorised development

1. Introduction

This report considers current matters of enforcement and possible unauthorised development. Authority to take planning enforcement action is delegated to the Head of Economy, Planning and Strategic Housing. Matters that require a Committee decision are reported, together with delegated decisions to take action.

It is not an offence to carry out works without planning permission and the National Planning Policy Framework (NPPF) states that enforcement action is discretionary and that local planning authorities should act proportionately in responding to suspected breaches of planning control. Local authorities are also advised to take action only where it is appropriate to do so. The purpose of this report is therefore to report to Committee decisions with regard to enforcement action and/or to seek approval for further action.

2. Policy

The Council's Approach to Planning Enforcement is set out in the adopted Local Enforcement Plan. The essential thrust of the Plan is that we will not condone wilful breaches of planning law, but we will exercise our discretion regarding enforcement action if it is considered expedient to do so. Our priorities with regard to enforcement are:

- To focus our resources to ensure that the most pressing and harmful issues are addressed appropriately.
- In determining the expediency of enforcement action we will have regard to the seriousness of any harm which is evident as a result of a breach of planning control.
- Matters which can potentially have a serious impact on the safety or amenity of residents or occupiers of property or on the natural environment will take priority over minor infractions and matters of dispute between neighbours.

3. Items

Each item contains a full description, details of any investigation, and an assessment of the situation and concludes with a recommendation.

This report relates to:

Item 1 Delegated Decisions on Enforcement Action

Item 2 Updates on Enforcement Action

All information, recommendations and advice contained in this report are understood to be correct at the time of writing this report. Any change in circumstances will be updated verbally at the Committee meeting. Where a recommendation is either altered or substantially amended between preparing the report and the Committee meeting, a separate sheet will be circulated at the meeting to assist Members in following the modifications proposed.

4. Human rights

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. Any recommendation either to take or not to take enforcement action has been assessed to make sure that the decision is compatible with the Act. If there is a potential conflict this will be highlighted in the individual report on the relevant item.

5. Financial implications

There are no direct financial implications arising from this report. However, in the event of an appeal, further resources will be put towards defending the Council's decision. Rarely, and in certain circumstances, decisions on planning enforcement cases result in the Council facing an application for costs arising from a planning appeal. Officers will aim to alert Members where this may be likely and provide appropriate advice in such circumstances.

6. Recommendation

That the report be **NOTED**

Tim Mills
Head of Economy, Planning and Strategic Housing

BACKGROUND PAPERS
Rushmoor Local Plan (2019)
Rushmoor Local Enforcement Plan (2016)
National Planning Policy Framework (NPPF)

Item1

Delegated decisions by the Corporate Planning Manager to take no further action in respect of alleged breaches of planning control.

The following decisions are reported for INFORMATION purposes only. They relate to enforcement cases that are in breach of planning but no application has been forthcoming and where a decision to take no further action has been taken in accordance with the Council's Scheme of Delegation.

| | |
|----------------------|---|
| Address | 15 Bruneval Drive Wellesley Aldershot |
| Ward | Wellington |
| Decision | No further action |
| Decision Date | 14 th September 2022 |
| Reasons | <p>A one metre high black picket fence has been erected to the front of the property which previously had an open plan front garden.</p> <p>The fence requires planning permission due to permitted development rights being removed by an Article 4 Direction which was placed on the Wellesley development on the 31st of January 2021 in relation to 'the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure which would be within the curtilage of a dwelling house and would front a relevant location'.</p> <p>The owner has been made aware that the fence requires planning permission, but an application has not been forthcoming.</p> |
| Alternatives | An enforcement notice could be issued but as the development is considered acceptable and permission would have been granted had an application been submitted, it is not considered expedient for the council to take further action. |
| Case Officer | Tara Hasty |
| Associated Documents | Enforcement Reference 22/00049/BOUND |



| | |
|----------------------|---|
| Address | 15 Gillian Avenue, Aldershot |
| Ward | Aldershot Park |
| Decision | No further action |
| Decision Date | 14 th September 2022 |
| Reasons | <p>A complaint was received regarding an outbuilding that had been erected at the above address which allegedly is over 2.5 metres in height within two metres of a boundary. The complaint was in respect of the height, length and visual impact of the outbuilding.</p> <p>Upon investigation, the outbuilding has been erected on a concrete base and the combined height measures 2.7 metres from natural ground level to the roof and is located within 2 metres of a boundary. The outbuilding does therefore require planning permission.</p> <p>A site visit was carried out to view the outbuilding from the neighbouring garden. Due to the difference in ground level and the proximity to the shared boundary, it is visible from neighbouring property. However, if the height were to be lowered to 2.5 metres and thereby fall within permitted development tolerances, the visual impact due to location and the low shared boundary wall would be no less harmful.</p> <p>The owner has been made aware that planning permission is required but an application has not been forthcoming.</p> |
| Alternate | An enforcement notice could be issued, but as the development is considered acceptable and the grant of planning permission would be likely if an application were submitted, it is not considered expedient for the Council to take further action. |
| Case Officer | Tara Hasty |
| Associated Documents | Enforcement Reference 22/00092/GENWRK |



Address Unit 1 Blackwater Park, Aldershot
Ward North Town
Decision No further action
Decision Date 14th September 2022
Reasons

The premises was formerly an industrial building occupied by Linde Cryogenics but following the grant of planning permission 21/00817/FULPP in January 2022, works were commenced on the conversion of the building and yard to a builder's merchants involving storage, distribution, trade counter, offices and ancillary retail. The approved plans showed that the existing concrete surface of the yard would be replaced with a new concrete surface, but the block paved car park at the front of the building would be retained, with the exception of a new pedestrian access path to Holder Road.

In April, a complaint was received that a section of block paving had been replaced with concrete, which was not permitted development as it made no provision for surface water drainage and was not shown on the approved plans.

Upon investigation, it was noted that the section of block paving between the position of the yard gates and the vehicular access point to and from Holder Road had been replaced with concrete to match the yard, The area is approximately 32m in length and 10m at its widest point. This work is considered to be materially different from what is shown on the approved plans. Moreover, while new and replacement hardstandings can be provided without the need for planning permission under Part 7 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended), this is subject to a condition that, except where there is a risk of ground water contamination, permeable or porous materials are used. A representative of the Environment Agency has confirmed that the use of permeable materials would not result in a risk of ground water contamination in this location and therefore, because impermeable concrete has been used, it is considered that the replacement surface required planning permission.

The site's owners were contacted via their planning agent to advise of the need for planning permission. The agent responded to say that during construction work, the blockwork between the yard and the access point had been damaged by heavy lorries and therefore that the tenant had decided to replace it with a new, more durable surface. Had the blockwork been repaired, it would be vulnerable to repeated similar damage when the yard became fully operational. The agent indicated that the tenant's planning consultant would arrange for a planning application to be submitted to regularise matters, but an application has not been forthcoming.

Had a planning application been submitted, the main determining issues would have been impact upon visual amenity and the provision to be made for surface water runoff.

It is considered that the replacement of blockwork paving with a concrete surface to match that in the yard would not be inappropriate in this Strategic Employment Site and that the works have had little impact upon visual amenity and therefore there is no conflict with Policy DE1 of the Rushmoor Local Plan.

In terms of the provision of surface water drainage, it is noted that the Council granted permission for the like-for-like resurfacing of the yard with concrete on the basis that it would not result in an increase in the area of impermeable surfacing within the site and because provision was already made for rainwater runoff within the site. The blockwork that was removed was not a permeable material as the complainant has suggested – the building predates the flooding events that resulted in the change of national and local planning policy to require use of such materials in most situations. Additionally, an inspection reveals that there are no gaps between the edges of the pavers to allow water to drain through and, indeed, the surfaces slope towards central gulleys and drains, which would be unnecessary had a permeable paving system been installed. Accordingly, the provision of the concrete surface has not increased the area of impermeable surfaces within the site or disrupted the existing provisions for surface water drainage, which would prevent any discharge onto the highway. Consequently, had a planning application been submitted, it is considered that it would have been judged acceptable when assessed against Policy NE8 of the Rushmoor Local Plan.

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| Alternatee | An enforcement notice could be issued but as the development is considered acceptable and permission would have been granted had an application been submitted, it is not considered expedient for the council to take further action. |
| Case Officer | Chris Jones |
| Associated Documents | Enforcement Reference 22/00040/GENWRK |



Item 2

Updates on enforcement matters.

- A. It has been determined by the Corporate Planning Manager under the scheme of delegation that Enforcement and Breach of Condition Notices requiring compliance with a number of conditions of planning permission 18/00481/FULPP be issued in respect of the **Old Warehouse, Star Yard to the rear of 182-192 Victoria Road, Aldershot**. Of particular note, the breach of conditions relate to failure to provide on-site parking as approved by the planning permission. Instructions have been issued to the Corporate Manager, Legal to draft and serve the notices in this respect.

Enforcement Reference 21/00194/CONDS

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