

# Public Document Pack



## RUSHMOOR BOROUGH COUNCIL

### DEVELOPMENT MANAGEMENT COMMITTEE

*at the Council Offices, Farnborough on  
Wednesday, 22nd March, 2023 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](mailto: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 - 4)

To confirm the Minutes of the meeting held on 22nd February, 2023 (copy attached).

## 3. **PLANNING APPLICATIONS –** (Pages 5 - 56)

To consider the Executive Head of Property and Growth's Report No. EPSH2311 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:

<b>Item</b>	<b>Reference Number</b>	<b>Address</b>	<b>Recommendation</b>
1	21/00271/FULPP	Block 3 Queensmead, Farnborough	For information
2	22/00340/REMPP	Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot	For information
3	22/00849/FULPP	Discovery Place, Columbus Drive, Farnborough	For information

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

<b>Item</b>	<b>Pages</b>	<b>Reference Number</b>	<b>Address</b>	<b>Recommendation</b>
4	11-32	23/00019/FULPP	Hippodrome House, 4 Birchett Road, Aldershot	GRANT
5	33-44	23/00074/FULPP	20 Cabrol 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. **PLANNING APPLICATION NO. 22/00779/REVPP - THE GALLERIES, HIGH STREET, ALDERSHOT - UPDATE – (Pages 57 - 74)**

To receive Executive Head of Property and Growth's Report No. PG2315, which provides an update on Planning Application No. 22/00779/REVPP - The Galleries, for noting.

5. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT – (Pages 75 - 78)**

To consider the Executive Head of Property and Growth's Report No. PG2312 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

6. **APPEALS PROGRESS REPORT – (Pages 79 - 82)**

To consider the Executive Head of Property and Growth's Report No. PG2313 (copy attached) on the progress of recent planning appeals.

7. **PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER OCTOBER TO DECEMBER 2022 – (Pages 83 - 88)**

To receive the Executive Head of Property and Growth's Report No. PG2314 (copy attached) which updates on the Performance Indicators for the Development Management Section of Planning, and the overall workload for the Section for the period 1st October to 31st December 2022.

**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, 22nd February, 2023 at the Concorde Room, Council Offices, Farnborough at 7.00 pm.

## 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 Sophie Porter

Apologies for absence were submitted on behalf of Cllr T.W. Mitchell.

Cllr C.W. Card attended the meeting as a Standing Deputy.

## Non-Voting Member

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

## 52. DECLARATIONS OF INTEREST

There were no declarations of interest for this meeting.

## 53. MINUTES

The Minutes of the Meeting held on 18th January, 2023 were approved and signed as a correct record of proceedings.

## 54. REPRESENTATIONS BY THE PUBLIC

In accordance with the guidelines for public participation at meetings, and in particular major planning applications, 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
22/00193/OUTPP	Farnborough	Nikul Kad, on behalf of	Against

	Civic Quarter, Farnborough	Farnborough Road Residents	
22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	Olive O'Dowd-Booth, on behalf of Blackwater Valley Friends of the Earth	Against
22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	Kathryn Stuart, 11 Revelstoke Avenue, Farnborough	Against
22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	Sarah Wood, 102 Reading Road, Farnborough	Against
22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	Jonathan Beards, 25c Winchester Street, Farnborough	Against
22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	Cllr Martin Tennant, Director Rushmoor Housing Limited	In Support
22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	Greg Pitt, Agent, Barton Willmore, 7 Soho Square, London	In Support
22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	Sean Crossland, Ecologist, Barton Willmore, 7 Soho Square, London	In Support
22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	Mark Williams, Architect, Barton Willmore, 7 Soho Square, London	In Support
22/00193/OUTPP	Farnborough Civic Quarter, Farnborough	Leonard Amos, on behalf of the Farnborough Society and Rushmoor Access Action Group	In Support

Following agreement from the Committee, it was noted that Cllrs Jules Crossley and P.J. Cullum also addressed the Committee on Planning Application No. 22/00193/OUTPP.

55. **PETITION**

**RESOLVED:** That the petition received in respect of the following application be noted, as set out in the Executive Head of Property and Growth's Report No. PG2305:

<b>Application No.</b>	<b>Address</b>
22/00193/OUTPP	Farnborough Civic Quarter, Farnborough

56. **PLANNING APPLICATIONS**

**RESOLVED:** That

(i) the applications dealt with by the Executive Head of Property and Growth, where necessary in consultation with the Chairman, in accordance with the Council's Scheme of Delegation, more particularly specified in Section "D" of the Executive Head of Property and Growth's Report No. PG2305, be noted

(ii) the following applications be determined by the Executive Head of Property and Growth, in consultation with the Chairman:

22/00193/OUTPP	Proposed Farnborough Civic Quarter Development Site, Meudon Avenue, Farnborough
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(iii) the current position with regard to the following applications be noted pending consideration at a future meeting:

21/00271/FULPP	Block 3, Queensmead, Farnborough
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\*\* 22/00340/REMPP Land at Blandford House and Malta Barracks  
Development Site, Shoe Lane, Aldershot

22/00849/FULPP	Discovery Place, Columbus Drive, Farnborough
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23/00019/FULPP	Hippodrome House, 4 Birchett Road, Aldershot
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23/00074/FULPP	20 Cabrol Road, Farnborough
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\* The Executive Head of Property and Growth's Report No. PG2305 in respect of these applications was amended at the meeting.

\*\* It was agreed that site visits would be arranged to these sites

57. **PLANNING APPLICATION NO.: 22/00193/OUTPP - FARNBOROUGH CIVIC QUARTER**

The Committee considered the Executive Head of Property and Growth's Report No. PG2305 (as amended at the meeting) regarding outline planning application 22/00193/OUTPP, Proposed Farnborough Civic Quarter Development Site.

**RESOLVED:** That

Subject to the amendment to S106 requirement No. 4 and additional S106 requirement No. 16, and amended condition Nos. 2, 3, 4, 5, 7, 14, 15, 37 and 41, as set out in the amendment sheet, the Executive Head of Property and Growth, in consultation with the Chairman be authorised to GRANT planning permission, as set out in the report.

The meeting closed at 11.08 pm.

CLLR CALUM STEWART (CHAIRMAN)

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**Development  
Management  
Committee  
22nd March 2023**

**Executive Head of Property  
& Growth  
Report No. PG2311**

## **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 Executive Head of Property & Growth, 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  
Executive Head of Property & Growth

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### *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	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><b>Block 3 Queensmead Farnborough Hampshire</b></p> <p>This application is subject to a request for an extension of time to consider further amendments.</p>
2	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><b>Blandford House And Malta Barracks Development Site Shoe Lane Aldershot Hampshire</b></p> <p>Assessment of this application is in progress and has not reached the stage for committee consideration.</p>

3	22/00849/FULPP	<p>Demolition of existing buildings and the construction of a single building for class E(g)(iii), B2 and B8 with associated infrastructure.</p> <p><b>Discovery Place Columbus Drive Farnborough Hampshire</b></p> <p>Assessment of this application is in progress and has not reached the stage for committee consideration.</p>
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**Section B**

**Petitions**

<b>Item</b>	<b>Reference</b>	<b>Description and address</b>
		There are no petitions to report

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	David Stevens
Application No.	23/00019/FULPP
Date Valid	18th January 2023
Expiry date of consultations	8th February 2023
Proposal	Change of use of the building at ground floor (part), 1st floor (part) and 2nd to 5th floors to 30 flats (comprising 12 X one-bedroom, 12 X two-bedroom and 6 X three-bedroom units), together with external alterations to facades including installation of cladding and replacement of windows and doors) removal of western external escape, cladding of northern external escape, and provision of car and cycle parking
Address	<b>Hippodrome House Birchett Road Aldershot</b>
Ward	Manor Park
Applicant	Starlow Charities Limited
Agent	D. Rose Planning LLP
Recommendation	<b>Grant subject to s106 Obligation</b>

## Description

Hippodrome house is located within the wider Aldershot Town Centre area between Birchett Road and Station Road. It is 'L' shape in form, with a parking area to its 'rear', the access point off Birchett Road. The building itself has 5 storeys, with a former basement bowling alley and retail/commercial units above. The majority of the building is currently vacant.

The site is in a visually prominent position within the town centre. Hippodrome House comprises a bulky 1960's block of modern vernacular style externally finished in concrete and mosaic tile panels.

The proposal seeks to convert the 2<sup>nd</sup> to 5<sup>th</sup> floors into a total of 30 residential units, with a mix of 12 X one-bedroom, 12 X two-bedroom and 6 X three-bedroom units, along with alterations to the facades (new external cladding and glazing) and enclosure of existing fire escape staircases. The uses within the first, ground and basement floors would remain in commercial use as existing with the exception of one existing shop unit to be converted to provide secure cycle storage. The proposal also retains 30 on-site car parking spaces.

The applicants have demonstrated that the proposal cannot viably provide affordable housing, and a late review mechanism has been agreed which will be secured by a S106 obligation. Financial contributions are also to be secured for Open Space, and SPA mitigation.

## Consultee Responses

RBC Regeneration Team No comments received.

HCC Highways Development Planning No highways objections.

Environmental Health More information required :

- Environmental Health would agree that a suitable development is achievable but have some concerns with aspects of the report that may have a bearing on the level of noise insulation actually required.
- There are some issues that will need further consideration but if necessary these can be addressed via condition.
- The noise survey was also undertaken during a period when commercial activity would have been curtailed due to Covid-19 restrictions in place at the time. This should have been addressed within any revised report.
- Environmental Health are not comfortable accepting either set of values for internal noise levels as the original noise survey is not considered representative of the actual ambient noise environment for the reasons given above.
- In addition, there is also no consideration given to the internal transmission of noise from the basement and potential ground/first floor uses. The applicant will need to investigate what mitigation will be required to prevent low frequency (bas) noise from impacting on any residential units above, with consideration of potential structure borne transmission of such noise as well.
- The Environmental Noise Survey and Acoustic Design Statement Report has proposed plant noise limit criteria for all external plant running simultaneously. All such pumps produce noise but there is no information provided showing where these could be located. More information on where such plant is to be located is required as visually it could be quite intrusive.
- Noise from use of the rear loading bay at unreasonable/unsociable hours could cause disturbance and no detail on how this can be controlled is available. If minded to grant permission a condition restricting times of deliveries to daytime hours only should be applied (07:00 – 20:00 hrs)
- There appears to be no provision to vent exhaust air at roof level, so it is likely that any future restaurants/hot food takeaway establishments will require low level discharge which will require a very high level of odour control and significant internal space available within which to fit such odour mitigation equipment. Please apply condition 55EH Extract Details.



RBC Contract Management (Domestic Bin Collection)	<p>Bins required for the proposed development:  4 x 1100L refuse bins  6 x 1100L recycling bins  1 x 240L glass bin  1 x 140L food bin</p> <p>Developer is responsible for purchasing all containers before the property becomes occupied.</p> <p>Bin store for the communal bins must be separate from the shops bin store. Please make sure that the residential bin store is the closest one to the car park entrance (as it is already over 15m from the highway).</p>
Planning Policy	No objection.
Private Housing	No comments to make.
Natural England	No objections subject to a s106 to secure an appropriate SPA mitigation and avoidance contribution.
Thames Water	No objection subject to conditions.
Hampshire & I.O.W. Wildlife Trust	No comments received.
Parks Development Officer	Provides advice on POS projects to which a POS financial contribution should be required and secured with a s106 Planning Obligation.
Ecology Officer	<p>Protected Species: Advises that prior to determination of the current planning application, the Local Planning Authority should require the applicant to submit an additional bat presence/likely absence survey in accordance with best practice survey recommendations.</p> <p>Biodiversity Net Gain: No objections following receipt of amended roof plan received on 31 January 2023 showing provision of a green roof : this would be sufficient to achieve adequate biodiversity net gain as required by Local Plan Policy NE4.</p>
Hampshire Fire & Rescue Service	Provides generic comments and advice concerning fire safety and standards in respect of the proposals.
Neighbourhood Policing Team	No comments received.

### **Neighbours notified**

In addition to posting a site notice and press advertisement, over 250 individual letters of notification were sent to the owner/occupiers of properties surrounding the application property

in Station Road, Birchett Road (including Stratfield House) and Victoria Road, including all properties situated adjacent or opposite the site.

## Neighbour comments

At the time of writing this report a total of 6 comments have been received: 4 objections; 1 neutral; and 1 in support of the proposals:-

62 Coronation Rd,  
Aldershot

Objection : It is appreciated that this is one of the Council's Key sites under the redevelopment plan and welcome any improving action to this Gateway. We notice that there are only 30 parking spaces = 30 flats, but 12 of these are 2 bedroom and 6 are 3 bedroom. There would therefore appear to be a shortfall to the council's standard requirements. Several of our members recall flooding to a considerable depth there in the early 60's, this included sewage. The bowling alley has also flooded in the past. **Officer comments: Concerns were raised regarding the site flooding during the 60s including sewerage. The site is located within Flood Zone 1 and not within an area of known surface water flooding. The Statutory Water undertaker, who manages both waste and potable water, has raised no objection to the proposal. Any matters regarding the topping of water or sewerage should be reported to the relevant authorities.**

Flat 89 Stratfield  
House, Aldershot

Support: Very much support this initiative, hopefully these flats will be open for sale by local residents

Councillor Roberts  
(RBC Member for  
Aldershot Park  
Ward)

Objection : This is a poor decades old office development and little consequence and seeking to turn it into flats is mind blowing as this type of structure it doesn't work and brings forward lots of issues in its new guise Cladding. As someone who advises the Grenfell Group with others what and isn't to the current tougher standards? Updated Fire Safety structure for all buildings re Grenfell implemented. What does this clarify and to commitments to it? EV provisions in the car park arrangement and secured cycled storage as well. The building will have to be heavily gutted to much extent but it would be better it went? Lifts or what for all possible people who live within? Do we really need more poorly designed and committed to lifts? What is the current carbon profile, the level of gutting level carbon and post? Lessons from Grenfell are really needed? Shop keepers retail are needed to be assessed as well? Initial comments only and likely more when some responses come.  
**Officer comment: Fire safety matters are not managed by the Planning System and so cannot be considered as part of this application. There is no policy requirement for the provision of lifts or for schemes to be carbon neutral. As such, this cannot be considered as part of this application.**

23 Friend Avenue,  
Aldershot

Objection : #1 : Conversion to flats? Some years ago I suggested that exactly this take place to both a developer and the council. It was vetoed at that time because of the lack of sewer capacity. Are you now aware of any increase in sewer capacity as there are (were) often vehicles on the corner of the junction of Station Road and Birchett Road carrying out sewer cleaning?

#2: Out of interest I carried various development teams to and from various locations in and around Aldershot. I carried the team from XXXXX a few times and suggested that all that was needed was to replace the facade to make Hippodrome House look better with the interior being configured for housing. It was them who investigated and came back with the answer about the sewers. Remembering of course that when we had a bowling alley this flooded on a regular basis. Having experience of Stafford House perhaps I should have kept my ideas to myself as both these town centre properties have had problems with bad layouts and designs. Lifts that are so ancient that they fail too often and how on earth do top floor flats suffer from floods? Answer : As a direct result of the developer getting too greedy and not doing a good enough job. Both of these properties have had to have the exterior cladding changed twice since the original failed to work properly creating draughts and mould. Are you aware that Aldershot has the oldest Victorian brick built sewers which served as models for Joseph Bazalgettes designs. Eggars Hill has the deepest and oldest.

**Officer comments: The site is located within Flood Zone 1 and not within an area of known surface water flooding. The Statutory Water undertaker, who manages both waste and potable water, has raised no objection to the proposal. Any matters regarding the topping of water or sewerage should be reported to the relevant authorities.**

The Station Corner  
Shop, 11 Station  
Road

Objection : I would like to express my concern about issues relating to the upheaval that would result to the shop businesses situated at the foot of the building. Naturally, should the proposed plan go ahead, there is no doubt that Rushmoor Borough Council would benefit tremendously in the process of raising extra Council Tax revenue from the new occupants. However, typically, such a development may take 3-6 months to be fully carried out and would inevitably result in a nightmare situation in terms of footfall for those shopkeepers, like myself, who would be directly affected by six storeys of scaffolding placed on top of an already congested Station Road. Such scaffoldings intimidate pedestrians into preferring to walk on the other side of the street and obscure the very premises that represent the livelihoods of local businesspeople. How are we supposed to make a living, let alone pay commercial rates to the Council? Your letter makes no mention whatsoever of any compensation or rebate for the event represented by your letter.

**Officer comments: this respondent has been contacted to advise that it is long-standing Government guidance that the impacts of the implementation of a development, such as those described in this representation, cannot be taken into material account by Local Planning Authorities when considering and determining planning applications. Furthermore, the Council has no role in providing any form of compensation in respect of the planning proposals of others - the proposed development is not a project being proposed and promoted by the Council and this is a matter that could only be pursued with the developers.**

County Cllr Alex  
Crawford (HCC)

Comments : there was a lively discussion yesterday evening at the Aldershot Civic Society about this planning application. Members there recalled some history of the site, including flooding and collapse of

Aldershot Division) North diggings preparing for the construction of Hippodrome House and the bowling alley there. The documents attached to the planning application make no mention of any assessment of sewer capacity, so it will be for Thames Water to cover in their response, based on the information that they have about the site.

***Officer comments: Concerns were raised regarding the site flooding during the 60s including sewerage. The site is located within Flood Zone 1 and not within an area of known surface water flooding. The Statutory Water undertaker, who manages both waste and potable water, has raised no objection to the proposal. Any matters regarding the topping of water or sewerage should be reported to the relevant authorities.***

## **Policy and determining issues**

The proposal site is within the designated Town Centre of Aldershot and specifically allocated for development under Local Plan Policy SP1.6.

Adopted Rushmoor Local Plan (2014-2032) Policies SS1 (Presumption in Favour of Sustainable Development); Policy SP1.6 (Hippodrome House); IN1 (Infrastructure & Community Facilities); DE1 (Design in the Built Environment); DE2 (Residential Internal Space Standards); DE3 (Residential Amenity Space Standards); DE4 (Sustainable Water Use); DE6 (Open Space, Sport & Recreation); DE7 (Playing Fields & Ancillary Facilities); DE10 (Pollution); LN2 (Affordable Housing); PC8 (Skills, Training & Employment); NE1 (Thames Basin Heaths Special Protection Area); and NE4 (Biodiversity). The Council's adopted Car and Cycle Standards SPD and Government Planning Policy and Guidance are also relevant.

The main determining matters of this application are; the principle of development, affordable housing, living conditions created, impact upon neighbouring occupiers, highway matters, biodiversity, and THBSPA.

## **Commentary**

### **1. Principle of development (including visual impact) -**

The proposal site is within site allocation SP1.6 - Hippodrome House. This policy states that the Council will support either a comprehensive redevelopment or refurbishment scheme to significantly improve the site as it is a prominent gateway into Aldershot Town Centre, particularly from the train station.

The existing building, consisting of a dominant block of 1960s modernist concrete and grey brick, appears stark, run-down and out-dated within the street scene. The objective of Policy SP1.6 is to significantly improve the appearance of the site, as part of the general objective of the regeneration of Aldershot Town Centre, seeking to create a more inviting gateway.

Whilst it is likely considered preferable to redevelop the site in its entirety, a refurbishment scheme is acceptable in principle provided that it makes a significant improvement to the visual appearance of the site. To achieve this, it is proposed to refurbish the building facades by replacing horizontal bands of glazing with aluminium windows and vertical ribbed cladding boards, along with slender bronze-coloured frames around structural bays. Areas of exposed concrete are to be repaired and painted. The retail frontages have also been enhanced. The mosaic tiles are to be removed allowing for the signage to be recessed into the frame of the

building. The rear of the building is improved through the cladding of the external staircases with vertical fins. No changes are being made to the overall scale and height of the building.

The street scene surrounding the site are varied, but mainly comprise brick or rendered buildings that Victorian or modern in detailing. It is considered that the proposed changes would significantly enhance the visual appearance of the building and the street scene, forming an inviting key view from the arrival point of Aldershot Railway Station.

Policy SP1.6 also sets out that ground floor uses should reflect the town centre designation and retain an active mix of uses, and the upper floors have the potential to provide at least 70 dwellings subject to detailed design.

The proposal is to retain the existing retail uses on the ground floor, existing bowling use in the basement and office use on the first floor, which would satisfy the requirement for ground floor uses to reflect the town centre designation.

Floors two to five are proposed to be converted to residential accommodation in line with the policy, but the proposal is only for 30 dwellings rather than the policy reference to 70 dwellings. Whilst this is a shortfall of the housing quantum set out in the policy, it is not considered that this would have a harmful impact upon the housing land supply for the Borough as a whole, given the relatively small shortfall and quantum of windfall schemes in the borough.

The proposal is therefore considered to accord with Policy SP1.6 and DE1 of the Local Plan.

## **2. Affordable Housing -**

Policy LN2 – Affordable Housing requires, for sites of 11 or more dwellings within Aldershot and Farnborough town centres, to provide a minimum of 20% of dwellings as affordable homes.

The application is supported by a financial viability appraisal by 'S106 Management' which concludes that, on the basis of current market conditions, provision of affordable housing is not financially viable for the proposals. Paragraph 10.21 of the Local Plan sets out that *"where schemes do not meet the policy requirements, the Council will require applicants to submit an open book viability assessment and the Council will commission an independent review of the viability assessment, the cost of which should be met by the applicant."*

The Council have commissioned BPS Surveyors to undertake an independent review of the submitted financial viability assessment. They have advised that the scheme cannot viably provide affordable housing, but have advised that a 'post development viability review' be secured by S106 Agreement to enable the Council to 'claw back' any affordable housing to cover the possibility of the scheme becoming viable in the future. The applicant's agent and the Council's Viability Assessor have yet to agree on a Benchmark Land Value, but regardless of the difference of opinion, the proposed scheme still remains unviable to provide affordable housing. This is important as it provides the basis to measure viability. The Benchmark Land Value matter is to be agreed prior to the completion of the S106 Agreement.

Subject to this, it is considered that the proposals would accord with the requirements of Local Plan Policy LN2.

### 3. Living Environment created -

Internal space standards: Policy DE2 – Residential Internal Space Standards requires proposals for new residential units to ensure that the internal layout and size are suitable to serve the amenity requirements of future occupiers by meeting the minimum standards. In addition to this Policy DE3 – Residential Amenity Space Standards requires all new residential development and conversions to provide good-quality, usable private outdoor space in the form of gardens, balconies and/or roof terraces.

The policy also sets out that, in exceptional circumstances, where site conditions make it impossible to provide private open space for dwellings, additional internal living space equivalent to the private open space requirement may be added to the minimum GIA floorspace of the dwelling outlined in Policy DE2. The applicant seeks to rely on this exceptional circumstance in this case. The residential development proposed are flats and, in a location, where balconies are unlikely to meet acceptable noise levels, and therefore it is considered reasonable to allow such amenity space to be provided internally. All of the proposed flats would meet the Council's minimum space standards plus the additional 5sqm in lieu of the provision of external private amenity space.

Daylight, sunlight and outlook: All units would appear to achieve satisfactory levels of daylight and sunlight, and their habitable rooms would not be harmfully overlooked.

Noise: The proposed residential units would be located in a Town Centre location adjacent to a well trafficked road; and would also be located above commercial occupiers. As such, there is potential for harmful noise pollution. The application is accompanied by an Environmental Noise Survey and Acoustic Design Statement Report. The Council's Environmental Health Officers have reviewed the report and whilst it is clear that residential occupation can be supported in this location, additional information and mitigation is required in order to ensure adequate living conditions can be provided.

The first-floor space within the building is to remain within Use Class E, which includes Offices, but also activities such as cafes, restaurants, light industrial, creches, and gyms that may result in noise and vibrations that could result in harm to residential occupiers. The submitted Noise Report does not give consideration to the internal transmission of noise from the basement and potential ground/first floor uses. Bowling alleys are inherently noisy and require machinery to be in constant movement throughout their operational hours. Also, existing tenants on the first floor include a fitness centre. This and other Class E uses have the potential to have significant impact on future residential amenity due to structure-borne transmission of noise/vibration. Accordingly, it is considered reasonable to impose a condition to require provision of suitable noise and vibrations mitigation for prospective occupiers.

The Environmental Noise Survey and Acoustic Design Statement Report has proposed plant noise limit criteria for all external plant running simultaneously. The Energy and Sustainability Statement indicates that all residential units may be fitted with an air-source heat pump. All such pumps produce noise, but there is no information provided showing where these could or would be located. The current building has a large bank of A/C units and other external plant arranged along the rear wall immediately beneath first floor units. If air-source heat pumps are similarly arranged, then it is considered unlikely that the proposed plant noise limit criteria would be achievable at second floor residential units without additional mitigation being provided. Accordingly, a condition has been recommended to require noise mitigation and the location of such plant.

Class E uses can include restaurants. There appears to be no provision to vent exhaust air at roof level, so it is likely that any future restaurants/hot food takeaway establishments would require low level discharge requiring a very high level of odour control and significant internal space available within which to fit odour control and filtration equipment. A condition has been recommended requiring hot food uses to not operate until details of an appropriate and acceptable extraction system installation has been submitted to and approved by the LPA.

The Councils Environmental Health Officer has advised a number of conditions that would limit the operating hours of food and drink uses, and delivery hours of the existing commercial users on the site. These commercial uses have been operating from the building in some form since the 1960s, and it is considered possible to mitigate any resulting noise and vibrations. It is not unusual for residential units to be located about commercial units. For this reason, it is considered unreasonable to start restricting their use at this stage. It is considered that, subject to appropriate details being submitted, sufficient mitigation can be achieved to ensure that the residential units are not harmfully affected by the activities of such existing users.

Subject to conditions, it is considered that the proposals would accord with Policy DE1 and DE10 of the Local Plan.

#### **4. Impact upon neighbouring occupiers-**

The proposal utilises the existing building envelope that has multiple windows that face onto adjoining and nearby properties from height. The proposal does not add any new windows to the west flank and currently blank elevation.

The most affected neighbouring occupiers would be the properties of Station Road and Birchett Road. There is a gap of 11m between the windows of Hippodrome house and those of Station Road, and a gap of 14 meters between the site with the three-storey block of Birchett Road. These properties are two or three storeys in height with windows facing towards Hippodrome House. Given the height of these properties and the distance apart, it is not considered that the proposal would result in adverse overlooking.

The proposal would not increase the envelope of the building. It is not considered that the proposal would conflict with Policy DE1 in that regard.

#### **5. Highway matters -**

Hippodrome house is located within the Aldershot Town Centre area as defined by the Rushmoor Local Plan. The Council's Car and Cycle SPD states that for residential development within the designated Town Centre that there is a need to provide 1 space for each residential unit.

It is proposed that the existing vehicular access passageway through part of the building is used. Within this area to the rear of the building the proposal would provide 30 car parking spaces. Separate secure cycle storage is to be provided internally. As the site is in a town centre location, visitors to the retail units and residential units can use the existing surrounding car parks.

Retail units are serviced from the courtyard to the rear of Hippodrome house, as per the existing situation. Refuse stores for both the retail and residential uses are also located to the rear, with details to be secured by condition.

Hampshire Country Council Highways has raised no objection.

Subject to conditions, it is considered that the proposal would not conflict with Policy IN2 of the Local Plan and the Car and Cycle SPD.

## **6. Public Open Space -**

The adopted Local Plan seeks to ensure that adequate public open space (POS) provision is made to cater for future residents in connection with new residential developments. Policy DE6 allows provision to be made on the site, or in appropriate circumstances, a contribution to be made towards upgrading POS facilities nearby. The proposal would secure, via a S106 Agreement, £63,386.40 towards the off-site provision of public open space comprising landscaping and general infrastructure improvements to include playground and pond habitat improvements at Manor Park, High Street, Aldershot, OR Landscaping and general infrastructure improvements to include playground at Redan Hill Gardens, Redan Hill, Aldershot.

Subject to securing such contributions through S106, that the proposal would not conflict with Policy DE6 in that regard.

## **7. Impact Upon Wildlife & Biodiversity –**

### **(a) Special Protection Area.**

The European Court of Justice judgement in 'People Over Wind, Peter Sweetman v Coillte Teoranta C-323/17' in April 2018 established the legal principle that a full appropriate assessment (AA) must be carried out for all planning applications involving a net gain in residential units in areas affected by the Thames Basin Heaths SPA, and that this process cannot take into account any proposed measures to mitigate any likely impact at the assessment stage. This process, culminating in the Council's Appropriate Assessment of the proposals, is overall described as Habitats Regulation Assessment (HRA).

Undertaking the HRA process is the responsibility of the decision maker (in this case, Rushmoor Borough Council) as the 'Competent Authority' for the purposes of the Habitats Regulations. The following paragraphs comprise the Council's HRA in this case:-

HRA Screening Assessment under Regulation 63(1)(a) of the Habitats Regulations : The Thames Basin Heaths SPA is designated under the E.C Birds Directive for its lowland heathland bird populations. The site supports important breeding bird populations, especially Nightjar *Caprimulgus europaeus* and Woodlark *Lullula arborea*, both of which nest on the ground, often at the woodland/heathland edge; and Dartford Warbler *Sylvia undata*, which often nests in gorse *Ulex* sp. Scattered trees and scrub are used for roosting.

Heathland is prone to nitrogen deposition due to increases in Nitrogen Oxide. Calculations undertaken for the Rushmoor Borough Council Local Plan found that there will be no in-combination impacts on the habitats as a result of development in the Local Plan, including an allowance for 'windfall' housing developments. However within the screening process it will need to be ascertained whether development outside the Local Plan within 200m of the SPA will increase vehicle movements to above 1000 extra trips/day or exceed the Minimum Critical Load by over 1% either alone or in-combination with the Local Plan.

The bird populations and nests are very prone to recreational disturbance, with birds vacating the nests if disturbed by members of the public. This leaves the young unprotected and



increases the risk of predation. Dogs not only disturb the adults, but can directly predate the young.

Visitor surveys have shown that the visitor catchment area for the Thames Basin Heath SPA is 5km, with any proposals for residential development within this catchment contributing to recreational pressure on the SPA. The research also evidenced that residential development within 400m of the SPA would cause impacts alone due to cat predation of adult and young birds.

The retained South East Plan Policy NRM6 and adopted New Rushmoor Local Plan (2014-2032) Policy NE1 (Thames Basin Heaths Special Protection Area) and Thames Basin Heaths Avoidance & Mitigation Strategy (2019)], state that residential development within 400m of the SPA should be refused and development within 5km of the SPA should provide Strategic Alternative Natural Greenspace (SANG) of 8ha/1000 additional population and contributions to Strategic Access Management and Monitoring Measures (SAMM) dependant on the number of bedrooms.

It is considered that there is sufficient information available with the planning application provided by the applicants with which the Council can undertake the HRA process. In this case the proposed development involves the creation of 3 net new residential units within the Aldershot urban area. As such, the proposed development is located within the 5km zone of influence of the SPA but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

All new housing development within 5 km of any part of the Thames Basin Heaths SPA, of which the current proposals would make a contribution, is considered to contribute towards an impact on the integrity and nature conservation interests of the SPA. This is as a result of increased recreation disturbance in combination with other housing development in the vicinity of the Thames Basin Heaths SPA. Current and emerging future Development Plan documents for the area set out the scale and distribution of new housebuilding in the area up to 2032. A significant quantity of new housing development also results from 'windfall' sites, i.e. sites that are not identified and allocated within Development Plans. There are, therefore, clearly other plans or projects for new residential development that would, together with the proposals the subject of the current planning application, have an 'in-combination' effect on the SPA. On this basis it is clear that the proposals would be likely to lead to a significant effect on European site (i.e. the Thames Basin Heaths SPA) integrity.

Appropriate Assessment under Regulation 63(1) of the Habitats Regulations : If there are any potential significant impacts upon the Thames Basin Heaths SPA, the applicant must suggest avoidance and/or mitigation measures to allow an Appropriate Assessment to be made. The Applicant must also provide details that demonstrate any long term management, maintenance and funding of any such solution.

The project the subject of the current planning application being assessed 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 (2019), 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 been provided with an allocation of SANGS capacity from the Southwood Country Park SANGS scheme sufficient for the 30 new dwelling units proposed, which would cost the applicants £184,363.80. Furthermore, the applicants are also seeking to secure a financial contribution of £20,503.02 towards SAMM. Both would be secured by way of a s106 planning obligation to be submitted to the Council requiring payment of these SPA financial contributions upon the implementation of the proposed development.

Conclusions of Appropriate Assessment : 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.

## **b) Protected species**

European protected species (EPS) which include bats, have full protection under The Conservation of Habitats and Species Regulations 2017. It's an offence to deliberately capture, injure or kill, or deliberately disturb EPS.

The Council's Ecology Officer has been consulted on the proposals with regards to potential impact upon protected species. They have advised that the property appears to host numerous opportunities for roosting bats such as window fixtures over several storeys and broken windows allowing access to internal disused spaces. Although the property is located in an urban environment with little connectivity to optimal bat foraging and commuting corridors, bats are

known to be present locally at low populations. The proposed development will require significant renovation of the property, which would result in loss or disturbance of active roosts where present. .

The developer submitted a bat survey dated 06/03/2023 prepared by Middlemarch. This survey identifies potential for bat activity within the existing building including in the false ceiling panels and wall cavities, within the basement with direct flight access.

The report advised that proposed works have the potential to disturb or destroy a bat roost, if bats are found to be roosting within Hippodrome House and the Basement. Therefore, a further survey is required to determine the presence/absence of roosting bats within the buildings. This surveys must be carried out in the appropriate season (after 1<sup>st</sup> May 2023) to establish to what extent any mitigation measures would be necessary. The applicant has confirmed in writing that this survey will be carried out before the end of June 2023.

As set out in guidance published by Natural England and DEFRA (last updated 2022) "Protected Species and development: advice for local planning authorities – How to assess a planning application when there are protected species on or near a proposed development site." The statutory responsibility of the Council as planning authority is to ensure that, in granting planning permission, it does not authorise development which would facilitate or cause harm to protected species.

There are a number of potential outcomes arising from a further bat emergence survey, for example:

1. No evidence is found of activity and no mitigation or license is required;
2. Evidence of potential for activity is found which can be mitigated through measures within the proposed building; or
3. Evidence of activity/roosts etc is found which requires a bat mitigation license from Natural England and appropriate mitigation measures within or outside the site.

Local Planning authorities are advised that they must be satisfied that if a licence is needed, it's likely to be granted by Natural England before they grant planning permission.

LPAs are also advised that they should not usually attach planning conditions that ask for surveys because they need to consider the full impact of the proposal on protected species before granting planning permission; and they can add an 'informative' note to a planning permission to make it clear that a licence is needed. The advice further states that a planning condition for additional surveys can be imposed in exceptional circumstances, for instance, to support detailed mitigation proposals or if there will be a delay between granting planning permission and the start of development.

With regard to the current application, the recommendation is subject to completion of a S.106 agreement and therefore, as is customary, it will seek authority for the Executive Head of Property and Growth in consultation with the Chairman, to grant planning permission on completion of that agreement and subject to recommended conditions. The Council will not therefore at this point be granting planning permission for the development. Providing the recommendation secures provision for the applicants to address the results of the further survey, to which they have committed themselves, in relation to the legal requirements regarding EPS, best practice can be followed and the other planning merits of the proposal can be considered.

### c) Biodiversity Net Gain

The Environment Act 2021 introduces a statutory footing for securing measurable net gains for biodiversity, requiring a 10% minimum uplift post-development. Whilst such requirement is not yet in force, the Council encourage applicants to meet this requirement.

This development offers opportunities to provide biodiversity features which will assist the Local Planning Authority in meeting the above obligation. The proposal has been revised to provide a Green Roof to provide a net-gain in biodiversity upon the existing situation on the site. This would be sufficient to achieve biodiversity net gain as required by Local Plan Policy NE4.

### Conclusions -

The proposals are considered acceptable in principle; 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; would provide an acceptable living environment; and subject to further details to be agreed to address the ecology & biodiversity impacts of the proposed development; and, subject to financial contributions being secured in respect of Special Protection Area mitigation & 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. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).

### Full Recommendation

It is recommended that:

- A. On completion of a further bat emergence survey to determine the presence of roosting bats within the building, and preparation and submission of a mitigation plan addressing its conclusions with regard to:
  - i) mitigation measures to address any impact on bat roosts within the site resulting from the proposal, or
  - ii) any required bat mitigation license – such license to be obtained prior to implementation of any works on site, and;
- B. Completion of a Satisfactory S.106 Planning Obligation by 30<sup>th</sup> June 2023 to secure:
  - i) SANG (£184,363.80) and SAMM (£20,503.02) SPA financial contributions;
  - ii) Public Open Space (£63,386.40) contribution
  - iii) an affordable housing 'late stage review'; and
  - iv) implementation and maintenance of any measures required by the submitted mitigation plan to address the impact on protected species;
- C. The Executive Head of Property and Growth, in consultation with the Chairman of the development Management Committee be authorised to **GRANT** Planning Permission.
- D. The Executive Head of Property and Growth in consultation with the Chairman of Development Management Committee, be authorised to add, delete or vary conditions as necessary to secure identified obligations prior to the issue of planning permission.

- E. If by 30<sup>th</sup> June 2023 (or such other timescale to be agreed) a satisfactory s106 Agreement has not been received, the Executive Head of Property and Growth, in consultation with the Chairman, be authorised to **REFUSE** planning permission on the grounds that:
- a. 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;
  - b. The proposal does not make appropriate provision for Public Open Space in accordance with the requirements of adopted Rushmoor Local Plan Policy DE6;
  - c. Insufficient information has been provided to determine the impact upon a protected species, contrary to the provisions of Paragraph 174 of the National Planning Policy Framework 2018, Policies NE4 of the Local Plan and Paragraph 99 of Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System.

-and the following conditions and informatives:

### **Conditions**

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:

226\_PLN\_2007 REV.F  
226\_PLN\_2001 REV.J  
226\_PLN\_0001 REV.D  
226\_PLN\_1000 REV.D  
226\_PLN\_2000 REV.E  
226\_PLN\_2002 REV.E  
226\_PLN\_2003 REV.F  
226\_PLN\_2004 REV.F  
226\_PLN\_2005 REV.F  
226\_PLN\_2006 REV.F

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

3. Works altering the external wall treatments hereby approved shall not start until a schedule and/or samples of the materials to be used in 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.\*

4. All planting, seeding or turfing comprised in the approved details of green roof shown on approved plan 226\_PLN\_2007 shall be carried out in the first planting and seeding season following the occupation of the buildings or the practical completion of the development, whichever is the sooner and shall be so retained. Reason -To ensure the development makes an adequate contribution to Biodiversity net gain.
5. The development hereby approved shall not be occupied until measures to protect the residential units from traffic or other external noise have been implemented in accordance with a scheme to include, for example, bunds, acoustic barriers and double glazing which has been first submitted to and approved in writing by the Local Planning Authority.

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

6. The development hereby approved shall not be occupied until measures to protect the residential units from noise and vibration between floors including from internal commercial uses have been implemented in accordance with a scheme to include,
  - An updated noise survey to represent post-Covid ambient noise environment
  - Take into account noise from deliveries
  - Revised noise reduction values from thermal double glazing and other noise mitigation
  - Details of any acoustically attenuated ventilation as required
  - Details of between floor mitigation for both noise and vibrations/ structure borne vibrations between commercial and residential floors.

which has been first submitted to and approved in writing by the Local Planning Authority. Such approved measures/ mitigations must be installed prior to first occupation and remain for the lifetime of the development.

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

7. All plant and machinery shall be enclosed with soundproofing materials and mounted in a way which will minimise transmission of structure-borne sound in accordance with a scheme, including a plan of their locations on the building, to be first submitted to and approved in writing by the Local Planning Authority. Such approved details shall be installed prior to the operation of any such plant and machinery.

Reason - To protect the amenity of neighbouring occupiers and in the interest of visual amenity.\*

8. 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.

9. Prior to the commencement of any hot food use, details of the means of suppressing and directing smells and fumes from the premises have been submitted to and approved in writing by the Local Planning Authority. These details shall include the height, position, design, materials and finish of any external chimney or vent. The development shall be carried out in accordance with the details so approved and thereafter retained.

Reason - To safeguard the amenities of neighbouring property.\*

10. The development hereby approved shall not be occupied until the off-street parking facilities shown on the approved plan 226\_PLN-2001 Rev J have been completed and made ready for use by the occupiers. The parking facilities shall be thereafter retained solely for parking purposes (to be used by the occupiers of the development). \*

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

11. Each dwelling unit hereby approved shall achieve a water efficiency standard of 110 litres/person/day.

Reason: In the interest of sustainability.

12. No development shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority that demonstrates that either:-
- Foul water Capacity exists off site to serve the development, or
  - A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan, or
  - All Foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

13. No development shall be occupied until details have been submitted to and approved in writing by the LPA that demonstrates that either:-
- Surface water capacity exists off site to serve the development or
  - A development and infrastructure phasing plan has been agreed with the Local Authority in consultation with Thames Water. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan. Or
  - All Surface water network upgrades required to accommodate the additional flows from the development have been completed.

Reason - Network reinforcement works may be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents. The developer can request information to support the discharge of this condition by visiting the Thames Water website at [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning). Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.

### **Informatives**

1. **INFORMATIVE** - The proposals are considered acceptable in principle; 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; would provide an acceptable living environment; and subject to further details to be agreed to address the ecology & biodiversity impacts of the proposed development; and, subject to financial contributions being secured in respect of Special Protection Area mitigation & 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. The proposals are therefore considered to be acceptable having regard to the criteria of Policies SS1, SS2, DE1, DE2, DE3, IN2, DE1, DE2, DE3, DE11, IN2, NE1, NE2, NE3, NE4 and NE8 of the adopted Rushmoor Local Plan (2014-2032).
2. **INFORMATIVE** – The Agent is encouraged to contact the council with regards to Skill and Employment opportunities during construction.
3. **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.
4. **INFORMATIVE** – Refuse requirements. Bins required for the proposed development:
  - 4 x 1100L refuse bins
  - 6 x 1100L recycling bins
  - 1 x 240L glass bin
  - 1 x 140L food bin

The developer is responsible for purchasing all containers before the property becomes occupied. The bin store for the communal bins must be separate from the shops bin store. Please make sure that the residential bin store is the closest one to the car park entrance (as it is already over 15m from the highway).



A3

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Gaunt

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**NOTES:**

All dimensions shown are in metres unless otherwise stated.  
The drawing is based on Ordnance Survey data. All measurements are to the centre of walls unless otherwise stated.  
The drawing is based on the current planning application. All dimensions are to the external face of walls unless otherwise stated.  
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**Legend:**  
 - Blue line: Site Boundary  
 - Red line: 1 and Chamberlain Boundary  
 - Green line: OS Information 1000/3250

**AC ARCHITECTS.CO.UK**  
 Ayre Chamberlain Gaunt  
 10, The Old Mill, 100 The Green,  
 Newmarket, Suffolk, CB8 7JG  
 Tel: 01753 462357  
 Email: info@ayrchamberlaingaunt.co.uk

**AYRE  
CHAMBERLAIN  
GAUNT**

**PROJECT**  
Hydroponics House  
Abstricht

**DRAWING TITLE**  
Location Plan

REV	DATE	NOTES
A	20/03/20	Issue for the Application
B	08/04/20	Issue for the Application
C	08/04/20	Issue for the Application
D	08/04/20	Issue for the Application

DRAWN BY	CHECKED BY
OC	MM

JOB NO.	STATUS
Z/6	PLANNING

DRAWING NO.	REV
Z/6_P1_P1_006	D



486400m 486500m 486600m

486400m 486500m 486600m

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A1



**NOTES:**  
 1. All dimensions are to the face of the work unless otherwise stated.  
 2. The design is subject to the approval of the relevant authorities.  
 3. The design is subject to the approval of the relevant authorities.  
 4. The design is subject to the approval of the relevant authorities.  
 5. The design is subject to the approval of the relevant authorities.  
 6. The design is subject to the approval of the relevant authorities.  
 7. The design is subject to the approval of the relevant authorities.  
 8. The design is subject to the approval of the relevant authorities.  
 9. The design is subject to the approval of the relevant authorities.  
 10. The design is subject to the approval of the relevant authorities.



**KCC ARCHITECTS COLUK**  
 Ayre Chamberlain Gaunt  
 Architects & Planners  
 11-13 South Street  
 Bury, Greater Manchester  
 M9 1AF  
 Tel: 0161 255 1111  
 Email: info@ayre-chamberlain-gaunt.co.uk

**AYRE CHAMBERLAIN GAUNT**

**PROJECT**  
 11-13 South Street  
 Bury, Greater Manchester

**DRAWING TITLE**  
 Proposed 11-13 South Street  
 North and South

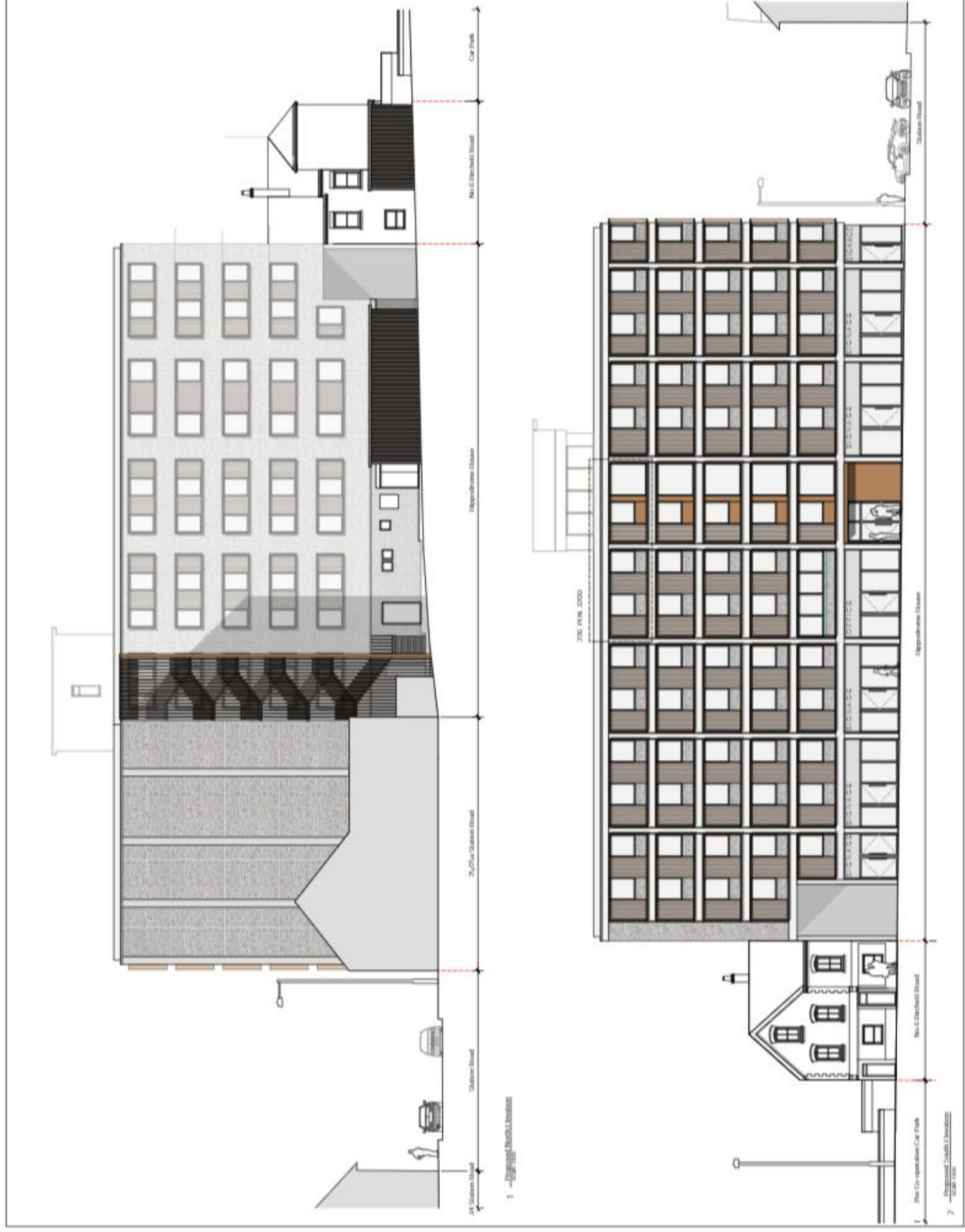
REV	DATE	NOTES
1	15/05/20	Issue for the Highways Authority for the Highways Act 1960
2	18/05/20	Issue for the Highways Authority for the Highways Act 1960
3	18/05/20	Issue for the Highways Authority for the Highways Act 1960
4	18/05/20	Issue for the Highways Authority for the Highways Act 1960

**DESIGNED BY**  
 JZC

**CHECKED BY**  
 PHH


**STATUS**  
 FOR PERMIT

**DRAWING NO.**  
 JZC 11-13 2000





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	Chris Jones
Application No.	23/00074/FULPP
Date Valid	31st January 2023
Expiry date of consultations	22nd February 2023
Proposal	Installation of a 10m2 Arctic Bar Cabin in rear garden
Address	<b>20 Cabrol Road Farnborough Hampshire GU14 8NY</b>
Ward	Empress
Applicant	
Agent	N/A
Recommendation	<b>Permission Granted</b>

### Description

The application property is a semi-detached two-storey dwellinghouse, located at the south-eastern end of Cabrol Road. It is adjoined by Queen Elizabeth Park to the south and east and the Prospect Road allotments to the southwest. The property has been extended at two-stories to the side, approved under planning reference 92/00475/FUL in December 1992 and at single storey extension to the rear, 19/00557/REXPD refers.

The proposal is to erect a timber outbuilding at the southern end of the garden, which includes an integral barbeque unit, with a flue projecting above the highest part of the roof. This would require the repositioning of two existing sheds, although this would not require planning permission. The building would be of a rustic design with a footprint that may be best described as hexagonal but with a rectangular section added on one side. The roof would be steeply pitched with a substantial overhang. The maximum dimensions of the structure, to the edges of the roof would be 3.9m across the width and 5.6m across the length. The highest part of the roof would be 3.4m above ground level, with the top of the cone that would be positioned above the flue projecting a little above this. There would be a lower roof ridge over the rectangular section, which would have a height of 2.8m above ground level. The building would be 1.4m high at the eaves. The structure requires planning permission because it is located within 2m of the boundary of the property and its maximum height exceeds 2.5m.

The application is being referred to the Development Management Committee because one

of the applicants is a Council employee.

### **Consultee Responses**

Environmental Health                      No Environmental Health objection.

SLP Project                                      No comment to make.

### **Neighbours notified**

In addition to posting a site notice., a letter of notification was sent to No,18 Cabrol Road, the only residential property that directly adjoins the application property.

### **Neighbour comments**

No comments received.

### **Policy and determining issues**

The site is located within the Defined Urban Area as shown on the Policies Map of the Rushmoor Local Plan. Policy DE1 of the Rushmoor Local Plan and the Council's Home Improvements and Extensions Supplementary Planning Document are relevant.

The main determining issues are considered to be the impact of the proposal on the character and amenity of the area, impact upon the outlook and amenity of the occupants of the adjoining property, highway safety and matters relating to the new Southampton to London Pipeline that is being constructed by Esso on the land to the south of the application property.

### **Commentary**

#### **1. Impact upon the Character and Amenity of the Area –**

The proposed outbuilding would be located to the rear of the dwelling and would not be visible from Cabrol Road. The area of Queen Elizabeth Park to the east of the site is currently inaccessible to members of the public as the area is being used by Esso as a compound for the pipeline replacement work. Once the pipeline works are complete and the compound has been removed, it is considered that the proposed outbuilding would have little impact upon the visual amenity of the park, due to the existing boundary fencing and the trees that are to be retained in the park.

#### **2. Impact upon neighbours-**

While the proposed outbuilding would be located relatively close to the only residential property that directly adjoins the site, the building would be oriented such that the lower part of the roof would be located adjacent to the boundary. As the structure would be located at the bottom of the garden, it is considered that there would be no material and adverse impact upon the light, outlook and amenity of the occupants of this property, in terms of the built structure. As the structure would incorporate an integral barbecue unit, it was considered

appropriate to consult Environmental Health on this proposal. In response, Environmental Health have commented that the height of proposed discharge point appears to be greater than 3.4m and the cabin is to be located at the end of the garden some 10m from the neighbouring property, which should be sufficient to ensure adequate dispersal. The applicants are strongly advised to only use approved fuels to minimise emissions, and fit a carbon monoxide monitor. The prevailing winds are south-westerly so the risk of impact on the immediate neighbour is reduced. Any emissions will likely be carried away over the neighbouring car park/non-residential land. No objection is therefore raised. It is therefore considered that the proposal is unlikely to materially and adversely affect residential amenity as a result of the use of the barbecue, which is an integral feature of the proposed building.

### **3. Highway Safety-**

The proposed building would not affect any off-road parking spaces and there would be no highway safety implications.

### **4. Impact upon Esso Pipeline-**

The Esso Petroleum Company, Limited (Esso) had its application for a Development Consent Order (DCO) for the Southampton to London Pipeline (SLP) project approved by the Secretary of State on the 7 October 2020, and this is being constructed on land adjoining the site. The Secretary of State for the Ministry of Housing, Communities & Local Government issued a safeguarding direction to the relevant local authorities along the replacement pipeline route on 10 June 2019. The direction requires a local planning authority to consult Esso on the application, and not grant planning permission on the application otherwise than to give effect to any recommendation made by Esso unless the application is first referred to the Secretary of State. Esso were consulted and responded that this is an exempt application under the Safeguarding Direction 2019 because the planning application land does not fall within the order limits of the application for development consent made by Esso. Therefore, Esso offered no comment on this planning application.

### **Conclusions -**

It is concluded that the proposed outbuilding will not materially and adversely affect the character and amenity of the area or the outlook and amenity of the adjoining residents. The proposals have no implications for highway safety or the new Southampton to London Pipeline being constructed on the adjacent land. The proposals accord with Policy DE1 of the Rushmoor Local Plan and the guidance on outbuildings given in the adopted Home Improvements and Extensions SPD.

### **FULL RECOMMENDATION**

It is recommended that permission be GRANTED subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years 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.

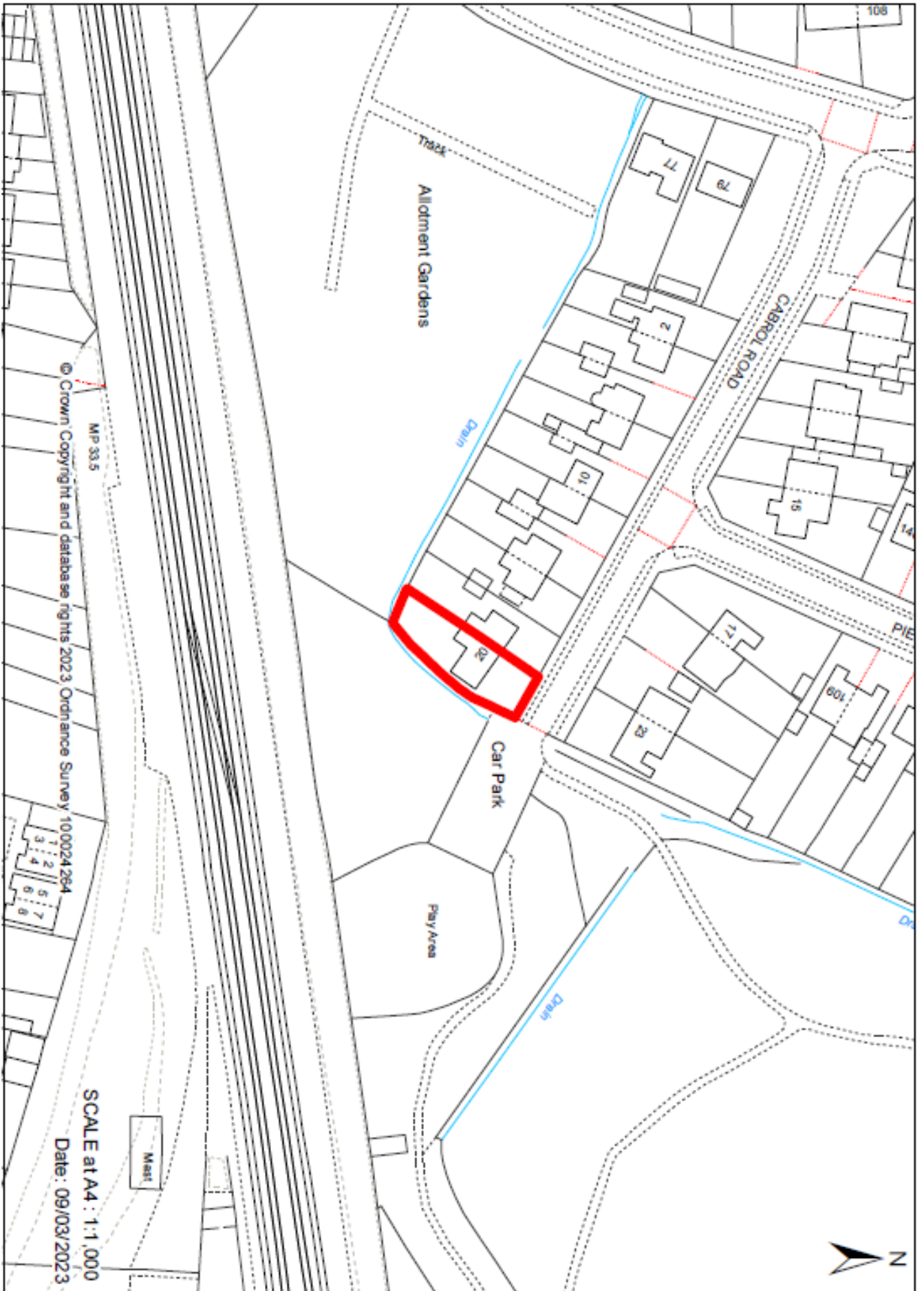
- 2 The permission hereby granted shall be carried out in accordance with the following approved drawings. Drawing numbers: A 01, A 02, A 03, A 04. A05, and unnumbered site location and block plans.

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

### **Informatives**

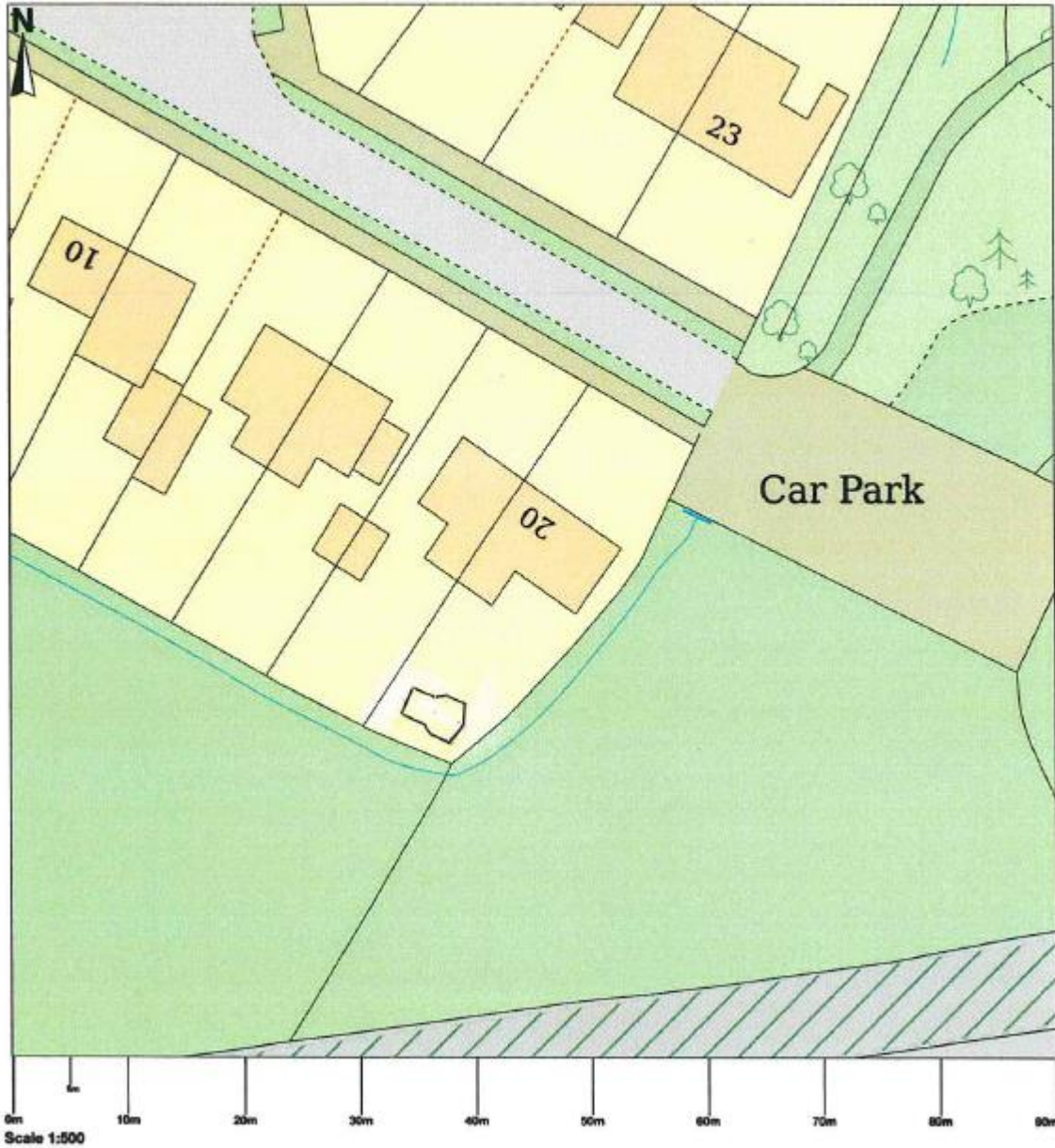
- 1 **INFORMATIVE** – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.
- 2 The Council has granted permission because it is considered that the proposed outbuilding will not materially and adversely affect the character and amenity of the area or the outlook and amenity of the adjoining residents. The proposals have no implications for highway safety or the new Southampton to London Pipeline being constructed on the adjacent land. The proposals accord with Policy DE1 of the Rushmoor Local Plan and the guidance on outbuildings given in the adopted Home Improvements and Extensions SPD. 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 The applicants are strongly advised to only use approved fuels to minimise emissions, and fit a carbon monoxide monitor. Please contact Environmental Health for further advice.
- 4 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](mailto:plantlocation@sgn.co.uk) Tel: 0800 912 1722







**20 Cabrol Road, Farnborough, GU14 8NY**



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486503,156085. Produced on 23 January 2023 from the OS National Geographic Database. Supplied by  
UKPlanningMaps.com. Unique plan reference: b90c/uk/898245/1212447



Top View

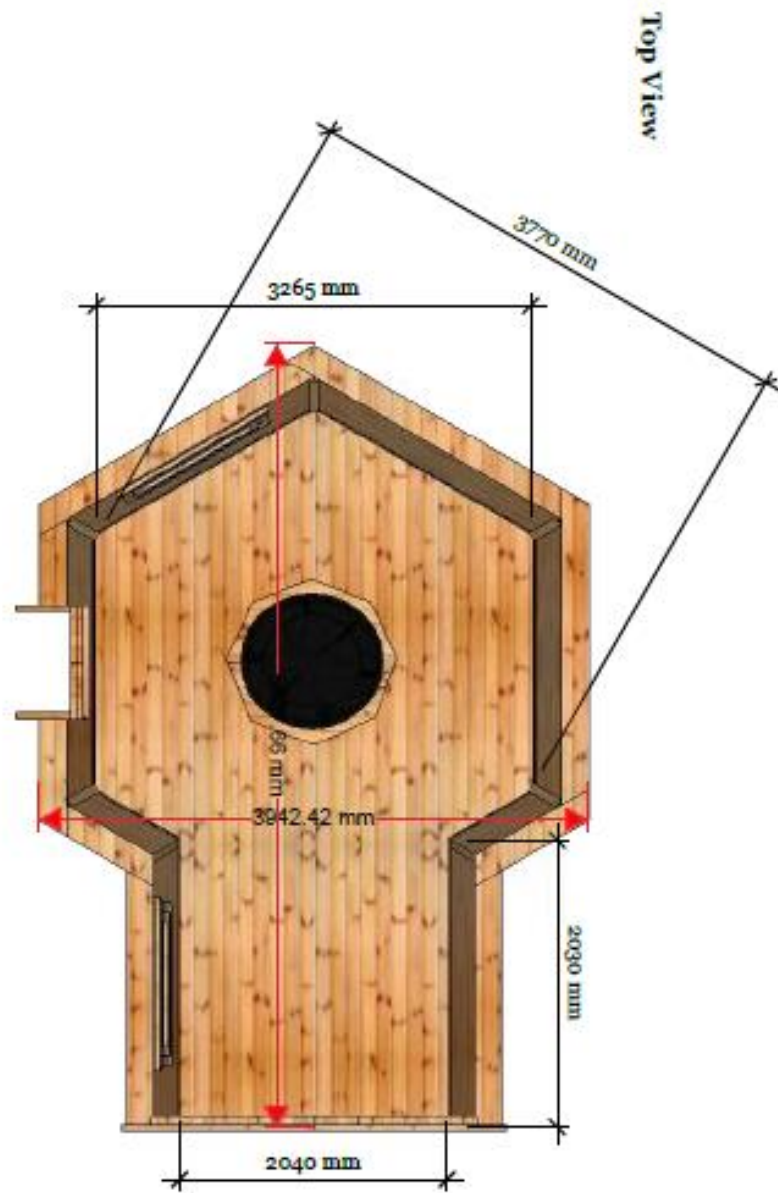
10m<sup>2</sup> 2m Arctic Bar Cabin



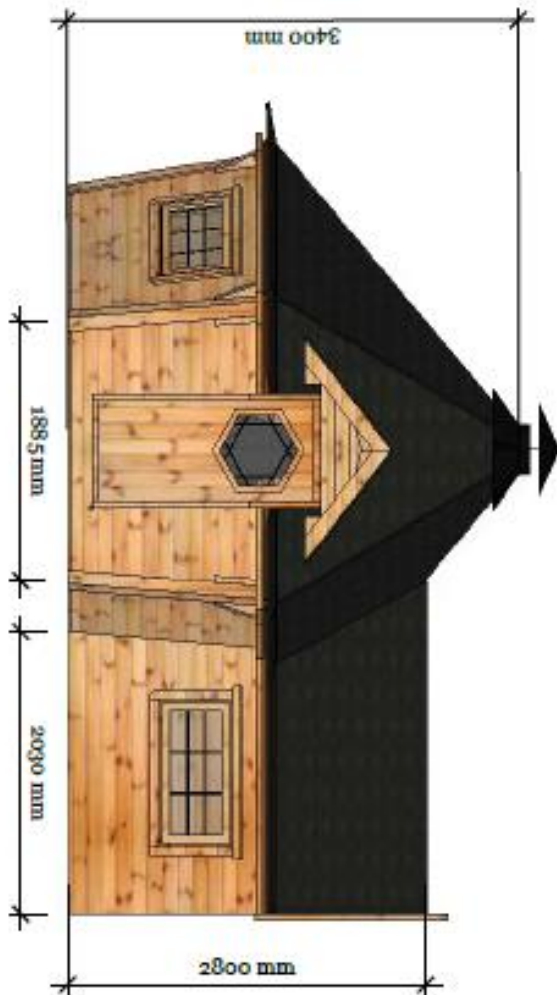
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A

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Front View



Front & Left View



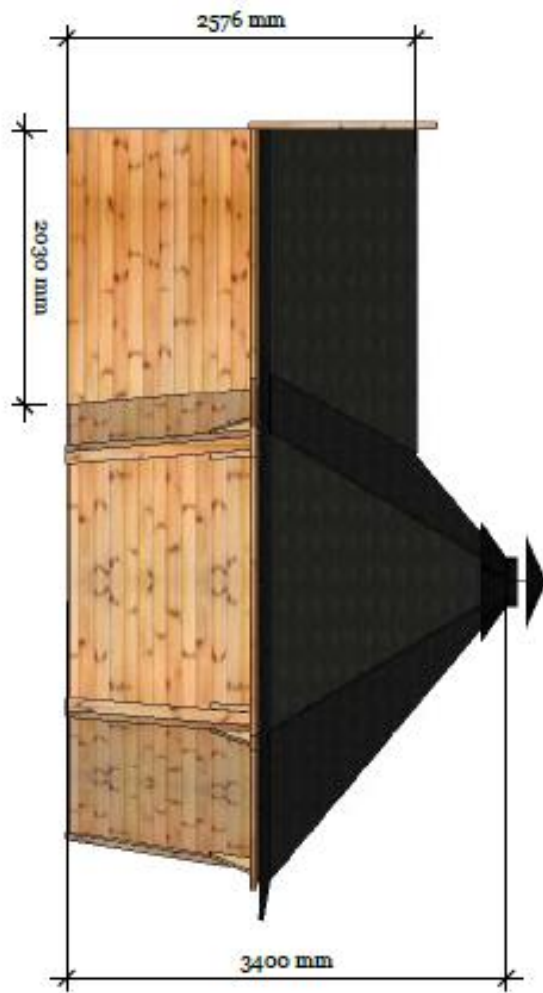
10m<sup>2</sup> am Arctic Bar Cabin

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Back View



Front & Left View



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When printed at A4

A 02

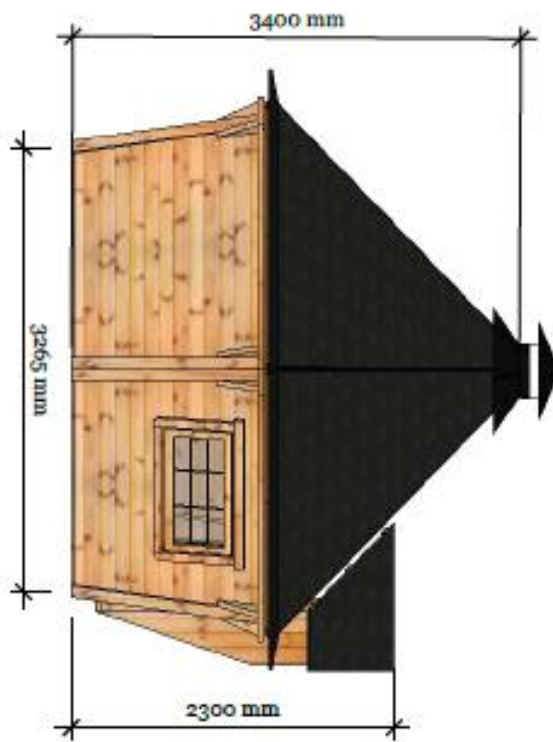
Front & Left View



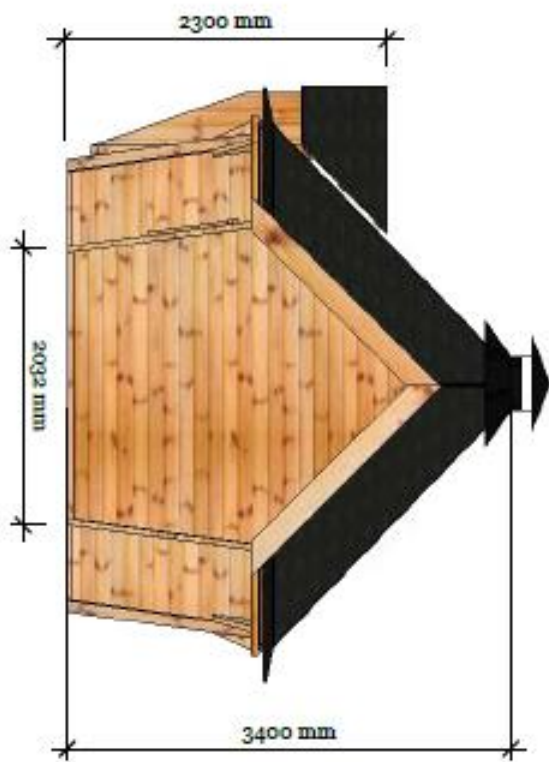
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Left View



Right View



Front & Left View



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When printed at A4

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04

10m<sup>2</sup> 2m Arctic Bar Cabin



July 6, 2022





## 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.

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Application No	21/00411/CONDPP	Ward: Manor Park
Applicant:	Mr P Davey	
Decision:	<b>Permission Granted</b>	
Decision Date:	23 February 2023	
Proposal:	Submission of details pursuant to condition 13 (Drainage) of planning permission 19/00873/FULPP for the erection of 17 dwellings date 29 June 2020 (11 x 3-bed, 4 x 2-bed and 2 x 1-bed) and associated parking and landscaping following demolition of all buildings on site	
Address	<b>2 - 4 Mount Pleasant Road Aldershot Hampshire GU12 4NL</b>	

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Application No	22/00397/CONDPP	Ward: St Mark's
Applicant:	Miss Tilly Wishaw	
Decision:	<b>Permission Granted</b>	
Decision Date:	14 February 2023	
Proposal:	Submission of details pursuant to condition 6 (western footway Queen's roundabout) and 7 (pedestrian & cycle movement) of planning permission 17/00914/OUTPP dated 15th May 2020.	
Address	<b>Blandford House And Malta Barracks Development Site Shoe Lane Aldershot Hampshire</b>	

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Application No 22/00416/CONDPP Ward: Wellington

Applicant: Taylor Wimpey West Ltd

Decision: **Permission Granted**

Decision Date: 02 March 2023

Proposal: Submission of details pursuant to condition 9 (external lighting) of part reserved matters application 21/00108/REMPP dated 27th May 2021.

Address **Part Of Land At Stanhope Lines E And Part Of Buller Alisons Road Aldershot Hampshire**

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Application No 22/00779/REVPP Ward: Wellington

Applicant: Shaviram Aldershot Limited

Decision: **Permission Granted**

Decision Date: 17 February 2023

Proposal: MINOR MATERIAL AMENDMENTS to development approved with planning permission 20/00508/FULPP dated 5 September 2022 relating to The Galleries, High Street Car Park and Arcade sections of the development scheme comprising: Revised car park layout to provide a total of 851 spaces (plus 5 spaces on development as approved) with other alterations to stair cores; additional means of escape; re-located disabled bays; provision of EV charging spaces; revised cycle and refuse/recyclables storage and plant room space; re-configured residential floor cores and means of escape; deletion of recessed/inset balconies in favour of additional internal floorspace for these flats and elevational alterations to buildings involving an overall reduction in glazed areas. Revised visibility splay for The Galleries site car park entrance

Address **The Galleries High Street Aldershot Hampshire GU11 1PE**

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Application No 22/00868/FULPP Ward: Knellwood

Applicant: Mr MAHESH T.C

Decision: **Permission Granted**

Decision Date: 20 February 2023

Proposal: Erection of a single storey rear extension and conversion of existing garage to a habitable room

Address **4 Priory Street Farnborough Hampshire GU14 7HX**

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Application No 22/00877/TPOPP Ward: St John's

Applicant: Mr John Roylance

Decision: **Permission Granted**

Decision Date: 16 February 2023

Proposal: Three Oaks (part of group W1 of TPO 365V) as per submitted plan, cut back branches to established growth points at boundary line of Sentry Walk at the the side of 44 Marlborough View

Address **Amenity Land To The West Of 10 To 30 Chestnut Tree Grove Farnborough Hampshire**

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Application No 22/00911/FUL Ward: Empress

Applicant: Ms Dorota Adamczyk

Decision: **Permission Granted**

Decision Date: 14 February 2023

Proposal: Erection of a single storey side and rear extension, covered canopy to side, replacement windows along with installation of external insulated panels with a finished render on the side and rear facing elevation of property (revised scheme to previously approved planning application 22/00420/FULPP granted 31 August 2022)

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

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Application No 23/00015/TPOPP Ward: Rowhill

Applicant: Mr Nick Irving

Decision: **Permission Granted**

Decision Date: 22 February 2023

Proposal: T1 Beech Tree - Reduce canopy by no more than 3metres as tree is affected by a large bracket fungus, reduce the limbs growing towards the house and the limbs growing over the road by no more than 3 meters and remove dead limbs (T2 of TPO 393). T2 Fir Tree - reduce limbs overhanging property and Eggars Hill by no more than 3 metres (T1 of TPO 393)

Address **Cultra 2 Hillside Road Aldershot Hampshire GU11 3NB**

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Application No 23/00017/FUL Ward: Wellington  
Applicant: Mrs Ashitey  
Decision: **Permission Granted**  
Decision Date: 13 February 2023  
Proposal: Retention of satellite dish on front elevation  
Address **2 Beresford Close Wellesley Aldershot Hampshire GU11 4DF**

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Application No 23/00029/FULPP Ward: North Town  
Applicant: Mr & Mrs Fitzwilliams  
Decision: **Permission Granted**  
Decision Date: 14 February 2023  
Proposal: Erection of a first floor side extension  
Address **25 Brookfield Road Aldershot Hampshire GU12 4UP**

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Application No 23/00032/FULPP Ward: North Town  
Applicant: Mr Sean Herbert  
Decision: **Permission Granted**  
Decision Date: 27 February 2023  
Proposal: Erection of outbuilding for office/workshop use measuring 3.2m high x 3.8m width x 3.8m depth  
Address **108 Holly Road Aldershot Hampshire GU12 4SG**

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Application No 23/00033/FULPP Ward: Cove And Southwood  
Applicant: Mrs S Pun  
Decision: **Permission Granted**  
Decision Date: 27 February 2023  
Proposal: First floor side extension  
Address **70 Cove Road Farnborough Hampshire GU14 0EN**

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Application No 23/00043/TPOPP Ward: St John's

Applicant: Merlin Estates Ltd Josh Dudley

Decision: **Permission Granted**

Decision Date: 02 March 2023

Proposal: T12 Goat Willow - Fell as dying/dead, T13 Goat Willow - Fell as dying/dead, T14 Scots pine - Fell as large tree overhanging dwelling and fungal fruiting body at base consistent with Phaeolus schweinitzii. Lower stem has intonation consistent with internal hollowing, when tapped with nylon mallet (Trees within G1 of TPO 436V) T15 Scots pine - Fell as fungal fruiting body at base consistent with Phaeolus schweinitzii. When tapped with nylon mallet the intonation is consistent with internal hollowing for the first 2m of stem (Tree within G2 of TPO 436V)

Address **Land Affected By TPO 436V - At Haskins Gardens And Haskins Drive Farnborough Hampshire**

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Application No 23/00047/FULPP Ward: North Town

Applicant: Olga Stephenson

Decision: **Permission Refused**

Decision Date: 08 March 2023

Proposal: Erection of a two storey side extension

Address **94 Field Way Aldershot Hampshire GU12 4UL**

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Application No 23/00048/FULPP Ward: North Town

Applicant: Olga Stephenson

Decision: **Permission Granted**

Decision Date: 02 March 2023

Proposal: Erection of an outbuilding in rear garden

Address **94 Field Way Aldershot Hampshire GU12 4UL**

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Application No 23/00051/TPOPP Ward: Empress

Applicant: Mr Karl Cox

Decision: **Permission Granted**

Decision Date: 02 March 2023

Proposal: Two Oaks (part of group G9 of TPO422A) one Oak (G8) one Sycamore (G7) and one Sycamore (G5) and 3 individual Oaks T18 ,T19 and T22 all part of TPO 422A, crown lift to no more than 3.5 metres clearance over path and 5.5 metres over the road and repeat as required.

Address **Land To The East Of Beverley House And Lynx Court Wallis Square Alongside Farnborough Road Farnborough Hampshire**

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Application No 23/00056/FULPP Ward: St John's

Applicant: Shirley Moore

Decision: **Permission Granted**

Decision Date: 23 February 2023

Proposal: Installation of a dropped kerb with permeable hard standing for off road parking

Address **9 Church Lane Farnborough Hampshire GU14 9RJ**

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Application No 23/00057/PDCPP Ward: Knellwood

Applicant: Mr Fielding

Decision: **Development is Lawful**

Decision Date: 21 February 2023

Proposal: Lawful Development Certificate for proposed development: Erection of a single storey rear extension

Address **58 Avenue Road Farnborough Hampshire GU14 7BG**

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Application No 23/00062/PDCPP Ward: North Town  
Applicant: Olga Stephenson  
Decision: **Development is Lawful**  
Decision Date: 07 March 2023  
Proposal: Lawful Development Certificate for proposed development:- Formation of a dormer within rear facing roof slope and two roof lights within the front facing roof slope to facilitate room in roof  
Address **94 Field Way Aldershot Hampshire GU12 4UL**

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Application No 23/00063/PDC Ward: Fernhill  
Applicant: Mr D Rogers  
Decision: **Development is Lawful**  
Decision Date: 23 February 2023  
Proposal: Lawful Development Certificate for proposed development: Erection of a single storey rear extension  
Address **5 Cairngorm Place Farnborough Hampshire GU14 9HU**

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Application No 23/00064/FULPP Ward: Manor Park  
Applicant: Mr Yogesh Rai  
Decision: **Permission Granted**  
Decision Date: 21 February 2023  
Proposal: Retention of front porch  
Address **2 Boulders Road Aldershot Hampshire GU11 1TL**

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Application No 23/00067/FUL Ward: Manor Park  
Applicant: Chris Charlton  
Decision: **Permission Granted**  
Decision Date: 22 February 2023  
Proposal: Conversion of garage to a habitable room  
Address **12 Laurel Gardens Aldershot Hampshire GU11 3TQ**

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Application No 23/00071/FUL Ward: Knellwood  
Applicant: Mrs Amy Sneddon  
Decision: **Permission Granted**  
Decision Date: 22 February 2023  
Proposal: Erection of a single storey front/side extension  
Address **147 Sycamore Road Farnborough Hampshire GU14 6RE**

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Application No 23/00072/TPOPP Ward: St John's  
Applicant: Mr Liam East  
Decision: **Permission Granted**  
Decision Date: 08 March 2023  
Proposal: One Oak tree (T1 on submitted plan) crown reduction of no more than 2.5 metres. Two Pine trees (T2 and T3) remove lower limbs overhanging numbers 7 and 11 Maple Avenue as per submitted photographs. The three trees are all part of group G2 of TPO 365V  
Address **9 Maple Avenue Farnborough Hampshire GU14 9UR**

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Application No 23/00083/TPOPP Ward: Knellwood  
Applicant: Mr Darren Anderson  
Decision: **Permission Granted**  
Decision Date: 08 March 2023  
Proposal: One Ash (T24 of TPO 433V) T1 on submitted plan, crown raise by no more than 5 metres from ground level, third order branching only, branches overhanging boundary with 28 Church Avenue only  
Address **26 Church Avenue Farnborough Hampshire GU14 7AT**

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Application No 23/00091/CONDPP Ward: Wellington

Applicant: Vicki Bowers

Decision: **Permission Granted**

Decision Date: 02 March 2023

Proposal: Submission of details in respect of part of Development Zone K (Stanhope Lines East) part pursuant to condition 15 (remediation reports) of hybrid outline planning permission 12/00958/OUT dated 10th March 2014 in relation to plots plots. 73-75, 82-91, 111-116, 154-171

Address **Zone K - Stanhope Lines East And Zone M Buller Wellesley Aldershot Urban Extension Aldershot Hampshire**

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Application No 23/00095/FUL Ward: Cherrywood

Applicant: Mr John Law

Decision: **Permission Granted**

Decision Date: 02 March 2023

Proposal: Erection of linked attached garage

Address **2 Woodside Farnborough Hampshire GU14 8JB**

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Application No 23/00102/FUL Ward: Empress

Applicant: Mr And Mrs Bass

Decision: **Permission Granted**

Decision Date: 27 February 2023

Proposal: Installation of solar panels to front roof slope

Address **17 The Chase Farnborough Hampshire GU14 8BY**

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Application No 23/00110/PDCPP Ward: West Heath

Applicant: Alex Pavel

Decision: **Development is Lawful**

Decision Date: 08 March 2023

Proposal: Lawful Development Certificate for proposed development: Erection of a single storey rear extension

Address **21 Mayfield Road Farnborough Hampshire GU14 8RS**

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Application No 23/00112/MISC28 Ward: St Mark's

Applicant: Jennifer Stead

Decision: **No Objection**

Decision Date: 06 March 2023

Proposal: The Electronic Communications Code (Conditions and Restrictions) (Amendment) Regulations 2017-toob intends to install fixed line broadband electronic communications apparatus (cabinets) outside 7 Farnborough Road and 17 Cranwell Road in Farnborough at: FB105-OF

Address **Street Record Cranwell Road Farnborough Hampshire**

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Application No 23/00117/MISC28 Ward: St Mark's

Applicant: Jennifer Stead

Decision: **No Objection**

Decision Date: 06 March 2023

Proposal: The Electronics Communications Code (Conditions and Restrictions) (Amendment) Regulations 2017-toob intends to install fixed line broadband electronic communications apparatus (cabinets)outside 50 Alexandra Road, 19 Winchester Street, 35 Lynchford Road, 38A and 61 Southampton Street, Osborne Court and 70 Osborne Road in Farnborough, at: FB105-RV

Address **Street Record Southampton Street Farnborough Hampshire**

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Application No 23/00147/MISC28 Ward: Cherrywood

Applicant: Jennifer Stead

Decision: **No Objection**

Decision Date: 27 February 2023

Proposal: The Electronics Communications Code (Conditions and Restrictions) (Amendment) Regulations 2017-toob intends to install fixed line broadband electronic communications apparatus (poles) outside 20 Sine Close, 27 Willow Crescent, 31 Beech Road, 15 Churchill Crescent. 11 Greatfield Road, 2 Ley Road and 5 and 78B Lye Copse Avenue in Farnborough, at: FB107-OP

Address **Street Record Lye Copse Avenue Farnborough Hampshire**

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Application No 23/00157/CONDPP

Ward: Wellington

Applicant: MISS EMMA DARVELL

Decision: **Permission Granted**

Decision Date: 02 March 2023

Proposal: Submission of details part pursuant to condition 10 (tree protection completion report) of part reserved matters application 21/00108/REMPP dated 27th May 2021 in respect of PLOTS 84 - 91, 104 - 107, 111-116 AND 142 - 171 INCLUSIVE

Address **Part Of Land At Stanhope Lines E And Part Of Buller Alisons Road  
Aldershot Hampshire**

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Development Management Committee  
22nd March 2023

Report No. PG2315

**Proposed Town Centre Regeneration : The Galleries, High Street, Aldershot :  
Planning Permission 22/00779/REVPP**

## **1. Introduction**

1.1 The purpose of this report is to advise Members of a decision taken in consultation with the Chairman at variance with a resolution of the Development Management Committee on the grounds of expediency.

## **2. Background**

2.1 Planning amendment application 22/00779/REVPP was submitted valid to the Council on 4 November 2022 proposing:

**“MINOR MATERIAL AMENDMENTS to development approved with planning permission 20/00508/FULPP dated 5 September 2022 relating to The Galleries, High Street Car Park and Arcade sections of the development scheme comprising: Revised car park layout to provide a total of 851 spaces (plus 5 spaces on development as approved) with other alterations to stair cores; additional means of escape; re-located disabled bays; provision of EV charging spaces; revised cycle and refuse/recyclables storage and plant room space; re-configured residential floor cores and means of escape; deletion of recessed/inset balconies in favour of additional internal floorspace for these flats and elevational alterations to buildings involving an overall reduction in glazed areas. Revised visibility splay for The Galleries site car park entrance”**

2.2 The application was subsequently considered by the Development Management Committee at the 18 January 2023 meeting, when it was resolved to approve the amendments, effectively granting a separate new planning permission, subject to the completion of a satisfactory Deed of Variation to the s106 Agreement dated 6 September 2022 (relating to the original Galleries planning permission). This was to ensure that the implementation of the development in accordance with the proposed amendments the subject of the amendment application would also require compliance with identical s106 requirements.

2.3 A Deed of Variation was originally indicated to be required by the applicant in making the amendment application. However, since the consideration of the amendment application by Committee, it has been established [and confirmed by the Council's Corporate Manager Legal Services], as identified by the applicants' agent, that a Deed of Variation was/is not, in fact, required. This is because the original s106 Agreement for the Galleries development dated 6 September 2022 envisaged the possibility of amendment applications being submitted and negates the need for a new s106 (Deed of Variation) if the permission is varied under s73 or 96A of the 1990 Act

(as is the case with the current application) unless the Council determines otherwise, as follows:-

Clause 3.8 of the s106 recites: *“For the avoidance of doubt in the event of a renewal of the Full Permission and/or the variation of a condition to the Full Permission by way of a Section 73 Permission or pursuant to section 96A of the 1990 Act this Deed shall continue to bind the Site in relation to the Development unless in the reasonable opinion of the Council the renewal or variation necessitates any further or modified obligations under or to this Deed to be put in place under Section 106 of the 1990 Act.”*

2.4 On 16 February 2023 the Chairman was appraised on the situation as described above and that there was a current agreed extension of time for the determination of the application in place; and the Chairman was asked whether they agreed that, in the circumstances, the amendment application could be approved. The Chairman subsequently confirmed his agreement to this course of action and the amendment application was approved and the decision notice issued on 17 February 2023.

### **3. Planning considerations**

3.1 The sole objective that lead to the requirement for a Deed of Variation being recommended at the 18 January 2023 meeting was to ensure that the new planning permission is subject to the same s106 requirements as the original planning permission, 20/00508/FULPP. The Council’s Corporate Manager Legal Services has confirmed that this is already the case as a result of Clause 3.8 of the s106 Agreement and, as such, it was unnecessary for a Deed of Variation to be completed to achieve this objective : the approved amendment is automatically subject to the original s106 Agreement.

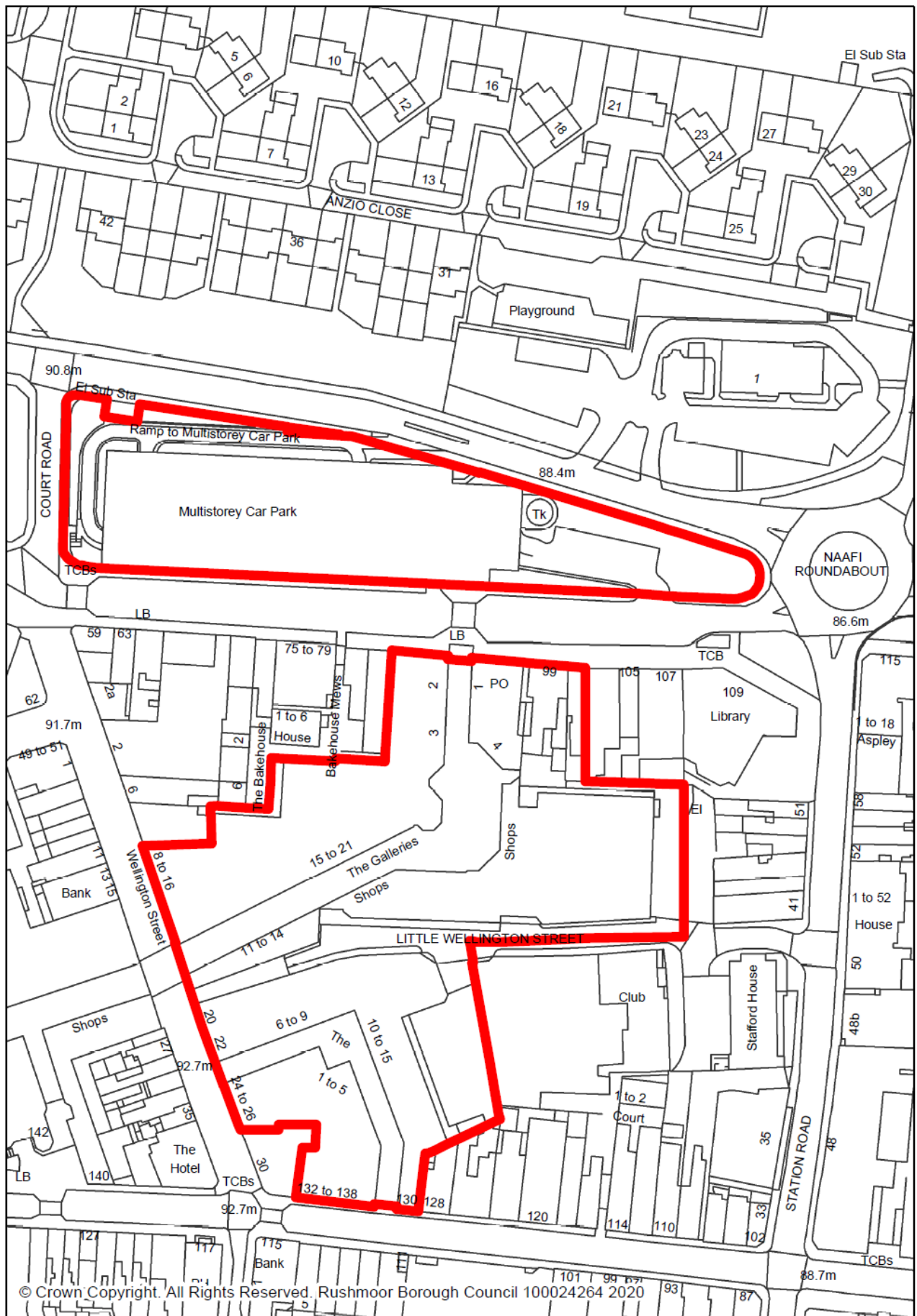
3.2 On this basis it is considered that the variance from the Committee resolution in this case achieves the same objective and, as such, was both reasonable and justified; and this would have been the recommendation had the effect of Clause 3.8 of the s106 been known when the Committee considered the amendment application on 18 January 2023.

### **Recommendation**

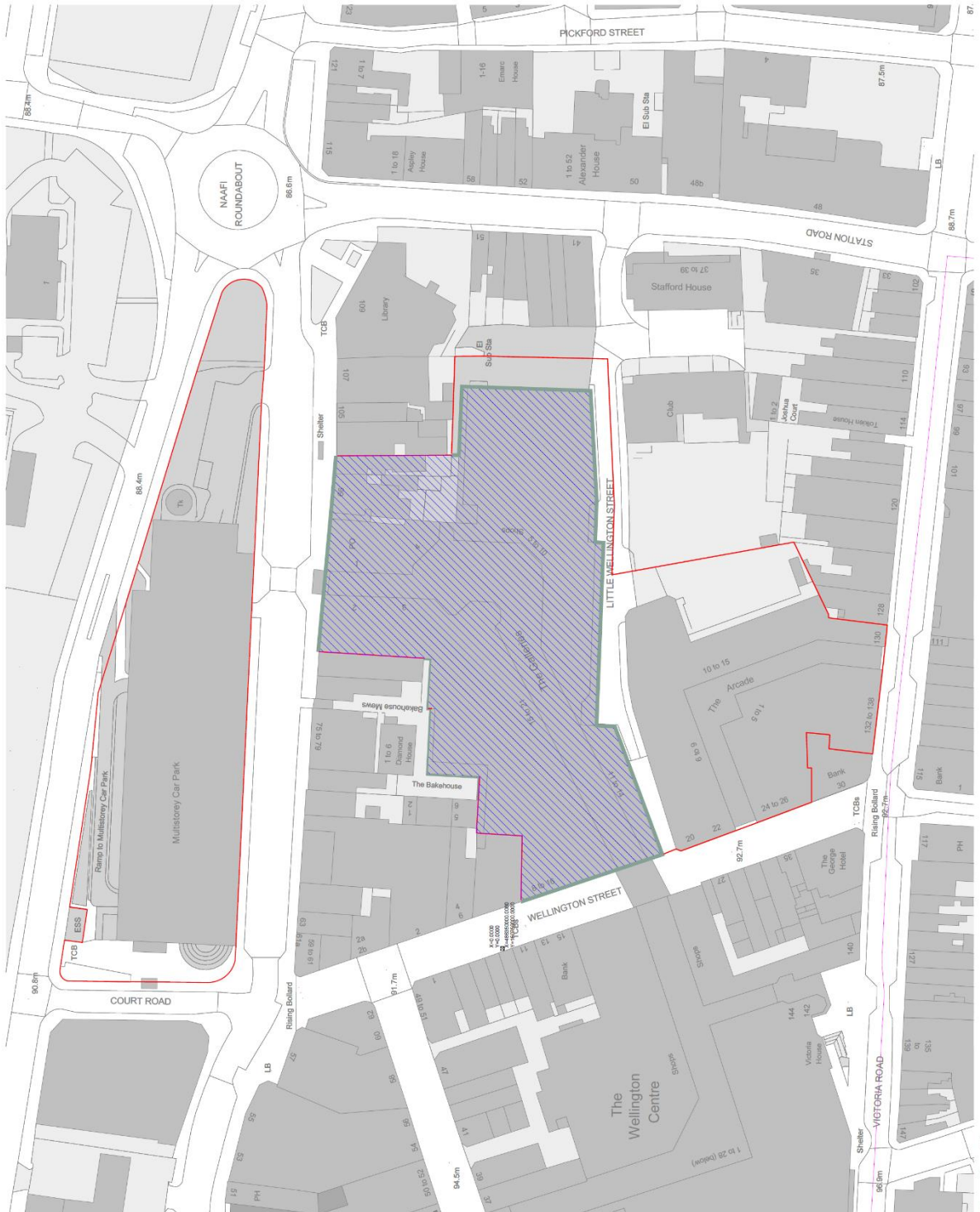
It is recommended that the contents of this report be **NOTED**.

**Tim Mills**  
**Executive Head of Property & Growth**

**Background Papers:** Planning Application ref.20/00508/FULPP and Amendment Application 22/00779/REVPP.



**Notes:**  
 1. The drawings are intended for use as a guide for information for building and existing structures. They are not intended to be used for any other purpose.  
 2. The drawings are not intended to be used for any other purpose.  
 3. The drawings are not intended to be used for any other purpose.  
 4. The drawings are not intended to be used for any other purpose.  
 5. The drawings are not intended to be used for any other purpose.



Demolition Plan  
 1:500

Project: 2020/15/16 Planning Issue A. 006  
 Drawing Title: Demolition Plan  
 Date: 15/05/2024  
 Drawn By: [Name]  
 Checked By: [Name]



Project: The Galleries, Aldershot

Drawing Title: Demolition Plan  
 Scale: 1:500  
 Date: 15/05/2024  
 Drawing No: GD\_XP\_2023  
 Sheet Code: 006/175\_CD\_XP\_2023\_Demolition Plan\_P01





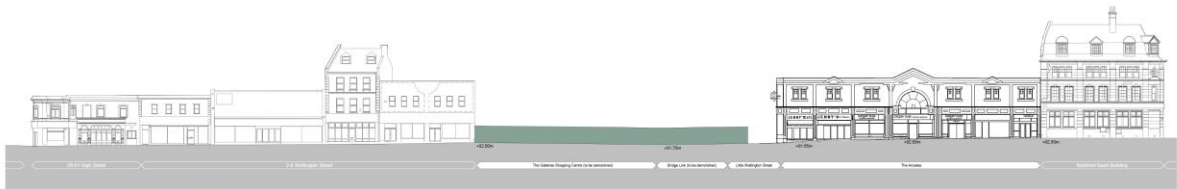
Existing High Street Elevation.  
1:250



Existing Wellington Street Elevation.  
1:250



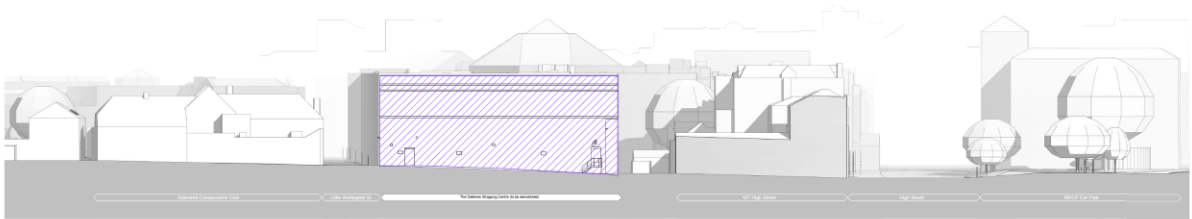
Proposed High Street Elevation.  
1:250



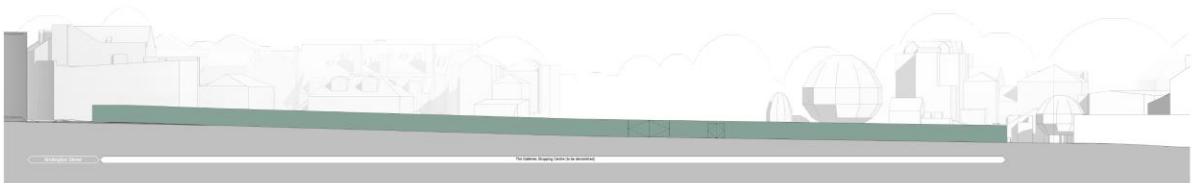
Proposed Wellington Street Elevation.  
1:250



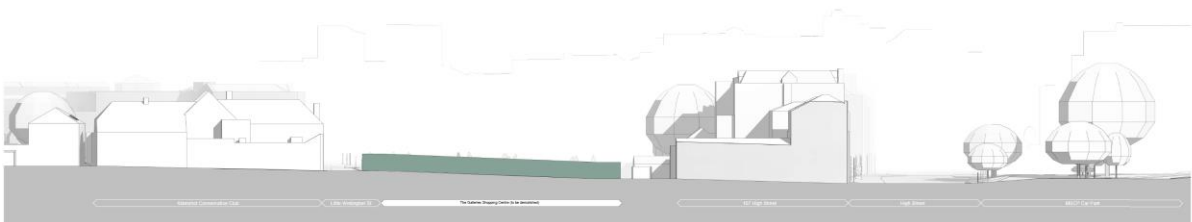
Existing Little Wellington Street Elevation  
1:250



Existing Galleries East Elevation  
1:250



Proposed Little Wellington Street Elevation  
1:250



Proposed Galleries East Elevation  
1:250

## **Appendix : Conditions to be imposed with Planning Permission as agreed by Committee on 11 November 2020.**

### 1. Time for implementation

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. Approved Drawings

Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings –

AC\_PP\_300 REV.P02, AC\_PP\_301 REV.P02, AC\_PP\_302 REV.P02, AC\_PP\_303 REV.P02, AC\_PP\_304 REV.P02, AC\_PP\_305 REV.P02, AC\_PP\_306 REV.P02, AC\_PP\_307 REV.P02, AC\_PP\_308 REV.P02, AC\_PP\_309 REV.P02, CP\_PP\_320 REV.P02, CP\_PP\_321 REV.P02, CP\_PP\_322 REV.P02, CP\_PP\_323 REV.P02, CP\_PP\_324 REV.P02, CP\_PP\_325 REV.P02, CP\_PP\_326 REV.P02, CP\_PP\_327 REV.P02, CP\_PP\_328 REV.P02, CP\_PP\_329 REV.P02, CP\_PP\_330 REV.P02, CP\_PP\_331 REV.P02, GA\_PP\_340 REV.P02, GA\_PP\_341 REV.P02, GA\_PP\_342 REV.P02, GA\_PP\_343 REV.P02, GA\_PP\_344 REV.P02, GA\_PP\_345 REV.P02, GA\_PP\_346 REV.P02, GA\_PP\_347 REV.P02, GA\_PP\_348 REV.P02, GA\_PP\_349 REV.P02, GA\_PP\_350 REV.P02, GA\_PP\_351 REV.P02, GA\_PP\_352 REV.P02, GA\_PP\_353 REV.P02, MP\_PP\_001 REV.P05, MP\_PP\_002 REV.P05, MP\_PP\_003 REV.P05, MP\_PP\_004 REV.P05, MP\_PP\_005 REV.P05, MP\_PP\_006 REV.P05, MP\_PP\_007 REV.P05, MP\_PP\_008 REV.P05, MP\_PP\_009 REV.P05, MP\_PP\_010 REV.P05, MP\_PP\_011 REV.P05, MP\_PP\_012 REV.P05, MP\_PP\_013 REV.P05, MP\_BE\_400 REV P02, MP\_BE\_401 REV P02, MP\_BE\_402 REV P02, MP\_BE\_403 REV P02, MP\_BE\_404 REV P02, MP\_BE\_405 REV P02, MP\_BE\_406 REV P02, MP\_BE\_407 REV P02, MP\_BE\_408 REV P02, MP\_BE\_409 REV P02, MP\_BE\_410 REV P02, MP\_BE\_411 REV P02, MP\_PE\_100 REV P05, MP\_PE\_101 REV P05, MP\_PE\_102 REV P05, MP\_PE\_103 REV P05, MP\_PE\_104 REV P05, MO\_PS\_201 REV P05, MO\_PS\_202 REV P05, MP\_PP\_014 REV P05, MP\_PS\_200 REV P05, MP\_SC\_001 REV P06, MP\_SC\_002 REV P02, MP\_SC\_003 REV P03, MP\_SC\_004 REV P02, XX\_XP\_X02 REV P02, XX\_XP\_X11 REV P02, XX\_XP\_X12 REV P02, XX\_XP\_X13 REV P02, XX\_XP\_X01 REV P02, XX\_XP\_X03 REV P02, D0302-001 REV.A, D0302-002 REV.A, D0302-003 REV.C, D0302-004 REV.A, D0302-005, D0302-006, D0302-007, D0302-008, D0302-009, EVOKE SK001 REV.A, EVOKE SK002 REV.A, EVOKE SK003 REV.A, & EVOKE SK004 REV.A; Clarke Saunders Acoustic Report; D.Rose Planning LLP Planning Statement; Delva Patman Redlar Daylight & Sunlight Study; FHP Engineering Research Solutions Sustainability & Energy Statement; Gem Air Quality Ltd. Air Quality Assessment; Holbury Ecological Impact Assessment & Additional Bat Survey Report; JM Enviro Ltd. FRA & Drainage Strategy; JTP Design & Access Statement; Lustre Consulting Site Investigation Desk Study; Neil Tulley Associates Tree Schedule & Arboricultural Constraints; Systra FTPTransport Assessment & Framework Travel Plan; Montagu Evans Financial Viability Assessment; and Shaviram Public Consultation Statement.

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

### 3. Finer-Grained Phasing Details

Notwithstanding the general phasing details indicated with the application hereby approved, no works shall start on site in respect of the implementation of this planning permission until finer-grained details for the phasing of the development hereby permitted (including the stage at which the 250 space public car parking to be provided to the Council is to be constructed and made available for use by the Council; and public bicycle parking) have been submitted to, and approved by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the phasing details so approved unless otherwise first agreed in writing by the Local Planning Authority.

Reason – To ensure a satisfactory implementation of the approved development in the interests of the amenities of the Town Centre.

### 4. Site Investigation

Prior to each phase of development approved pursuant to Condition No.3 of this planning permission, no works pursuant to that phase shall commence until there has been submitted to and approved in writing by the Local Planning Authority: -

(a) a site investigation report based on the Phase I desk study (report ref:1654\MD\1-2017\601 issued by Lustre Consulting) documenting the extent, scale and nature of contamination, ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site.

(b) if identified as necessary; a detailed scheme for remedial works and measures shall be undertaken to avoid risk from contaminants/or gas identified by the site investigation when the site is developed and proposals for future maintenance and monitoring, along with verification methodology. Such scheme to include nomination of a competent person to oversee and implement the works.

(c) an asbestos survey should be undertaken prior to demolition to ensure that any asbestos present is identified and dealt with in an appropriate manner.

Where step (b) above is implemented, following completion of the measures identified in the approved remediation scheme a verification report that demonstrates the completeness and effectiveness of the remediation and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action shall be submitted for approval in writing by the Local Planning Authority.

Reason – (1) To ensure that the site is safe for the development permitted and in the interests of amenity and pollution prevention; and to ensure that the development does not contribute to, and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution; and (2) to ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan have been met and that remediation of the site is complete; in line with Paragraph 170 of the National Planning Policy Framework. \*

### 5. Unforeseen Contamination

In the event that unforeseen ground conditions or materials which suggest potential or actual contamination are revealed at any time during implementation of the approved development it must be reported, in writing, immediately to the Local Planning Authority. A competent person must undertake a risk assessment and assess the level and extent of the problem and, where necessary, prepare a report identifying remedial action which shall be submitted to and approved in writing by the Local Planning Authority before the measures are implemented.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared and is subject to approval in writing by the Local Planning Authority.

Reason - To ensure that the site is safe for the development permitted and in the interests of amenity and pollution prevention. \*

#### 6. Surface Water Drainage details

No development shall begin until a detailed surface water drainage scheme for the site, based on the principles within the Flood Risk Assessment Rev.A by JM Enviro Limited, has been submitted and approved in writing by the Local Planning Authority. The submitted details should include:-

- (a) A technical summary highlighting any changes to the design from that within the approved Flood Risk Assessment;
- (b) Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations;
- (c) Detailed drainage calculations to demonstrate existing runoff rates are not exceeded and there is sufficient attenuation for storm events up to and including 1:100 + climate change; and
- (d) Maintenance schedules detailing the maintenance requirements of all drainage elements within the site.

Reason – At the request of Hampshire County Council Lead Local Flood Authority and to comply with the requirements of Local Plan Policy NE8. \*

#### 7. Surface Water Network Upgrade Provision

No properties within the development hereby approved shall be occupied until confirmation has been provided to, and approved by, the Local Planning Authority that either:- all surface water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.

Reason – At the request of Thames Water, whom advise that network reinforcement works are likely to be required to accommodate the proposed development in order to avoid flooding and/or potential pollution incidents. \*

#### 8. Surface Water Infiltration Systems

No drainage systems for the infiltration of surface water to the ground are permitted other than with the prior written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason – At the request of the Environment Agency to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable

levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

#### 9. Piling Using Penetrative Methods

Piling using penetrative methods shall not be carried out other than with the prior written consent of the Local Planning Authority.

Reason – At the request of the Environment Agency to ensure that the piled foundations do not harm groundwater resources in line with paragraph 170 of the National Planning Policy Framework.

#### 10. Construction & Environmental Management Plan

No development shall take place, including any works of demolition, until a Construction & Environmental Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The approved Plan shall be adhered to throughout the demolition and construction period. The Plan shall provide for:-

- (a) the parking of vehicles of site operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials used in constructing the development;
- (d) details and location(s) of temporary site accommodation;
- (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (e) wheel washing facilities;
- (f) measures to control the emission of dust, dirt and other emissions during construction;
- (g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- (h) measures to minimise noise and vibrations during construction and demolition; and
- (i) measures to ensure/maintain vehicular and pedestrian access to adjoining and nearby properties at all times during the demolition and construction period

Reason: In the interests of highway safety & convenience and neighbour amenities. \*

#### 11. Construction Hours

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

Reason - To protect the amenities of neighbouring properties in the vicinity.

#### 12. Green Roof Details

No part of the residential accommodation hereby approved shall be occupied until the design of the green roof, the uses accommodated on the roofs and the habitat creation techniques and long-term management of the roofs shall be submitted to, and approved in writing by, the Local Planning Authority. Those measures so approved shall be implemented in full during the first planting season after occupation of any part of the residential accommodation and retained thereafter.

Reason - To ensure that the green roofs survive, provide the greatest biodiversity gain, and to protect and enhance biodiversity in accordance with Local Plan Policy NE4 and Paragraph 175 of the NPPF. \*

### 13. Biodiversity Enhancement Details

No part of the residential accommodation hereby approved shall be occupied until details of an appropriate level of biodiversity enhancement, including roosting and foraging opportunities for urban birds and bat species and a sensitive external lighting strategy, shall be submitted to, and approved in writing by, the Local Planning Authority. Those details and measures so approved shall be implemented in full and retained thereafter.

Reason: To ensure that the proposals provide adequate biodiversity enhancement relative to the size of the development; and to protect and enhance biodiversity in accordance with Local Plan Policy NE4 and Paragraph 175 of the NPPF. \*

### 14. Tree Protection Measures

No works shall start on site in respect of the development of Building G until existing trees and shrubs/hedges to be retained in the vicinity adjoining the site have been adequately protected from damage during site clearance and works in accordance with the details that are set out in the Arboricultural Impact Assessment Report hereby approved with the application. Furthermore, no materials or plant shall be stored and no buildings erected within protective fencing to be erected at the margins of the root protection area of each tree/shrub/hedge to be retained as appropriate.

Reason - To ensure that existing trees are adequately protected in the interests of the visual amenities of the site and the locality in general in accordance with Local Plan Policy NE3.

### 15. Provision of Highway Access and Visibility Splays

The means of pedestrian, cycle and motor vehicular access (including any visibility splays) shown on the plans hereby approved shall be constructed and/or provided in full accordance with the approved plans and retained thereafter at all times for the lifetime of the development. The visibility splays so provided shall thereafter be kept free at all times of any obstruction including trees and shrubs exceeding 1m in height.

Reason: To improve and maintain visibility for the safety of pedestrian and vehicular traffic.

### 16. No Overhead Servicing

Provision shall be made for services to be placed underground. No overhead wire or cables or other form of overhead servicing shall be placed over or used in the development of the application site.

Reason - In the interests of visual amenity.

### 17. Flexible Commercial/Community Units : Use

The flexible commercial/community units hereby permitted shall be used flexibly for purposes falling within Use Classes E (commercial, business & service uses) and/or Use Class F.1 (learning and non-residential institutions; excluding schools and places of worship) of the Schedule to the Use Classes Order 1987, (or any other Order revoking or re-enacting that Order).

Reason - To safeguard the viability and vitality of the Town Centre.

### 18. Flexible Commercial/Community Units : Bin Storage & Collection

No flexible commercial/community unit hereby approved shall be occupied until details of the means and measures for the storage and collection of refuse/recycling at and from that unit has been submitted to and approved in writing by the Local Planning Authority. The bin storage and collection measures so approved shall be implemented and retained thereafter in accordance with the details so approved.

Reason - To safeguard the amenities of the area.

#### 19. Flexible Commercial/Community Units : Means of suppressing smells and fumes

Use of any flexible commercial/community units hereby permitted to be used for purposes falling within Use Classes E(c) (restaurants & cafes) shall not commence before appropriate means of suppressing and directing smells and fumes and associated extraction noise from the premises, have been installed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. These details shall include the height, position, design, materials and finish of any external chimney or vent. The equipment shall be installed in accordance with the details so approved and thereafter retained.

Reason - To safeguard the amenities of neighbouring property.

#### 20. Flexible Commercial/Community Units : Opening Hours

The flexible commercial/community units hereby permitted shall not be open to customers outside the following times, unless details of any noise mitigation strategy has been submitted to and approved in writing by the LPA:-

- 0700 – 2300 Hours Mondays to Sundays

Reason - To safeguard the amenities of neighbouring occupiers.

#### 21. Flexible Commercial/Community Units : Delivery Hours

No deliveries in relation to the flexible commercial/community units hereby permitted shall be taken in or dispatched from the site outside the hours of 0700 - 2000 Hours Mondays to Sundays.

Reason - To safeguard residential amenities.

#### 22. Flexible Commercial/Community Units : Street Frontage(s)

The street frontage(s) of the flexible commercial/community units hereby permitted shall include a window display which shall be provided prior to occupation of each flexible commercial/community unit hereby permitted.

Reason - To safeguard the character and appearance of the shopping area.

#### 23. Flexible Commercial/Community Units : No Externally Audible Amplified Sound

No sound reproduction equipment, conveying messages, music, or other sound which is audible outside, and emanating from, the commercial/community units hereby permitted shall be installed without the prior written consent of the Local Planning Authority.

Reason - To protect the amenities of occupiers of adjoining and nearby residential properties.

#### 24. Flexible Commercial/Community Units : Plant & Machinery



All plant and machinery (including the mechanical ventilation) to be installed associated with any of the flexible commercial/community use units hereby permitted shall, as appropriate, be enclosed with soundproofing materials and mounted in a way which will minimise transmission of structure-borne sound and any external visual impact in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority. Any details so approved shall be implemented in full and retained whilst the plant and machinery remains at the development.

Reason -To protect the amenity of the occupiers of the development and the amenity of neighbouring occupiers.

#### 25. Public Realm : Hard and Soft Landscaping

The flexible commercial/community units hereby approved shall not be occupied until a fully detailed soft and hard landscaping scheme including trees, planting, and details of paving/hardstanding, and external lighting has been submitted to and approved in writing by the Local Planning Authority. Such details shall be implemented during the first planting season after the occupation of a flexible commercial/community unit within the development.

Reason - To ensure the development makes an adequate contribution to public realm visual amenity and provides satisfactory drainage arrangements. \*

#### 26. Public Realm : Landscape Management Plan

The flexible commercial/community units hereby approved shall not be occupied until a landscape management plan detailing management responsibilities, maintenance schedules has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason - To ensure the amenity value of the public realm trees shrubs and landscaped areas is maintained. \*

#### 27. Public Realm : Street Furniture & Lighting

The flexible commercial/community units hereby approved shall not be occupied until details of street furniture (including lighting) within the public realm areas of the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason - To ensure satisfactory external appearance. \*

#### 28. Public Realm : Signage

Details of the direction and other signage at the entrances into and within the public realm areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as so approved.

Reason - To ensure satisfactory external appearance.

#### 29. External Material Samples

Prior to each phase of development approved pursuant to Condition No.3 of this planning permission, no construction works above ground level pursuant to that phase shall start until a schedule and/or samples of the external materials to be used in the construction of that

phase have been submitted to, and approved in writing by, the Local Planning Authority. The details so approved shall be implemented in full and retained thereafter.

Reason - To ensure satisfactory external appearance. \*

### 30. External Design Details

Prior to each phase of development approved pursuant to Condition No.3 of this planning permission, the commencement of works on any part of the development pursuant to that phase above ground level shall not start until detailed drawings showing all elevations of the development in that phase including:-

- Architectural detailing on the upper floors;
- windows, (including casing, frames, opening type and colour/finish of frames and glazing);
- Shop fronts;
- Type and position of trickle vents; and
- Any externally visible rainwater goods

shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall subsequently be implemented in full and retained as approved.

Reason: In the interest of the character and appearance of the area. \*

### 31. Residential Communal Amenity Areas : Hard and Soft Landscaping

The residential units of each phase of development approved pursuant to Condition No.3 of this planning permission hereby approved, or any part thereof, shall not be occupied until a fully detailed soft and hard landscaping scheme including trees and other planting for that phase, has been implemented in full in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The hard and soft landscaping scheme thereby approved for that phase shall be provided within the first planting season after occupation of any part of the residential accommodation of that phase, and retained and maintained at all times as a shared communal amenity area for occupiers of the development for the lifetime of that phase of the development.

Reason - To ensure the development makes an adequate contribution to visual and residential amenity. \*

### 32. Residential Communal Amenity Areas : Landscape Management Plan

The residential accommodation hereby approved, or any part of, shall not be occupied until a landscape management plan detailing management responsibilities and maintenance schedules has been submitted to and approved in writing by the Local Planning Authority. The residential communal amenity areas shall be managed, maintained and retained in accordance with the details so approved.

Reason - To ensure the amenity value of the landscaping of the residential communal amenity areas within the development is satisfactorily managed and maintained. \*

### 33. Residential Car Parking

No residential unit hereby approved within each phase of development approved pursuant to Condition No.3 of this planning permission shall be occupied until each residential unit within that phase has been allocated one parking space for the lifetime of the development that have

been provided and made available for use. For the avoidance of doubt, no allocated residential parking space shall be used for the parking and/or storage of boats, caravans and trailers

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

#### 34. Residential Cycle Parking

No residential unit hereby approved within each phase of development approved pursuant to Condition No.3 of this planning permission shall be occupied until secure bicycle storage/parking facilities have been provided and made available for the use of occupiers of the residential units within that phase. The cycle storage/parking so provided shall be permanently retained in the approved form for the parking of bicycles and used for no other purpose.

Reason: In order to ensure that secure weather-proof bicycle parking facilities are provided to encourage the use of sustainable modes of travel.

#### 35. Residential Units and Communal Residential Roof Amenity Areas : Noise Mitigation

No residential unit hereby approved [and their associated communal roof amenity area(s)] within each phase of development approved pursuant to Condition No.3 of this planning permission shall be occupied/brought into use until mitigation measures to protect the residential units and the associated roof amenity areas within that phase from traffic or other external noise have been implemented in accordance with details, which have first been submitted to, and approved in writing by, the Local Planning Authority. The noise mitigation measures so approved shall be retained for the lifetime of the development.

Reason: To protect the amenity of the occupiers of the development.

#### 36. Residential Units : General Noise Attenuation Measures

No residential unit hereby approved within each phase of development approved pursuant to Condition No.3 of this planning permission shall be occupied until all plant and machinery (including any mechanical ventilation) to be installed with that phase of the development has been enclosed with soundproofing materials and mounted in a way which will minimise transmission of structure-born sound in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

Reason -To protect the amenity of the occupiers of the development and the amenity of neighbouring occupiers.

#### 37. Residential Units : Balcony/Terrace Privacy Screening

No residential unit hereby approved within each phase of development approved pursuant to Condition No.3 of this planning permission shall be occupied until any privacy screening to the flanks of the residential balconies and/or amenity terraces of that phase have been implemented in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved.

Reason - To safeguard the amenities of neighbouring property. \*

#### 38. Residential Units and Residential Roof Amenity Areas : Privacy of Neighbours

Notwithstanding the details shown on the submitted plans, no residential unit hereby approved within each phase of development approved pursuant to Condition No.3 of this planning permission shall be occupied until a scheme of measures to address, as appropriate, through provision of measures such as obscure glazing and/or privacy screening to the balustrades of amenity areas and balconies, the privacy of occupiers of adjoining and nearby residential units, has been submitted to and approved in writing by the Local Planning Authority. Such measures as may be approved shall be implemented in full prior to the first occupation of the residential units within that phase that are involved and the measures so approved shall be retained for the lifetime of the development.

Reason -To protect the amenities of the neighbouring residential properties. \*

#### 39. Residential Units : Bin Storage & Collection Details

No residential unit hereby approved within each phase of development approved pursuant to Condition No.3 of this planning permission shall be occupied until the appropriate residential refuse/recycling bin storage areas for that phase have been provided and made available to the occupiers in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved.

Reason - To safeguard the amenities of the area. \*

#### 40. Residential Units : Communal Broadband and Aerial/Satellite Connections

Notwithstanding any details submitted in the application, no residential unit hereby approved within each phase of development approved pursuant to Condition No.3 of this planning permission shall be occupied until details of the communal telecommunications provision and the aerial or satellite facilities for that phase, including high speed broadband, have been submitted to and approved in writing by the Local Planning Authority. The approved systems and installations shall be installed in full accordance with the approved details and made operational before any residential units in that phase are occupied and retained thereafter.

Reason: To ensure satisfactory external appearance and provide for appropriate telecommunication facilities in accordance with Local Plan Policies DE1 and PC3. \*

#### 41. Employment Skills Plan

Prior to the construction of the development hereby approved, training and employment opportunities shall be provided in respect of the development in accordance with an Employment and Skills plan to be first submitted to, and approved in writing by, the Local Planning Authority.

Reason - To secure employment and training opportunities for local people in the interest of economic development of the area. \*

#### 42. Sustainability : Electric Car Charging Points Details

Details of the provision of Electric Car Charging Points within the development shall be submitted to and approved in writing by the Local Planning Authority prior to the car parking area(s) in which they would be located being first brought into use. The Electric Car Charging Point installation so approved shall subsequently be installed and made operational and available to occupiers of the development prior to the car parking area(s) in which they would be located being first brought into use and retained thereafter.

Reason – To reflect the objective of enabling a sustainable development.

43. Sustainability : BREEAM

On completion of any flexible commercial/community unit within the development hereby approved, certification their compliance with the BREEAM 'excellent' standard for water consumption shall be submitted to, and approved by, the Local Planning Authority.

Reason - To ensure the development is sustainable.

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**Development Management Committee**  
**22<sup>nd</sup> March 2023**

**Executive Head of Property and  
Growth**  
**Report No.PG2312**

## **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 Executive Head of Property & Growth. 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 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  
Executive Head of Property & Growth

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



## Item 1 Updates on Enforcement Action

The following is reported for INFORMATION purposes only. It relates to decisions that have already been made by the Corporate Planning Manager in accordance with the Council's adopted Scheme of Delegation.

If Members wish to have more details about the case below, please contact John W Thorne (01252 398791) in advance of the Committee meeting.

**Address** 59 Field Way, Aldershot 14/00169/XPLANS

**Ward** North Town

**Decision** Case Closed

The house. When Building Control visited the site during construction the conversion had taken place, after which a second external front door was removed and a replacement 'concealed' within the front porch. The owners registered the address as two properties for council tax purposes and tenants were housed there, including some who submitted claims for housing benefit.

During the process of investigation, correspondence, including Planning Contravention Notices, was not responded to and planning and corporate enforcement officers were denied access to the premises by the occupiers. Inspection and the process of obtaining a warrant were further hampered by covid restrictions.

After further warnings and site inspections, Planning Enforcement and Breach of Condition (BCN) notices were served. The BCN was not complied with and prosecution proceedings instigated. After deferral of court proceedings to allow further time for compliance it was confirmed in February 2023 that the works were completed. The Council received £4000 towards its legal costs in pursuing the matter.

**Address** 32 Union Street, Aldershot 22/00161/XPLANS

**Ward** Wellington

**Decision** Case Closed

Partial construction of a first floor rear extension to a commercial property in Union Street without planning permission came to the attention of building control officers on inspection. Despite initially trying to submit a planning application to retain the structure the developer was advised that the potential visual impact on part of the Aldershot Union Street East regeneration scheme was such that permission was unlikely to be granted.

The structure has now been removed.

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**Appeals Progress Report****1. New Appeal**

- 1.1 Appeals against refusal of planning application 22/00125/FULPP for New detached three-storey 3-bedrooms 6-persons dwelling house with associated bin and cycle stores, removal of existing footway crossover and reinstatement of pavement and formation of parking bay on road at 6 East Station Road Aldershot and 22/00126/FULPP for New detached two-storey 2-bedrooms 4-persons dwelling house with associated bin & cycle stores, and on-site parking space also at 6 East Station Road Aldershot. These applications were determined under delegated powers and will be dealt with by the Planning Inspectorate using the Written Representations procedure.
- 1.2 An appeal against an Enforcement Notice issued on 4 January 2023 for an unauthorised change of use of the first-floor ancillary accommodation at the White Lion Public House (Public House sui generis) to an independent flat (Use Class C3), has been started. The address of the property is 20 Lower Farnham Road, Aldershot. The decision to issue the Enforcement Notice was determined under delegated powers and the Planning Inspectorate will use the Written Representations procedure. The Council's enforcement reference number is 22/00069/COUGEN and the Inspectorate appeal reference is APP/P1750/C/22/3313709.

**2. Appeal Decisions**

- 2.1 Appeal against refusal of planning permission 22/00200/TPO for "*Remove one sweet Chestnut (T16 of TPO 433)*" at **Skellgarth, 4 The Crescent, Farnborough, Hampshire, GU14 7AH.**

The Council refused planning permission under delegated powers on 14<sup>th</sup> April 2022 for the following reasons;

The works proposed would result in the loss of a healthy and stable tree which contributes to the visual amenity of the area. The proposal is therefore excessive and is contrary to Policy ENV13 of the Rushmoor Local Plan Review (1996-2011).

The Inspector concluded that the felling of the protected tree would result in harm to the character and appearance of the area and insufficient justification was provided for the removal and dismissed the appeal.

An application for costs was made by Rushmoor Borough Council against the appellant as there were three previous applications submitted to fell the tree, all of which were refused and subsequent appeals dismissed. The inspector noted that as the last application and appeal was in 2016, enough time had passed for the tree to grow, and circumstances may have changed. Therefore

concluding that unreasonable behaviour resulting in unnecessary or wasted expense had not been demonstrated. The application for costs was refused.

2.2 Appeal against refusal of Prior Approval application 21/00856/TELEPP for The installation of a 20 metre high monopole supporting 6 no. antennas and 2 no. transmission dishes, 4 no. equipment cabinets and development works ancillary thereto at **Land To The Front Of 82 To 86 Cove Road At The Junction Of Bridge Road And Cove Road, Farnborough.**

The Council determined that Prior Approval was Required for the installation and Refused to grant Prior Approval for the following reason:

The proposed mast and associated equipment cabinets, without which the installation could not function, would be an unduly prominent feature in the street scene, inappropriate in scale and appearance to its surroundings and detrimental to the character and amenity of the area and would have a detrimental impact upon the outlook of the adjoining flats. Having regard to the impact of the installation on the character and amenity and the apparent availability of alternative sites in the area which could provide the required coverage without having this impact, it is considered that the applicants have not satisfactorily demonstrated that a sequential approach to site selection has been followed or that their proposals take into the account the needs of other operators, as required by Policy IN3 and the NPPF, and therefore that the benefits to improved communications do not outweigh the harm that would be caused.

The Appeal was dealt with using the written representations method. The Inspector agreed with the Council that the proposed mast would be in a highly prominent location, and being significantly taller than the existing buildings and trees, would be highly visible against the skyline. Consequently, regarding its siting and appearance, and despite the lack of any statutory designations, the proposed development would adversely affect the character and appearance of the area.

The Inspector did not consider that the proposal would adversely affect residential outlook, but having determined that the proposal would have an adverse impact upon the character and appearance of the area, he considered that availability of alternative sites must be robustly explored to understand whether more suitable sites for the development exist. While the appellant had discussed a number of potential alternative sites which they had given reasons for discounting, the Inspector commented the appellant's justification is largely vague and unsubstantiated, and that a mast in these locations would have a similar impact to the Appeal proposal. The Inspector considered it notable that the Council had suggested a potentially more appropriate site for the installation to the side of an existing Tesco store at 80 Cove Road. He observed that the location suggested by the Council would be more discrete than the appeal site. This is due to its position between the flank wall of the Tesco Store and the side elevation of 82 – 86 Cove Road, rather than on a prominent corner of the street. This suggested site would also potentially allow the development to be set further back from the public highway reducing its visual prominence.

The Inspector commented that no robust justification has been provided by the appellant as to why the alternative site suggested by the Council was not suitable. Although reference to a lack of space had been made this is not supported by any technical information. Likewise, he was not convinced that the site's limited screening or relationship with neighbouring properties is sufficiently different to the appeal site to justify it being discounted. Consequently, on the evidence before him, the Inspector indicated that he was not persuaded that less harmful alternative sites are not suitable or available.

In Conclusion, the Inspector acknowledged the importance of good, fast, cost-effective and reliable communications and the support that the National Planning Policy Framework provides for high quality communications infrastructure. However, he concluded that the harm arising from the siting and appearance of the proposed development on the character and appearance of the area, would not be outweighed by the need for the installation to be sited as proposed, considering the potential for suitable alternatives. Accordingly, the Appeal was dismissed.

### **3. Recommendation**

3.1 It is recommended that the report be **NOTED**.

**Tim Mills**  
**Executive Head of Property and Growth**

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Development Management Committee  
22<sup>nd</sup> March 2023

Planning Report No. PG2314

**Planning (Development Management) summary report for the quarter  
Oct-Dec 2022**

**1. Introduction**

- 1.1 The purpose of this report is to update Members on the position with respect to Performance Indicators for the Development Management function of Planning, and the overall workload of the section. This report covers the quarter from 1<sup>st</sup> October to 31st December 2022.

**2. Planning Applications**

- 2.1 The three tables below set out figures relating to determination of Major, Minor and 'Other' planning applications for the third quarter of the financial year. We are required to provide the government with statistical returns in relation to decision times. It should be noted that the returns required by government do not include some application types including those for the approval of details pursuant to conditions, applications to fell or carry out works to TPO trees and trees in Conservation Areas, Non-Material Amendments, Screening Opinions and Adjacent Authority Consultations. These, in particular TPO applications, constitute a significant source of demand on our service numbering 109 cases in the quarter. The structure and amount of planning fees are the subject of a current Government consultation. One of the questions posed is with regard to whether there are other areas of work which should attract fees. A response regarding such 'non-fee' cases is in preparation. These cases are included in the total figures reflecting workload set out at 3.1 below.

Major and small scale major Applications determined within 13 weeks/PPA target

Decisions in quarter	Oct-Dec 2022	Government Target	2021/2022 Total
2	100%	60%	100%

\*Both cases were determined outside the statutory period but were subject to agreed extensions of time and therefore recorded as 'in time'.

Minor (Non householder) Applications determined within 8 weeks

Decisions in quarter	Oct-Dec 2022	Government Target	2021/2022 Total
24	100%	65%	91%

\*10 of 24 cases were determined outside the statutory period but all were subject to agreed extensions of time and therefore recorded as in time.

'Other' (Including Householder) Applications determined within 8 weeks

Decisions in quarter	Oct-Dec 2022	Government Target	2021/2022 Total
57	87.7%	80%	89%

2.2 The following table sets out figures relating to appeals allowed against the authority’s decision to refuse permission.

% of appeals allowed against the authority’s decision to refuse

Government Target	Oct-Dec 2022	Appeal Decisions	Appeals Allowed
40% max	0%	3	0

### 3. Workload

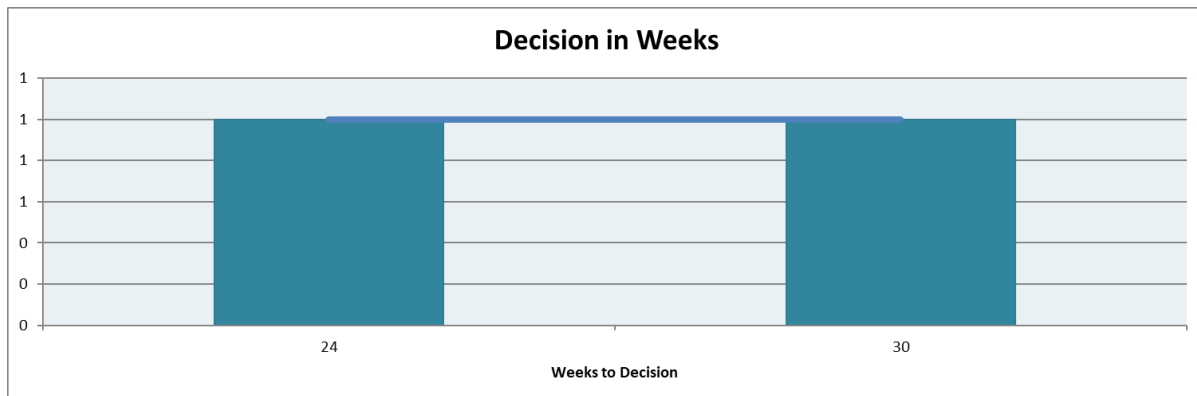
3.1 This section deals with workload demand on the Development Management Section in the third quarter of 2022-2023.

Departmental Work Demand Oct-Dec 2022

	Applications Submitted (All types)	Pre-Application Cases	Applications Determined (All types)	Appeals Submitted
Q3	241	85	218	1

3.2 The following graphs present the time period being taken to determine different types of application in the third quarter of 2022-2023.

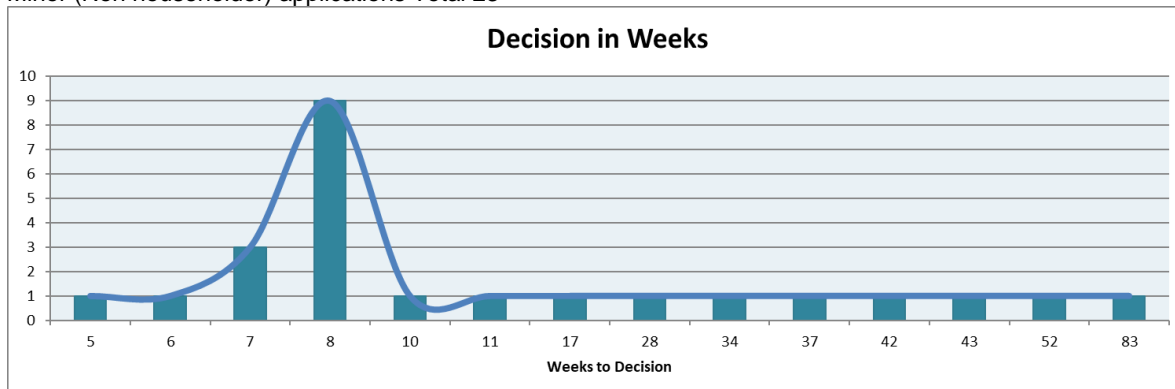
Major and small-scale majors Total 2



3.3 Performance with regard to Major applications remains above the Government target with both cases determined in accordance with agreed extensions of time.

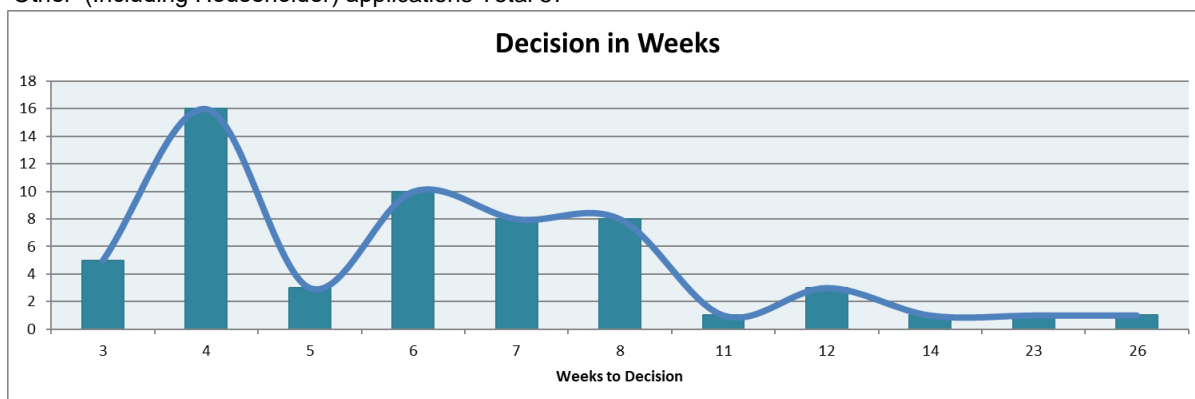


Minor (Non householder) applications Total 23



3.4 This second graph illustrates the determination times for minor applications, 100% of which were determined within the statutory period or in accordance with agreed extensions of time in the third quarter of 2022-2023.

'Other' (Including Householder) applications Total 57



3.5 This graph shows that in the third quarter of this financial year the majority of householder applicants (over 87%) received decisions within eight weeks of their validation date.

#### 4. Fee Income

4.1 The total planning fee income received for the third quarter was £73,380 against a budget estimate of £104,400

4.2 The total pre-application income received for the third quarter was £4,680 against a budget estimate of £9,000.

## 5. Section 106 contributions

5.1 Information in this section relates to financial contributions secured by way of section 106 planning obligations.

Section 106 contributions received	Oct-Dec 2022
Contributions received (Rushmoor and Hampshire)~	£491,765.44
Open Space (specific projects set out in agreements)	£418,291.00
SANGS a) Southwood II b) Southwood Country Park f) Rowhill Copse	a) £19,477.05 b) £35,313.00 f) £4,810.00
SAMM* a) Southwood II b) Southwood Country Park c) Wellesley Woodland d) Bramshot Farm (Hart) f) Rowhill Copse	a) £2,218.39 b) £4,015.00 c) £0 d) £7,115.00 f) £526.00
Transport (specific projects set out in agreements)*	£0

~This figure also includes monitoring charges, interest and receipts for the Farnborough Airport Community Environmental Fund.

\*SAMM contributions and Transport are paid to Hampshire County Council.

5.2 8 new undertakings/legal agreements were signed in the period Oct-Dec 2022.

## 6. Comment on workload for this quarter

6.1 This quarter saw a small rise in numbers of application submissions and determinations, although there are anticipated to be a number of major application submissions towards the end of this financial year and into the next, there were none in Quarter 3. Planning fee and pre-application income is below the budgetary estimate but expected to rise during the final quarter.

## 7. Wellesley

7.1 There have been 1122 residential occupations to date at Wellesley. Maida Development Zone A is complete (228 units).

7.2 Corunna Development Zone (Zone B), opposite Maida on the west side of Queen's Avenue is at an advanced stage of completion and will provide 733

residential units, including six supported housing units 654 of the units are now occupied.

- 7.3 Gunhill Development Zone (Zone E) is west of the Cambridge Military Hospital and north of Hospital Road. The zone is completed and comprises 107 Private Rented Units, all of which have been occupied.
- 7.4 McGrigor Development Zone (Zone D) is nearing completion. This zone is to the north of the Cambridge Military Hospital, and to the east of Maida Zone, and will provide a total of 116 residential units. 102 of the units are occupied including the converted curtilage listed buildings of St Michael's House and Cambridge House.
- 7.5 Work continues on the Cambridge Military Hospital Development Zone (Zone C) by Weston Homes. A temporary marketing suite has been created within the central Admin Block following the sales launch in March 2021. The units within Gunhill House & Water Tower are completed. 31 units are now occupied within CMH.
- 7.6 Taylor Wimpey has commenced work on the next phase of development at Stanhope Lines East (Zone K) and part of Buller (Zone M) Development Zones, following permission granted on the 27<sup>th</sup> May 2021 for 430 dwellings. This phase will incorporate the eastern half of Stanhope Lines, Wellesley's linear park. The Council is currently considering various details applications in relation to the permission. A sales and marketing suite has been approved and is operating on Hope Grant's Road (East).

## **8. Recommendation**

- 8.1 That the report be NOTED

Tim Mills  
Executive Head of Property and Growth

Contact: John W Thorne 01252 398791

*BACKGROUND PAPERS: None.*

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