

Public Document Pack



RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

*at the Council Offices, Farnborough on
Wednesday, 27th May, 2015 at 7.00 pm*

To:

VOTING MEMBERS

Cllr G.B. Lyon (Chairman)
Cllr B.A. Thomas (Vice-Chairman)

Cllr Mrs. D.B. Bedford
Cllr D.M.T. Bell
Cllr R. Cooper

Cllr P.I.C. Crerar
Cllr Sue Dibble
Cllr Jennifer Evans

Cllr D.S. Gladstone
Cllr C.P. Grattan
Cllr J.H. Marsh

NON-VOTING MEMBERS

Cllr R.L.G. Dibbs (ex-officio)

STANDING DEPUTIES

Cllr S.J. Masterson

Enquiries regarding this agenda should be referred to Lauren Harvey,
Democratic and Customer Services, 01252 398827 lauren.harvey@rushmoor.gov.uk

A G E N D A

1. DECLARATIONS OF INTEREST –

All Members who believe they have a disclosable pecuniary interest in any matter to be considered at the meeting may not participate in any discussion or vote taken on the matter and if the interest is not registered, it must be disclosed to the meeting. In addition, Members are required to leave the meeting while the matter is discussed.

2. MINUTES – (Pages 1 - 72)

To confirm the Minutes of the Meeting held on 29th April, 2015 (copy attached).

3. PLANNING APPLICATIONS –

To consider the Head of Planning's Report No. PLN1525 on planning applications recently submitted to the Council (copy attached with a copy of the index appended to the agenda).

4. ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT –

To consider the Head of Planning's Report No. PLN1526 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

Items for information

5. TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND) ORDER 2015 –

To receive the Head of Planning's Report No. PLN1527 (copy attached) which provides an update with regards to the changes to **(General Permitted Development) (England) Order 2015**

6. APPEALS PROGRESS REPORT –

To receive the Head of Planning's Report No. PLN1528 (copy attached) on the progress of recent planning appeals.

MEETING REPRESENTATION

Members of the public may ask to speak at the meeting on any of the items on the agenda by writing to the Panel Administrator at the Council Offices, Farnborough by 5.00 pm three working days prior to the meeting.

Applications for items to be considered for the next meeting must be received in writing to the Panel Administrator fifteen working days prior to the meeting.

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DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 29th April, 2015 at the Council Offices,
Farnborough at 7.00 p.m.

Voting Members

Cr. G.B. Lyon (Chairman)
Cr. B.A. Thomas (Vice-Chairman)

a Cr. A.M.J. Chainey	Cr. R.L.G. Dibbs	Cr. C.P. Grattan
a Cr. P.I.C. Crerar	Cr. Jennifer Evans	Cr. J.H. Marsh
Cr. Sue Dibble	Cr. D. Gladstone	Cr. P.F. Rust

* Cr. Barbara Hurst

Apologies for absence were submitted on behalf of Crs. A.M.J. Chainey and P.I.C. Crerar.

* Cr. Barbara Hurst attended as standing deputy in place of Cr. A.M.J. Chainey.

81. DECLARATIONS OF INTEREST –

Having regard to the Members' Code of Conduct, the following declaration of interest was made. Those Members with a disclosable pecuniary interest left the meeting during the debate on the relevant agenda items:

Member	Application No. and Address	Interest	Reason
Cr. Barbara Hurst	15/00118/FULPP (The Imperial Arms, No. 12 Farnborough Street, Farnborough)	Prejudicial	Association with a Member of the Planning Group of The Farnborough Society. who also leads the Farnborough Street Residents' Association.

82. MINUTES –

The Minutes of the Meeting held on 1st April, 2015 were approved and signed by the Chairman.

83. **TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED) -
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE) ORDER, 1995 -
DEVELOPMENT APPLICATIONS GENERALLY –**

RESOLVED: That

(i) permission be given for the following application set out in Appendix “A” attached hereto, subject to the conditions, restrictions and prohibitions (if any) mentioned therein:

* 15/00117/REVPP (ASDA, Westmead, Farnborough);

(ii) the applications dealt with by the Head of Planning, where necessary in consultation with the Chairman, in accordance with the Council’s Scheme of Delegation, more particularly specified in Section “D” of the Head of Planning’s Report No. PLN1518, be noted;

(iii) the following application be determined by the Head of Planning, in consultation with the Chairman:

* 15/00118/FULPP (Imperial Arms, No. 12 Farnborough Street, Farnborough);

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

15/00068/LBC2PP (Gun Hill House and Water Tower, Gun Hill, Aldershot)

15/00069/REMPP (Gun Hill House and Water Tower, Gun Hill, Aldershot)

15/00176/FULPP (Proposed Extension to Princes Mead, Westmead, Farnborough)

15/00194/FULPP (Site of the former Christmas Lodge, Evelyn Avenue, Aldershot).

* The Head of Planning’s Report No. PLN1518 in respect of these applications was amended at the meeting.

84. **REPRESENTATIONS BY THE PUBLIC –**

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

Application No.	Address	Representation	In support of or against the application
15/00117/REVPP	(ASDA, Westmead Farnborough)	Mr. M. Bedlow-Hartshorn	Against
		Mr. R. Parkes	In support
15/00118/FULPP	The Imperial Arms, No. 12 Farnborough Street, Farnborough	Ms. L. Parker	Against

85. APPLICATION NO. 15/00118/FULPP – IMPERIAL ARMS, NO. 12 FARNBOROUGH STREET, FARNBOROUGH –

The Committee considered the Head of Planning's Report No. PLN1518 (as amended at the meeting) regarding the demolition of the link/male toilets and the change of use of the former public house to provide two dwellings (one three-bedroom and one two-bedroom), together with the erection of one pair of semi-detached, three bedroom dwellings with associated access, car parking and car ports at the Imperial Arms, No. 12 Farnborough Street, Farnborough. Before considering the application in detail, the Committee received a representation in accordance with the scheme of public representation against the application from Ms. L. Parker.

The Committee noted that the recommendation was to grant the application, subject to the completion of a satisfactory agreement under Section 106 of the Town and Country Planning Act, 1990.

RESOLVED: That

- (i) subject to the completion of a satisfactory agreement under Section 106 of the Town and Country Planning Act, 1990 by 14th May, 2015 to secure financial contributions towards Special Protection Area mitigation and open space, the Head of Planning, in consultation with the Chairman, be authorised to grant planning permission, as set out in the Head of Planning's Report No. PLN1518 (as amended); however
- (ii) in the event that a satisfactory Section 106 agreement is not completed by 14th May, 2015, the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal
 - (a) fails to make provision for open space, contrary to the provisions of Policy CP12 of the Rushmoor Core Strategy and saved Policy OR4 of the Rushmoor Local Plan Review 1996 – 2011; and

- (b) fails to provide mitigation for the impact of the development on the Thames Basin Heaths Special Protection Area, in accordance with the Council's Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy, contrary to Policy CP13 of the Rushmoor Core Strategy.

86. APPLICATION NO. 15/00215/EDC – THE OLD MINT, POUND ROAD, ALDERSHOT –

The Committee considered the Head of Planning's Report No. PLN1518 (as amended at the meeting) regarding an application for a Certificate of Lawfulness in respect of the existing use of The Old Mint, Pound Road, Aldershot as two self-contained flats. The Committee noted that the application for a Certificate of Lawfulness had been formally withdrawn by the applicant and that it was now the applicant's intention to submit a retrospective planning application for the use of the building as flats.

The Committee then considered Part B of the revised recommendation, which was to issue an enforcement notice to require the cessation of the unauthorised material change of use of the land.

RESOLVED: That an Enforcement Notice be served to require the cessation of the unauthorised material change of use of the land as two self-contained flats; within a period of three months for compliance for the reasons set out in the Head of Planning's Report No. PLN1518 (as amended).

87. PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER JANUARY – MARCH, 2015 AND FOR THE FINANCIAL YEAR 2014 – 2015 –

The Committee received the Head of Planning's Report No. PLN1519 which provided an update on the position with respect to Performance Indicators for the Development Management Section of Planning for the period 1st January, 2015 to 31st March, 2015 and summary figures for the financial year 2014 – 15.

RESOLVED: That the Head of Planning's Report No. PLN1519 be noted.

88. APPEALS PROGRESS REPORT –

The Committee received the Head of Planning's Report No. PLN1520 concerning the following appeal decision:

Application No.	Description	Decision
14/00211/FUL	An appeal against the Council's decision to refuse planning permission for the redevelopment of land at No. 235 Ash Road, Aldershot to provide a restaurant, hot food takeaway and drive through facility, as well as the creation of a new vehicular access from Ash Road, 38 car parking spaces, cycle parking and associated landscaping. The appeal had been dealt with by way of a hearing.	Allowed

RESOLVED: That the Head of Planning's Report No. PLN1520 be noted.

The Meeting closed at 8.20 p.m.

G.B. LYON
CHAIRMAN

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RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

***Wednesday, 27th May, 2015
at 7.00 p.m.***

To:

VOTING MEMBERS

Cr. G.B. Lyon (Chairman Designate)
Cr. B.A. Thomas (Vice-Chairman Designate)

Cr. D.B. Bedford
Cr. D.M.T. Bell
Cr. R. Cooper

Cr. P.I.C. Crerar
Cr. Sue Dibble
Cr. Jennifer Evans

Cr. D. Gladstone
Cr. C.P. Grattan
Cr. J.H. Marsh

NON-VOTING MEMBER

Cr. R.L.G. Dibbs - Cabinet Member for Environment and Service Delivery
(ex officio)

STANDING DEPUTIES

Cr. S.J. Masterson
Cr. P.F. Rust



Ladies and Gentlemen,

You are hereby summoned to a Meeting of the **Development Management Committee** which will be held in the Concorde Room at the Council Offices, Farnborough on Wednesday, 27th May, 2015 at 7.00 p.m. for the transaction of the business set out below.

Yours faithfully,

A.E. COLVER
Head of Democratic Services

Council Offices
Farnborough

19th May, 2015

Enquiries regarding this Agenda should be referred to Mandy Speirs,
Administrative Officer, Democratic Services (Tel: (01252) 398821 or e-mail:
mandy.speirs@rushmoor.gov.uk)

A full copy of this agenda can be found at the following
website: <http://www.rushmoor.gov.uk/7875>

A g e n d a

1. **Declarations of interest –**

All Members who believe they have a disclosable pecuniary interest in any matter to be considered at the meeting may not participate in any discussion or vote taken on the matter and if the interest is not registered, it must be disclosed to the meeting. In addition, Members are required to leave the meeting while the matter is discussed.

2. **Minutes –**

To confirm the Minutes of the Meeting held on 29th April, 2015 (copy attached).

Items for decision

3. **Planning applications –**

To consider the Head of Planning's Report No. PLN1525 on planning applications recently submitted to the Council (copy attached with a copy of the index appended to the agenda).

4. **Enforcement and possible unauthorised development –**

To consider the Head of Planning's Report No. PLN1526 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

Items for information

5. **Town and Country Planning (General Permitted Development) (England) Order 2015**

To receive the Head of Planning's Report No. PLN1527 (copy attached) which provides an update with regards to the changes to **(General Permitted Development) (England) Order 2015**

6. **Appeals progress report –**

To receive the Head of Planning's Report No. PLN1528 (copy attached) on the progress of recent planning appeals.

Members Training

Once the meeting has closed and the public have left, Members are invited to stay for a short training session on Planning matters. This session (excluding the public) will be of value to new Members, those returning to the committee after an absence, and as a useful refresher to regular Members.

**Index to Development Management Committee Agenda
27th May 2015
Report No.PLN1525**

Item No	Case Number	Address	Recommendation	Page No
1	15/00068/LBC2PP	Gun Hill House and Water Tower Gun Hill Aldershot Hampshire	For Information	14
2	15/00069/REMPP	Gun Hill House and Water Tower Gun Hill Aldershot Hampshire	For Information	14
3	15/00176/FULPP	Proposed Extension to Princes Mead Westmead Farnborough Hampshire	For Information	15
4	15/00194/FULPP	Site of Former Christmas Lodge Evelyn Avenue Aldershot Hampshire	For Information	15
5	15/00326/COU	28 - 50 Kingsmead Farnborough	For Information	15
6	15/00280/FULPP	36 Woburn Avenue Farnborough	Grant	16
7	15/00281/ADVPP	36 Woburn Avenue Farnborough	Grant	16
8	15/00328/NMA	Tragordon 21 York Crescent Aldershot	Grant	25

Development Management Committee
27th May 2015

Directorate of Community
and Environment

Declarations of interest

Name: Cllr _____

N.B. A declaration is not required for items that appear either in Section D of the Planning Report or the Appeals Progress Report as such items are for noting only.

Agenda Item No.	Planning Application No.	Application Address	Reason

DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 29th April, 2015 at the Council Offices,
Farnborough at 7.00 p.m.

Voting Members

Cr. G.B. Lyon (Chairman)
Cr. B.A. Thomas (Vice-Chairman)

a Cr. A.M.J. Chainey	Cr. R.L.G. Dibbs	Cr. C.P. Grattan
a Cr. P.I.C. Crerar	Cr. Jennifer Evans	Cr. J.H. Marsh
Cr. Sue Dibble	Cr. D. Gladstone	Cr. P.F. Rust

* Cr. Barbara Hurst

Apologies for absence were submitted on behalf of Crs. A.M.J. Chainey and P.I.C. Crerar.

* Cr. Barbara Hurst attended as standing deputy in place of Cr. A.M.J. Chainey.

81. DECLARATIONS OF INTEREST –

Having regard to the Members' Code of Conduct, the following declaration of interest was made. Those Members with a disclosable pecuniary interest left the meeting during the debate on the relevant agenda items:

Member	Application No. and Address	Interest	Reason
Cr. Barbara Hurst	15/00118/FULPP (The Imperial Arms, No. 12 Farnborough Street, Farnborough)	Prejudicial	Association with Mrs. Munro via the Planning Group of The Farnborough Society. Mrs. Munro leads the Farnborough Street Residents' Association and Cr. Hurst is acting Leader of the Farnborough Society Planning Group, of which Mrs. Munro is a Member.

82. **MINUTES –**

The Minutes of the Meeting held on 1st April, 2015 were approved and signed by the Chairman.

83. **TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED) -
TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT
PROCEDURE) ORDER, 1995 -
DEVELOPMENT APPLICATIONS GENERALLY –**

RESOLVED: That

(i) permission be given for the following application set out in Appendix “A” attached hereto, subject to the conditions, restrictions and prohibitions (if any) mentioned therein:

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84. **REPRESENTATIONS BY THE PUBLIC –**

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The Committee noted that the recommendation was to grant the application, subject to the completion of a satisfactory agreement under Section 106 of the Town and Country Planning Act, 1990.

RESOLVED: That

- (i) subject to the completion of a satisfactory agreement under Section 106 of the Town and Country Planning Act, 1990 by 14th May, 2015 to secure financial contributions towards Special Protection Area mitigation and open space, the Head of Planning, in consultation with the Chairman, be authorised to grant planning permission, as set out in the Head of Planning’s Report No. PLN1518 (as amended); however
- (ii) in the event that a satisfactory Section 106 agreement is not completed by 14th May, 2015, the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal
 - (a) fails to make provision for open space, contrary to the provisions of Policy CP12 of the Rushmoor Core Strategy and saved Policy OR4 of the Rushmoor Local Plan Review 1996 – 2011; and

- (b) fails to provide mitigation for the impact of the development on the Thames Basin Heaths Special Protection Area, in accordance with the Council's Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy, contrary to Policy CP13 of the Rushmoor Core Strategy.

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The Committee then considered Part B of the revised recommendation, which was to issue an enforcement notice to require the cessation of the unauthorised material change of use of the land.

RESOLVED: That an Enforcement Notice be served to require the cessation of the unauthorised material change of use of the land as two self-contained flats; within a period of three months for compliance for the reasons set out in the Head of Planning's Report No. PLN1518 (as amended).

87. PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER JANUARY – MARCH, 2015 AND FOR THE FINANCIAL YEAR 2014 – 2015 –

The Committee received the Head of Planning's Report No. PLN1519 which provided an update on the position with respect to Performance Indicators for the Development Management Section of Planning for the period 1st January, 2015 to 31st March, 2015 and summary figures for the financial year 2014 – 15.

RESOLVED: That the Head of Planning's Report No. PLN1519 be noted.

88. APPEALS PROGRESS REPORT –

The Committee received the Head of Planning's Report No. PLN1520 concerning the following appeal decision:

Application No.	Description	Decision
14/00211/FUL	An appeal against the Council's decision to refuse planning permission for the redevelopment of land at No. 235 Ash Road, Aldershot to provide a restaurant, hot food takeaway and drive through facility, as well as the creation of a new vehicular access from Ash Road, 38 car parking spaces, cycle parking and associated landscaping. The appeal had been dealt with by way of a hearing.	Allowed

RESOLVED: That the Head of Planning's Report No. PLN1520 be noted.

The Meeting closed at 8.20 p.m.

G.B. LYON
CHAIRMAN

**Development Management Committee
29th April 2015**

Appendix "A"

Application No. & Date Valid: **15/00117/REVPP** **23rd February 2015**

Proposal: Variation of Condition 25 of planning permission RSH/5684 to allow one delivery to be made to Asda service yard on Sundays and Bank Holidays between the hours of 09:00 and 1700 on Sundays and Bank Holidays at **ASDA Westmead Farnborough Hampshire**

Applicant: Asda Stores Ltd

Conditions: 1 The deliveries to the rear service yard hereby permitted on Sundays and Bank Holidays shall be discontinued on or before the end of a period of six months from the date of this permission unless the Local Planning Authority shall have previously permitted their continuation for a further period.

Reason - In the interests of residential amenity.

2 With the exception of the single delivery permitted by this planning permission or those permitted by planning permission 14/00298/FUL, no lorries shall enter or leave the site for the purpose of loading or unloading except between the hours of 0700 and 2200 Monday to Saturday and not at all on Sundays or Bank Holidays.

Reason - In the interests of residential amenity.

3 There shall be no use of the rear service yard on Sundays or Bank Holidays except in connection with the deliveries hereby approved.

Reason - In the interests of residential amenity.

4 The deliveries hereby permitted shall not be commenced until a detailed Service Yard Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The deliveries shall be carried out, in accordance with the details so approved.

Reason - To ensure satisfactory external appearance.*

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 – Page 14 to 15

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 – Page 15

Section C – Items for DETERMINATION – Pages 16 to 31

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 – Pages 32 to 48

This lists planning applications that have already been determined by the Head of Planning, 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. This comprises the Rushmoor Plan Core Strategy (October 2011), the Hampshire Minerals and Waste Plan adopted October 2013, saved policies of the Rushmoor Local Plan Review (1996-2011) 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 Co-ordinator 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 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.

Keith Holland
Head of Planning

Background Papers

- *The individual planning application file (reference no. quoted in each case)*
- *Rushmoor Core Strategy (2011)*
- *Rushmoor Local Plan Review (1996-2011)[Saved policies]*
- *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).*

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	15/00068/LBC2PP	<p>LISTED BUILDING CONSENT: for internal and external alterations, including part demolition of link building, to facilitate the conversion of Gunhill House and Water Tower to provide 17 flats with associated parking, access, landscaping and public open space, in Development Zone C (Cambridge Military Hospital). Land at Wellesley, Aldershot Urban Extension, centred on Queen's Avenue and Alisons Road, Aldershot, Hampshire.</p> <p>Gun Hill House and Water Tower Gun Hill Aldershot Hampshire</p> <p>This application has only recently been received and consultations are underway.</p>
2	15/00069/REMPP	<p>PART APPROVAL OF RESERVED MATTERS: for the conversion of Gunhill House and Water Tower (including external alterations and part demolition of link building) to provide 17 flats with associated parking, access, landscaping and public open space, in Development Zone C (Cambridge Military Hospital), pursuant to Condition 4 (1 to 21), attached to Outline Planning Permission 12/00958/OUT dated 10th March 2014. Land at Wellesley, Aldershot Urban Extension, centred on Queen's Avenue and Alisons Road, Aldershot, Hampshire.</p> <p>Gun Hill House and Water Tower Gun Hill Aldershot Hampshire</p> <p>This application has only recently been received and consultations are underway.</p>

3	15/00176/FULPP	<p>Erection of an extension to existing shopping centre to provide three retail units, alterations to the external appearance of existing tower feature, creation of rear service yard with access from Hawthorn Road and alterations to existing car park layout and landscaping</p> <p>Proposed Extension to Princes Mead Westmead Farnborough Hampshire</p> <p>This application has only recently been received and consultations are underway.</p>
4	15/00194/FULPP	<p>Erection of a part two, part three storey building comprising 29 one, 3 two and 2 three residential units (34 in total), shared common room, staff accommodation, car and cycle parking, refuse storage, landscaping and associated works.</p> <p>Site of Former Christmas Lodge Evelyn Avenue Aldershot Hampshire</p> <p>This application has only recently been received and consultations are underway.</p>
5	15/00326/COU	<p>Change of use of 28-50 (evens) Kingsmead from Use Class A1 to Use Classes A3 (restaurant and cafe) and A4 (drinking establishments)</p> <p>28 - 50 Kingsmead Farnborough</p> <p>This application has only recently been received and consultations are underway.</p>

Section B

Petitions

Item	Reference	Description and address
		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	Chris Jones
Application No.	15/00280/FULPP
Date Valid	22nd April 2015
Expiry date of consultations	13th May 2015
Proposal	Installation of an automated teller machine with relating advertisement surround to a shop front
Address	36 Woburn Avenue Farnborough Hampshire
Ward	Knellwood
Applicant	Cardtronics UK Ltd, Trading As CASHZONE
Agent	Amy Powell -New Wave Installations
Recommendation	Grant
Case Officer	Chris Jones
Application No.	15/00281/ADVPP
Date Valid	22nd April 2015
Expiry date of consultations	13th May 2015
Proposal	Display of a non illuminated advertisement relating to and surrounding proposed ATM.
Address	36 Woburn Avenue Farnborough Hampshire
Ward	Knellwood
Applicant	Cardtronics UK Ltd, Trading As CASHZONE
Agent	Amy Powell - New Wave Installations
Recommendation	Grant

Description

The site is a retail shop on the eastern side of Woburn Avenue, currently occupied by the Co-operative Food Store.

The proposal is to install an Automatic Teller Machine in the front elevation of the building, with the face of the unit mounted in the existing glazed shop window.

It is also proposed to display a non-illuminated surround sign, which would be fitted around the ATM unit. This would have white text on a green background.

An application (03/00229/FUL) for the installation of an ATM in the shop front was refused in May 2003 on the grounds that:

"The proposed automatic telling machine, which is likely to be available 24 hours a day, would result in additional noise and disturbance from users in this predominantly residential area, especially outside shop opening hours. The proposal would therefore be detrimental to the amenities of the adjoining residents and would be contrary to Policy ENV17 of the Rushmoor Local Plan Review (1996-2011)."

Consultee Responses

Transportation Strategy Officer No objection to 15/00280/FULPP & 15/00281/ADVPP

Environmental Health No objection to proposed ATM.

Neighbours notified

In addition to posting a site notice and press advertisement, 12 individual letters of notification were sent to properties in Woburn Avenue, Clevedon Court, The Terrace, Chatsworth Road, Longleat Square and Wilton Court.

Neighbour comments

The occupier of 2 Cleveland Court has raised objection with reference to the proposed ATM on the grounds that there have been no changes in circumstances since the Council's previous refusal of planning consent and that it would result in increased noise and disturbance to residents. He also raises concerns about increased litter from till receipts, increased traffic and associated risk of accident and that the ATM could increase the risk of the premises being targeted by ram-raiders and other criminals.

No representations have been received in respect of the advertisement proposal.

Policy and determining issues

The site is within a local shopping centre as defined in the Rushmoor Core Strategy and Policy CP2 (Design and Heritage) and saved Policies S1 (Local Shopping Centres), S3 (Alterations to Shop Fronts) and ENV17 (General Development Criteria) of the Rushmoor Local Plan Review are relevant in respect of the ATM proposal and saved Policy ENV38 (Advertisements) is relevant to the signage proposal.

The main determining issues are considered to be the impact upon visual amenity and the character of the area, residential amenity and highway safety.

Commentary

It is considered that neither the installation of the automatic telling machine (ATM) nor the surrounding sign would have any harmful or adverse impact of the visual amenity of the premises or the surrounding area in themselves.

Concerns have been raised by an objector that the presence of the ATM is likely to increase noise and disturbance to residents in this predominantly residential area, especially if the machine would be available on a 24 hour basis.

The applicants were unaware of the previous refusal twelve years ago when they submitted their application. However, after being contacted by the case officer, their agents have confirmed in writing that it will be possible to operate the machine on a timer, so that it will be switched off when the store is closed and that their clients would accept a planning condition to this effect. The store's advertised hours of opening are 07:00 to 22:00 but these are not limited by planning condition. Therefore, it is considered that the condition should require the ATM to be de-activated when the store is closed to the members of the public rather than specifying particular hours when the machine can be operated. It is considered that with such a condition, any additional impact upon residential amenity arising from the installation of an ATM would be minimal. The objector's comments regarding increased litter is noted but the proposed drawings show that a receipt bin will be provided alongside the unit.

It is considered that the illuminated sign surrounding the ATM would have little impact upon residential outlook or amenity.

It is considered that the proposed ATM is unlikely to generate any significant increase in vehicular movements to or from the premises and the Transportation Strategy Officer has raised no objection to the proposal on highway safety grounds.

The Transportation Strategy Officer also raises no objection to the proposed sign on highway safety grounds.

The objector's comments relating to the possibility of a ram-raid attack are noted. In the Designing Out Crime section of the submitted Design and Access Statement, the applicants note that they install and anchor the ATMs in accordance with National Guidelines. They also note that the ATM would be positioned in a well-lit open area and that there are existing roadside bollards running alongside the pavement edge in front of the store and the proposed ATM which will give added protection from the threat of ram-raiding. It is considered that the proposal contains reasonable measures to deter such attacks.

It is therefore considered that both the ATM and related advertisement would have little impact upon visual amenity or the character of the area, residential amenity or highway safety and would accord with the relevant policies of the Local Plan.

Full Recommendation

It is recommended that

A. Planning permission be **GRANTED** for application 15/00280/FULPP, subject to the following conditions and informatives:

- 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 – Site Location Plan, Block Plan, E015722 and NW0050.

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

- 3 The automatic telling machine hereby permitted shall only be operational when the store is open to members of the public.

Reason: - In the interests of residential amenity.

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, free of charge, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.

- 2 **INFORMATIVE - REASONS FOR APPROVAL** - The Council has granted permission because the proposal would not adversely affect visual amenity, residential amenity or highway safety and includes appropriate measures to deter crime. The proposal accords with Policy CP2 of the Rushmoor Core Strategy and saved Policies S1 and S3 of the Rushmoor Local Plan Review. 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.

B. Advertisement Consent be **GRANTED** for application 15/00281/ADVPP, subject to the following conditions and informatives:

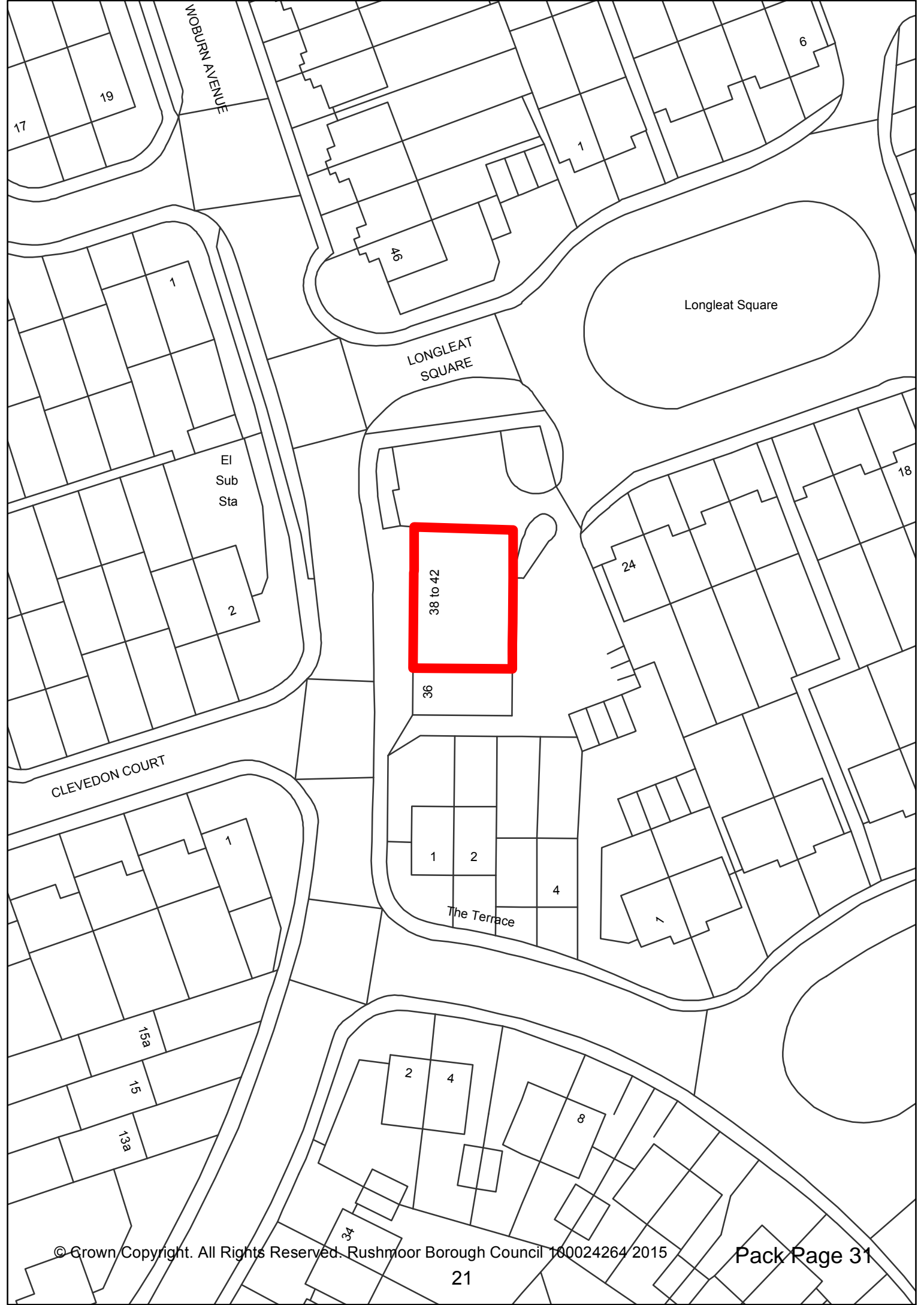
1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

2. No advertisement shall be sited or displayed so as to—
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.
4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity
6. The permission hereby granted shall be carried out in accordance with the following approved drawings - Site Location Plan, Block Plan, E015722 and NW0050.

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, free of charge, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.
- 2 **INFORMATIVE - REASONS FOR APPROVAL** - The Council has granted permission because the proposal would not adversely affect visual amenity, residential amenity or highway safety and includes appropriate measures to deter crime. The proposal accords with Policy CP2 of the Rushmoor Core Strategy and saved Policies S1 and S3 of the Rushmoor Local Plan Review. 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.



WOBURN AVENUE

Longleat Square

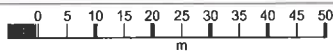
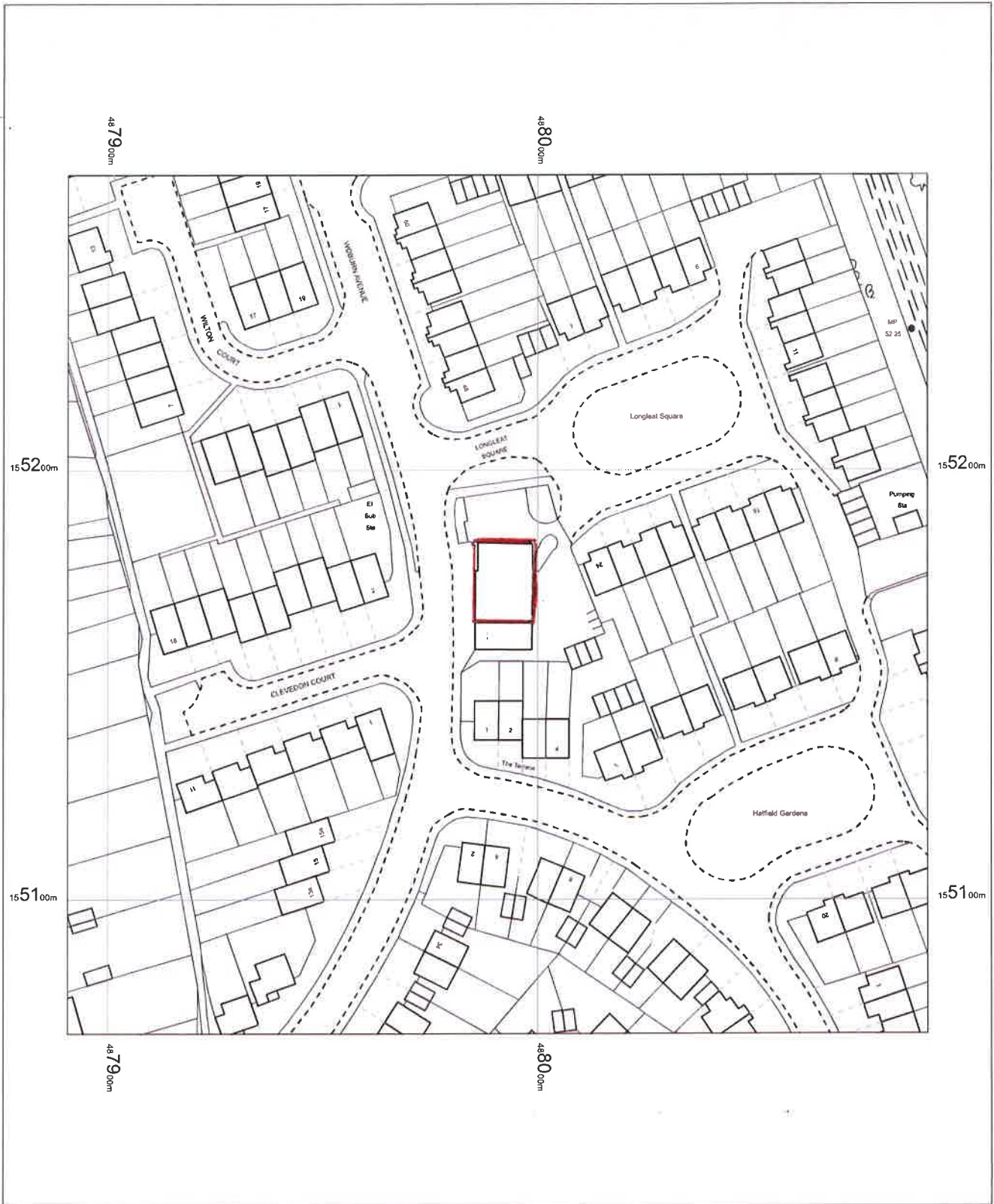
LONGLEAT SQUARE

El Sub Sta

CLEVEDON COURT

The Terrace

38 to 42



CO-OP
 36-40 WOBURN AVE
 FARNBOROUGH
 GU14 7EF
 E015722

OS MasterMap 1250/2500/10000 scale
 09 April 2015, ID: BW1-00417858
 maps.blackwell.co.uk
 1:1250 scale print at A4, Centre: 487991 E, 155169 N

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 www.blackwellmapping.co.uk

TEL: 0113 245 2623
 comments@maps.blackwell.co.uk

GENERAL NOTES

LIGHTING :-
ALL LIGHTING TO BE POSITIONED TO AVOID DIRECT GLARE ON THE EYES OF THE USER AND UNWANTED REFLECTIONS FROM THE SCREEN OR OPERATING FEATURES. GLARE FROM LIGHTING TO BE AVOIDED. SIGNAGE :-
ALL SIGNAGE TO CONFORM TO BS 6300:2001 SECTIONS 9.2.2 LOCATION & DESIGN OF SIGNS & INFORMATION AND 9.2.3 VISUAL SIGNS.
ALL NEW GLAZING CONFORMS TO BS 6206.
ALL ELECTRICAL WORK CONFORMS TO BS 7671.

SITE NOTES

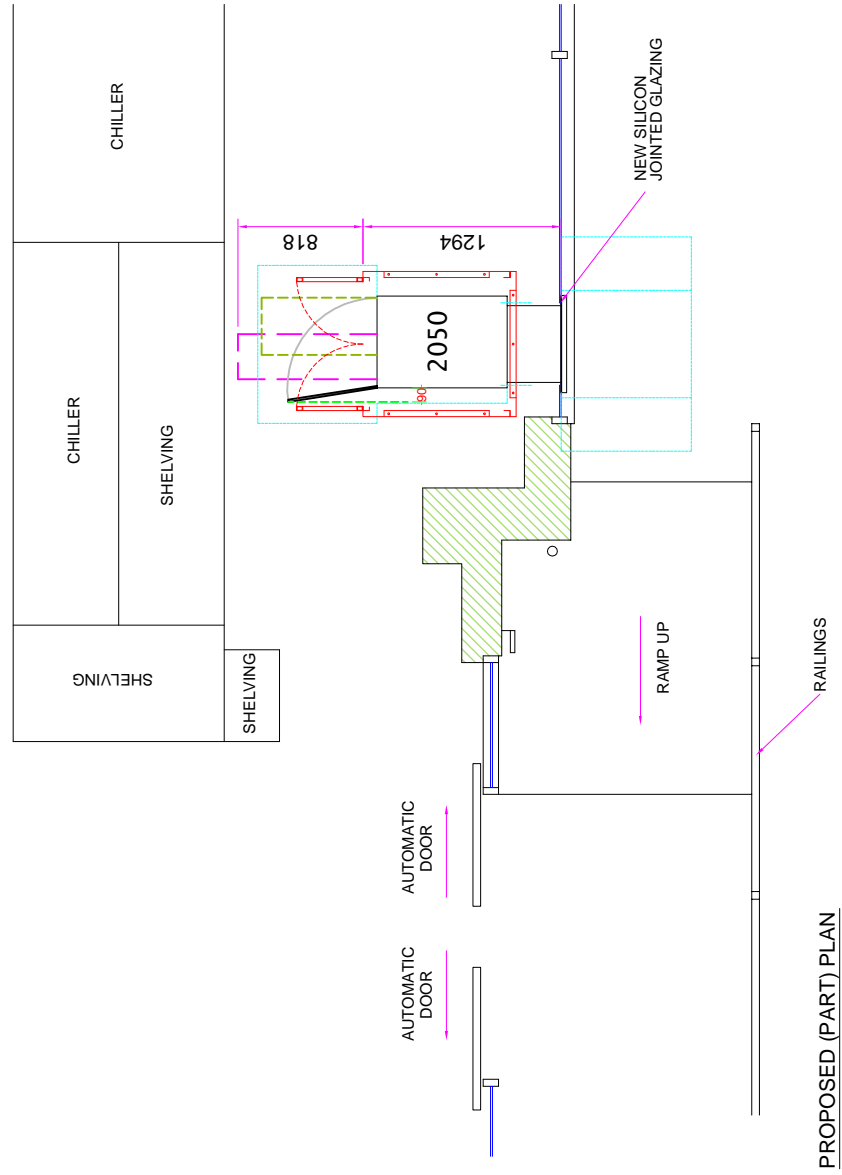
FLOOR CONSTRUCTION:
VINYL ON CONCRETE.

REMOVE EXISTING LARGE GLAZING PANEL.

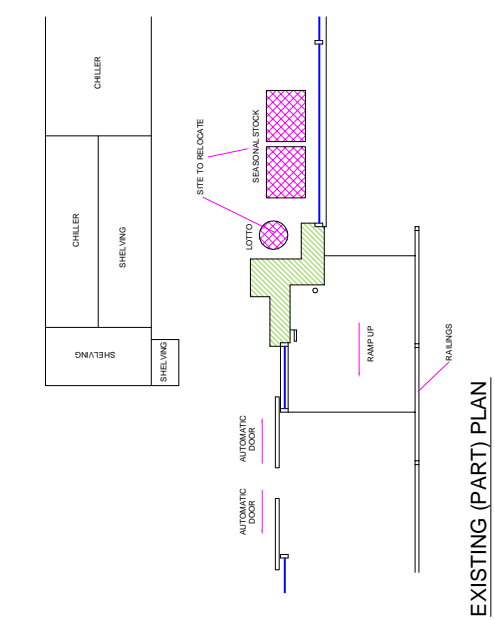
SILICON JOINTED GLAZING, SECURITY ENCLOSURE, ATM, 26mm FLOOR PLATE, RECEIPT BIN AND CASHZONE NON-ILLUMINATED SIGNAGE TO BE INSTALLED.

WORK TO BE CARRIED OUT BY OTHERS

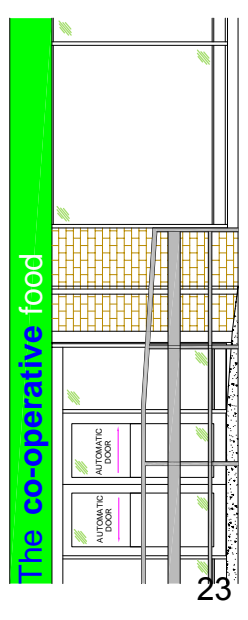
PROVIDE A CLEAN POWER SUPPLY TO THE ATM LOCATION AND RELOCATE INTO ATM ENCLOSURE ON DAY OF INSTALL
RELOCATE/REMOVE- SEASONAL DISPLAY STOCK AND LOTTO STAND



PROPOSED (PART) PLAN

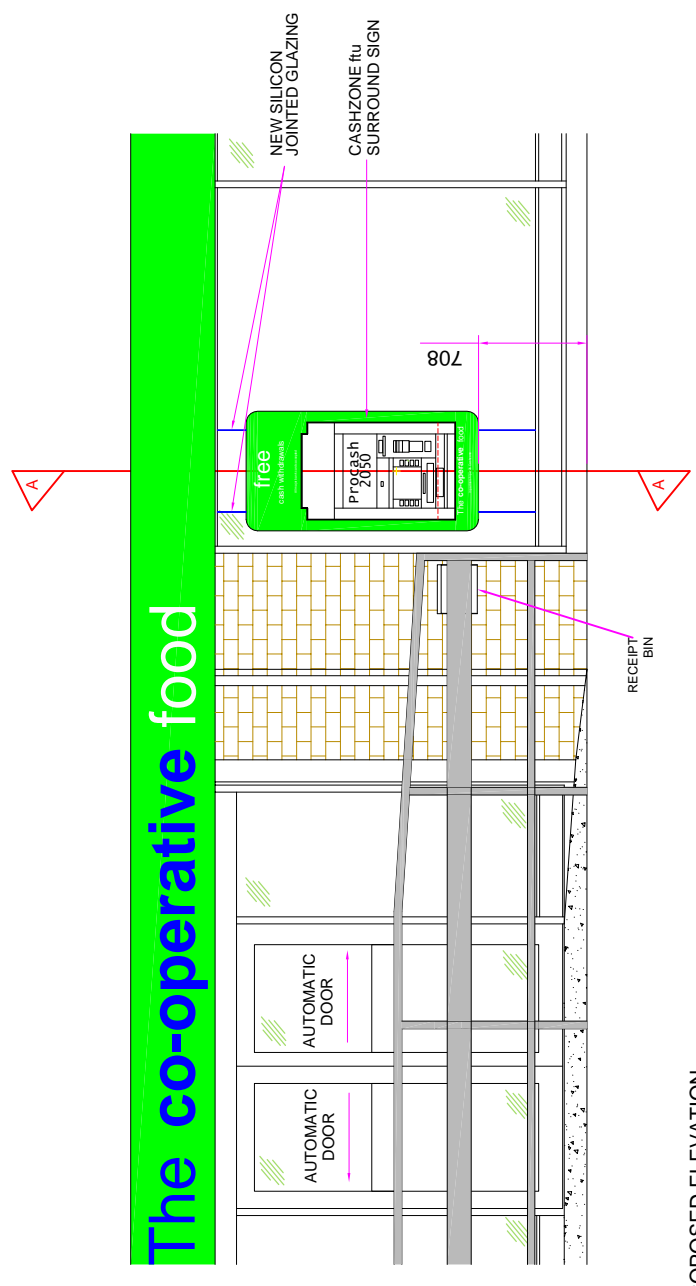


EXISTING (PART) PLAN

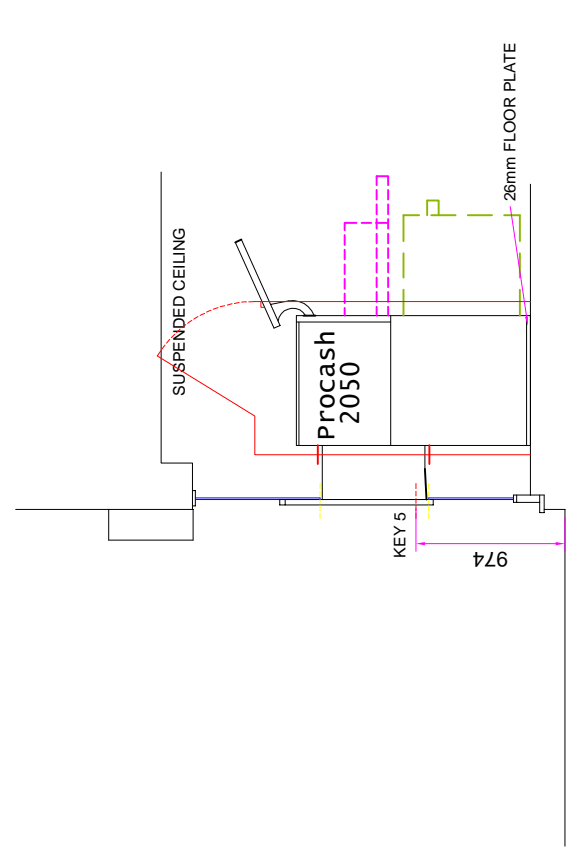


23

EXISTING ELEVATION



PROPOSED ELEVATION



SECTION VIEW A-A

Scale in Metres 0 1 2 3 Scale 1:50

EXISTING SECTION VIEW A-A

Scale in Metres 0 1 2 3 Scale 1:100

SITE ADDRESS THE CO-OP FOOD 36-40A WOBURN AVENUE, FARNBOROUGH, GU14 7EF.	TITLE PROPOSED AUTOMATED TELLER MACHINE (ATM) INSTALLATION FOR CASHZONE		drawing approval	
	DRAWN DG	DATE 12/03/15	SCALE VARIOUS @A3	REVISION 01
REF/ORG No E015722	SHEET	REVISION	DESCRIPTION	DATE BY DATE:-

new wave
 Installations
 A division of Cardtronics Europe

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.	15/00328/NMA
Date Valid	6th May 2015
Expiry date of consultations	27th May 2015
Proposal	Non-Material Amendment : Revised on-site parking layout to that approved with planning permission 12/00286/FUL dated 13th April 2012
Address	Tragordon 21 York Crescent Aldershot Hampshire
Ward	Rowhill
Applicant	Mr S Sandhu
Agent	Mr M Bawtree
Recommendation	APPROVE

Description

Tragorden is an extended detached property converted and occupied since the early 1990s first as a pair of self-contained flats, but following the implementation of planning permission 12/00286/FULPP (as amended in respect of external finishing and fenestration by 13/00406/MMAPP in June 2013) granted in April 2012, as three self-contained flats.

The application property is located at the south-eastern end of York Crescent at the point furthest from York Road. York Crescent is a private road which is understood to be in the joint ownership of the properties fronting the road. It is unadopted and has a rough surface. To the south, the site abuts the side boundary of 'Hartgill Cottage' (No.23) York Crescent. To the north, the application site adjoins a vacant plot, previously occupied by a bungalow known as "The Haven", which is also land in the ownership and control of the applicant. Beyond this are Nos.1-4 Green Acre, a terrace of three-storey town-houses forming part of a small cul-de-sac entered from York Crescent. Nos.16, 18 and 20 York Crescent are opposite the site entrance.

In addition to the extension to the building to create the single additional flat, planning permission 12/00286/FULPP also permitted the erection of a single-storey side extension to

provide a garage, together with a further 4 on-site parking spaces. A non-material amendment to this permission was approved in September 2014 to permit a slight enlargement of the garage, 14/00612/NMA.

The current application is seeking the retrospective approval of a non-material amendment to the scheme approved by planning permission ref.12/00286/FULPP to substitute an amended on-site parking layout. Plans showing the approved and amended parking layouts are attached at the end of this report.

Consultee Responses

Transportation
Strategy Officer

Clarification required concerning whether or not the garage approved by planning permission 12/00286/FULPP (as amended by Non-Material Amendment 14/00612/NMA) is to be built or not and the existing garage to be removed. The footprint of the approved new garage is not shown on the submitted plans. Nevertheless, despite this omission, the revised proposals show an on-site parking layout that provides the same number of spaces as were originally approved and, as before, 3 of the 5 spaces are independently accessible.

Neighbours notified

Due to the short timescales involved in the consideration of Non-Material Amendment applications it is not usual for such applications to come before Committee for determination. Neighbour notification of such applications is normally confined to the immediately adjoining properties in such cases. Due to the level of local interest in this site, in addition to posting a site notice and press advertisement, 16 individual letters of notification were sent to properties in York Crescent and Green Acre.

Neighbour comments

At the time of writing this report two representations have been received from the occupiers of 'Pennsylvania' (No.16) and 'Pennfield Lodge' (No.29) York Crescent, which raise the following objections to the amendment:-

- (a) Inadequate on-site parking provided : it is insufficient to provide for the number of cars belonging to tenants and visitors to the property;
- (b) The occupants only use a maximum of 3 of the 5 allotted spaces because the other 2 spaces do not have free access and are therefore useless. The existing garage at the site has never been seen to be used for parking;
- (c) The occupants must be given free access spaces so they can park on the property not on the private road as Tragordon has no parking outside of its own. There is always at least one car parked on road opposite our gates (No.16 York Crescent) all night and, on occasions, double parking, causing obstruction of the road;
- (d) The developer has taken land from this property to give more room for the future development of the adjoining site. He should be made to stick to the planning permission that he originally obtained;
- (e) Yet more cars would use the unmade road causing extra wear on it if this amendment were to be allowed;
- (f) No disabled parking is provided on-site [Officer Note: no disabled spaces are required for a development of this nature]; and

- (g) What assurances do local residents have that the on-site parking spaces will be used for parking purposes and thereby prevent further parking problems?

The neighbour consultation period in respect of this application expires on 27 May 2015, it is possible that further representations may be received after the publication of this report. In that event an update will be given at the meeting.

Policy and determining issues

The application site is located within the built-up area of Aldershot. It is not located within, nor adjoins, a Conservation Area. Furthermore, the application site does not contain or adjoin a Listed Building. Rushmoor Core Strategy Policy CP2 (Design and Heritage) and saved Local Plan Policy ENV17 (general development criteria) are relevant.

The main determining consideration in respect of Non-Material Amendments is whether the development, as a result of the change, gives rise to any significant impact over and above what was originally permitted.

Commentary

As originally approved under planning permission 12/00286/FUL, the development provided a total 5 on-site parking spaces, which was considered to be an acceptable provision to take account of the new development (a single flat) in addition to the existing pair of flats at the site. The approved parking layout comprised a new attached garage, a forecourt space in front of the new garage, a single space immediately to the front of the building, and a pair of in-line spaces alongside (incorporating some land from the applicant's adjoining site). The net result is that 3 (one for each flat) of the 5 parking spaces provided are independently accessible by residents. The fact that some of the spaces are blocked in by others is unusual in residential parking layouts.

Condition No.8 of planning permission 12/00286/FULPP required that:-

“The new dwelling and extended existing dwelling units hereby permitted shall not be occupied until the garage and external parking spaces shown on the approved plans have been constructed, surfaced and made available to occupiers of, and/or visitors to, the flats at the application property. Thereafter the approved garage and external parking spaces shall be kept available at all times for parking purposes and shall not be used at any time for the parking/storage of boats, caravans or trailers.”

The planning permission therefore both ensured that the proposed parking would be provided, and that it would remain available for parking purposes at all times by occupiers of the flats.

The amended layout, which reflects the way in which parking is taking place on site without incorporating any land from the applicant's adjoining site, also shows provision of 5 on-site parking spaces, of which 3 are independently accessible. As a result it is considered that the amendment has not resulted in a material alteration in the on-site parking provision at the site. It is considered that a similar condition can be imposed to ensure that the parking is retained at all times for parking purposes.

Objections have been raised on the grounds that the on-site parking provision is considered inadequate in both the quantity of spaces and the fact that some spaces are blocked-in by

others. However the quantity and layout of the parking spaces is equivalent to that previously approved and, therefore acceptable in planning terms.

Objection is also raised on the basis that some of the on-site spaces are not being used and that at least one vehicle belonging to occupiers of the property regularly parks in the street outside. Provision of on-site parking cannot prevent people legally parking vehicles on adjoining and nearby roads if they so choose. Planning conditions can ensure that on-site parking spaces are provided and available, they cannot control the behaviour and choices of residents. Accordingly, failing to use off-street parking spaces is not a breach of planning control. A degree of on-street parking is typical of residential streets. The site is at the end of a residential road where traffic speeds and volumes are low, visibility is adequate, and there is space for vehicles to park without causing obstruction. It is not considered that the safety and convenience of road users is compromised by the application being considered.

Objectors have additionally suggested that residents of the application site have no right to park in the road because it is privately owned. This is a private property matter between the owners and the management of parking restrictions is a matter for them.

The applicant has been asked to clarify whether or not the new attached garage approved by planning permission 12/00286/FULPP is to be built. He has responded to advise that it will be built and the submitted plans will be annotated to this effect. The plans will also confirm that the existing detached garage is to be removed. The net effect of these amendments, subject to the existing garage being removed, will be that an additional, sixth, on-site parking space, can be provided. The amended plans are awaited and an update will be provided at the meeting.

Conclusions – Although objections to the amendment have been received, they are not considered 'material'. Furthermore, it is not considered that the amendments give rise to any material planning harm to the safety and convenience of road users or in any other respect, including the amenities of neighbours. It is considered that the amendments would have been found equally acceptable had they been part of the original proposals. On this basis it is considered that the Non-Material Amendment should be approved.

Full Recommendation

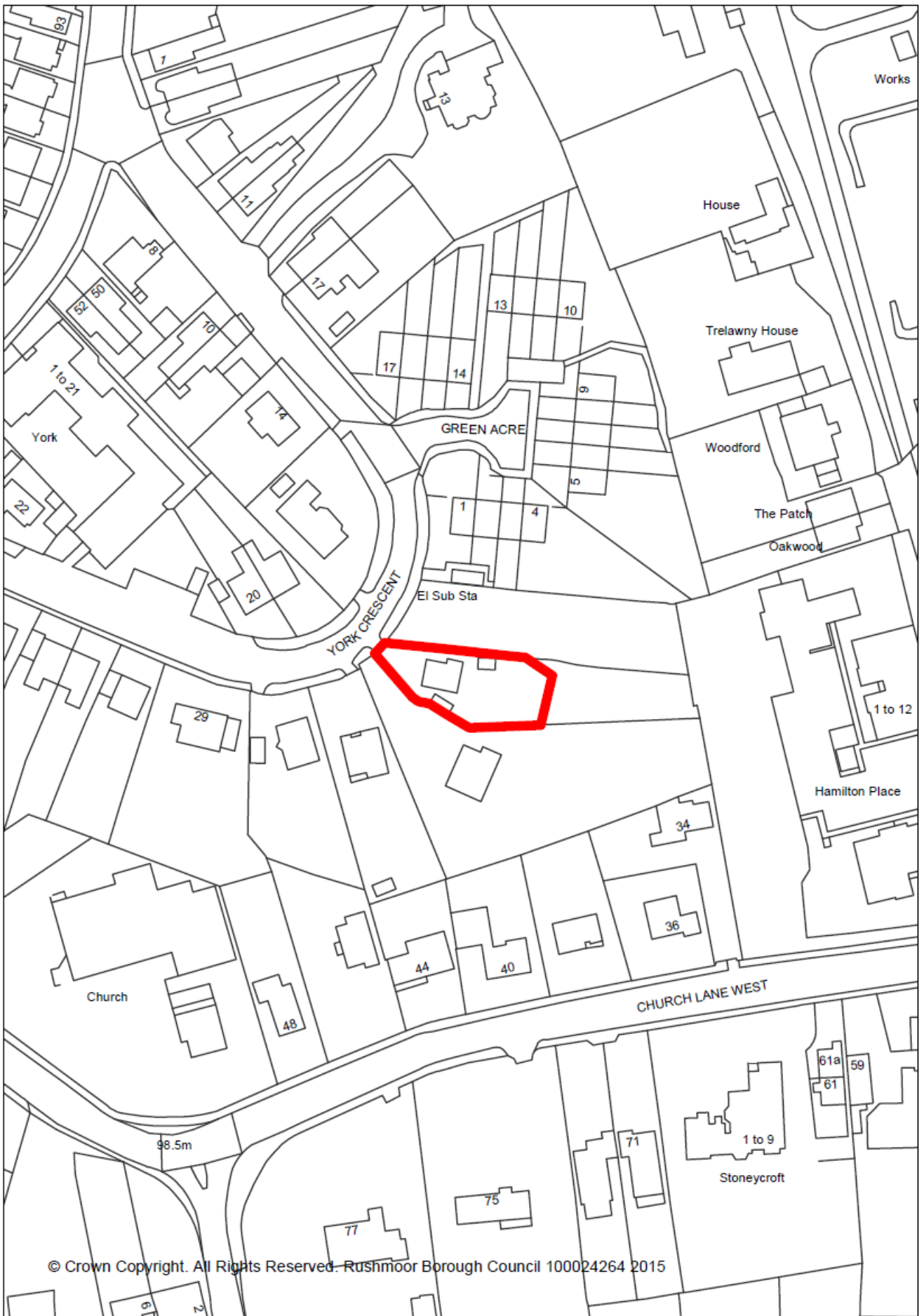
It is recommended that SUBJECT to:-

- (a) The receipt of satisfactory amended plans; and
- (b) No new and substantial objections being received by the expiry of the neighbour notification period on 27 May 2015

the Head of Planning, in consultation with the Chairman, be authorised to **APPROVE** the Non-Material Amendment subject to the following conditions:-

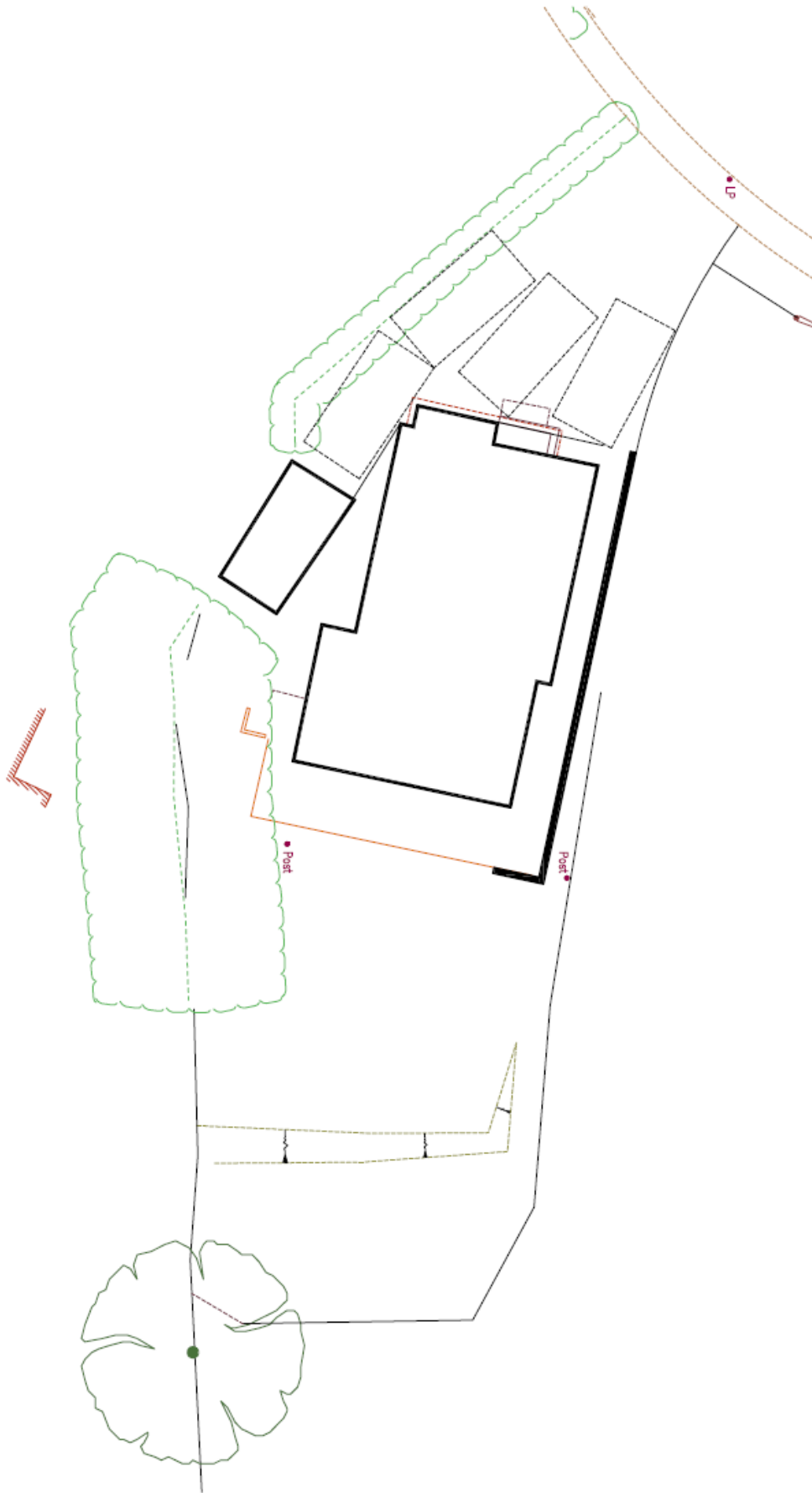
1. The garage and external parking spaces shown on the approved plans (Drawing No.XXXXXXXX) shall be kept available at all times for parking purposes and shall not be used at any time for the parking/storage of boats, caravans or trailers.

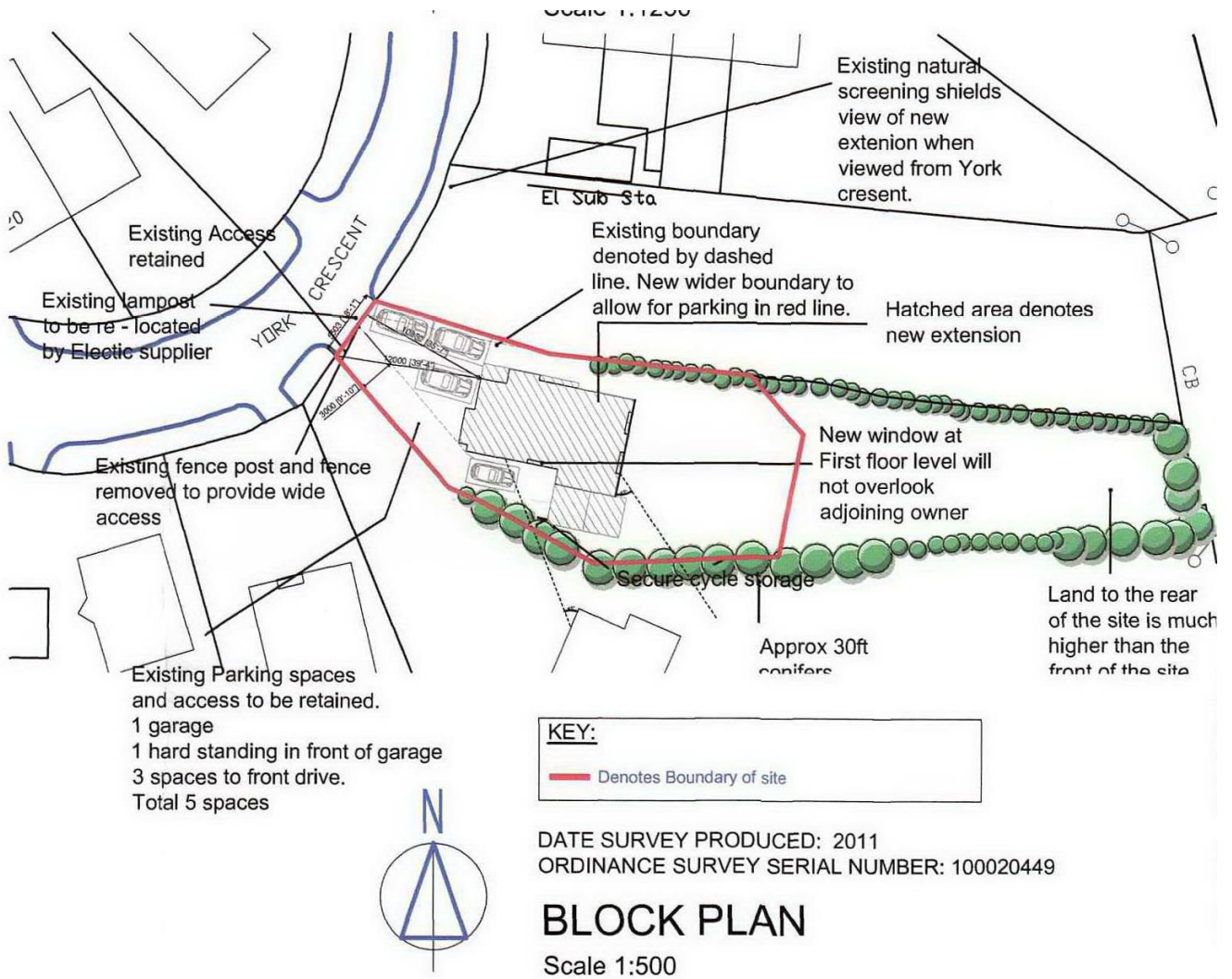
Reason - For the avoidance of doubt and to ensure the provision and retention of adequate off-street parking within the development.



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Current Proposed Amended Parking Layout





Parking Layout As Approved with Planning Permission 12/00286/FULPP

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 Planning and where necessary, in consultation with the Chairman, in accordance with the Council's adopted Scheme of Delegation.

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

Application No 14/00760/COND Ward: Empress

Applicant: Chris Neate

Decision: **Split decision**

Decision Date: 08 May 2015

Proposal: Compliance with conditions attached to planning permission 00/00401/FUL dated 25 April 2001

Address **131 Ship Lane Farnborough Hampshire GU14 8BJ**

Application No 14/00903/CONDPP Ward: Wellington

Applicant: KFC (GB) Ltd

Decision: **Conditions details approved**

Decision Date: 27 April 2015

Proposal: Approval of details of facing materials and details of new windows and doors submitted pursuant to condition 3 of planning permission 14/00675/FULPP

Address **17 Union Street Aldershot Hampshire GU11 1EP**

Application No 15/00022/COND Ward: Empress

Applicant: Bates Solicitors

Decision: **Split decision**

Decision Date: 30 April 2015

Proposal: Confirmation that the conditions 2, 9, 20, 22, 25, 28, 31 and 34 attached to planning permission 06/00633/FUL dated 29 June 2007 have been complied with as amended by letter dated 28 January 2015

Address **Flat 25 Cathedral Court O'Gorman Avenue Farnborough Hampshire GU14 7EP**

Application No 15/00049/CONDPP

Ward: St Mark's

Applicant:

Decision: **Conditions details approved**

Decision Date: 27 April 2015

Proposal: Submission of details pursuant to Conditions 9 (external materials) attached to Planning Permission 14/00796/FULPP dated 16th January 2015

Address **93 Somerset Road Farnborough Hampshire GU14 6DR**

Application No 15/00052/FUL

Ward: St Mark's

Applicant: Mr Matt Corcoran

Decision: **Permission Granted**

Decision Date: 29 April 2015

Proposal: Erection of external duct and steel mesh enclosure and associated works

Address **Man Carrying Centrifuge Facility F49A ETPS Road Farnborough Hampshire GU14 6FD**

Application No 15/00053/LBC2

Ward: St Mark's

Applicant: Mr Matt Corcoran

Decision: **Permission Granted**

Decision Date: 29 April 2015

Proposal: Listed Building Consent: Erection of external duct and steel mesh enclosure and associated works together with an additional rendered section to south elevation

Address **Man Carrying Centrifuge Facility F49A ETPS Road Farnborough Hampshire GU14 6FD**

Application No 15/00076/COND Ward: West Heath
Applicant: Mr Joseph Hardwick
Decision: **Conditions details approved**
Decision Date: 05 May 2015
Proposal: Submission of details pursuant to Condition Nos.3 (external materials), 4 (surfacing materials), 5 (levels), 6 (means of enclosure), 10 (operatives parking and turning on site during construction period), 11 (landscaping scheme), 15 (cycle and bin storage), and 18 (SUDS drainage scheme details) of planning permission 14/00172/FULPP granted on 16 June 2014
Address **44 Northcote Road Farnborough Hampshire GU14 9EA**

Application No 15/00089/CONDPP Ward: North Town
Applicant: Mr Richard Nightingale
Decision: **Conditions details approved**
Decision Date: 01 May 2015
Proposal: Submission of details to comply with condition 30 (bat survey) attached to planning permission 09/00431/FULPP dated 13 October 2009 in respect of phases 3 and 4
Address **North Town Redevelopment Phases 3 And 4 Deadbrook Lane Aldershot Hampshire**

Application No 15/00121/TPO Ward: West Heath
Applicant: Mr David Darley
Decision: **Permission Granted**
Decision Date: 06 May 2015
Proposal: To re-pollard one Weeping Willow tree (T1 of TPO 297) back no further than the previous reduction points and repeat as required
Address **1B Birchett Road Farnborough Hampshire GU14 8RE**

Application No 15/00124/TPO Ward: St John's
Applicant: Mr Neal
Decision: **Permission Granted**
Decision Date: 21 April 2015
Proposal: One Oak (T47 of TPO 407) deadwood and crown reduce overall by no more than 2.5 metres back to growth points
Address **3 Juniper Road Farnborough Hampshire GU14 9XU**

Application No 15/00128/FULPP Ward: Knellwood
Applicant: Rio Homes
Decision: **Permission Granted**
Decision Date: 14 May 2015
Proposal: Erection of a 5 bedroom detached house and garage (Retrospective).
Address **5 Waverley Road Farnborough Hampshire GU14 7EY**

Application No 15/00129/ADVPP Ward: Empress
Applicant: Whitbread Plc
Decision: **Permission Granted**
Decision Date: 24 April 2015
Proposal: Display two internally illuminated fascia signs, one internally illuminated menu board sign, three high level internally illuminated signs, three sets of internally illuminated set of letters and cow logos and one non illuminated directional sign
Address **1 - 5 Firgrove Parade Farnborough Hampshire**

Application No 15/00136/REV Ward: Wellington
Applicant: Mrs Carmen Strat
Decision: **Permission Granted**
Decision Date: 21 April 2015
Proposal: Relaxation of condition 7 of planning permission 08/00280/COU (requiring premises to be used only as a cafe, sandwich bar and coffee house) to allow continued use of the premises as a retail store (Use Class A 1)
Address **128 Victoria Road Aldershot Hampshire GU11 1JX**

Application No 15/00138/FUL Ward: St Mark's
Applicant: Vodafone Limited
Decision: **Permission Granted**
Decision Date: 24 April 2015
Proposal: Erection of 25m high dual user lattice tower carrying nine antennas and six ancillary remote radio units on head frame with four 300mm dishes located below together with associated ancillary works and removal of existing timber mast
Address **Telecommunication Mast Vodafone 232830 Farnborough Airport Farnborough Road Farnborough Hampshire**

Application No 15/00140/TPO Ward: St John's
Applicant: Sentinel Housing
Decision: **Permission Granted**
Decision Date: 27 April 2015
Proposal: Reduce crown of one Oak tree (marked T25 on plan) of TPO98/00261 by no more than one metre
Address **2 Grantham Drive Farnborough Hampshire GU14 9UB**

Application No 15/00156/TPOPP Ward: Empress
Applicant: Mr Martin Krailing
Decision: **Permission Granted**
Decision Date: 06 May 2015
Proposal: Fell one False Acacia (T1 of TPO 354A) replace with one similar in the same location
Address **Wedgewood 47 Prospect Avenue Farnborough Hampshire GU14 8JT**

Application No 15/00168/ADVPP Ward: St Mark's
Applicant: Clear Channel UK Ltd
Decision: **Permission Granted**
Decision Date: 08 May 2015
Proposal: Display an internally illuminated double sided advertising panel within proposed bus shelter structure
Address **Pavement Outside Shaftesbury Court Alexandra Road Farnborough Hampshire**

Application No 15/00173/TPOPP Ward: St John's
Applicant: Mrs Cook
Decision: **Permission Granted**
Decision Date: 07 May 2015
Proposal: Tree 1: Oak reduce lateral growth towards the House/Conservatory by no more than 1-2 metres (level with the front of the Conservatory) remove to stem the lowest branch (Garden side). Tree 2: Oak reduce lateral growth towards the House/Conservatory by no more than 1-2 metres (level with the front of the Conservatory) remove to stem the lowest 2 branches (Garden side). Tree 3: Silver Birch Fell (all 3 trees part of group G6 of TPO 358A)□
Address **24 The Birches Farnborough Hampshire GU14 9RP**

Application No 15/00174/CONDPP Ward: North Town
Applicant: First Wessex Homes
Decision: **Conditions details approved**
Decision Date: 01 May 2015
Proposal: Submission of details to comply with condition 26 (bat survey) (phase 6) attached to planning permission 13/00081/FULPP dated 28 November 2014
Address **North Town Redevelopment Site - Land Bounded By North Lane Deadbrook Lane And Eastern Road Aldershot Hampshire**

Application No 15/00177/TPO Ward: St John's
Applicant: Mr Robert Westwood
Decision: **Permission Granted**
Decision Date: 08 May 2015
Proposal: One Oak (T9 of TPO 353A) crown reduce and reshape by approximately 25-30% back to previous reduction points
Address **28 Moselle Close Farnborough Hampshire GU14 9YB**

Application No 15/00178/CONDPP Ward: Cove And Southwood
Applicant: Fresenius Medical Care Renal Services Lt
Decision: **Conditions details approved**
Decision Date: 20 April 2015
Proposal: Submission of details pursuant to Condition No.6 (details for the organised transport of patients to and from the site) of planning permission 14/00102/COUPP granted on 4 April 2014
Address **Unit B14 Armstrong Mall Farnborough Hampshire GU14 0NR**

Application No 15/00179/TPO Ward: Empress
Applicant: Mr Malcolm Hall
Decision: **Permission Granted**
Decision Date: 07 May 2015
Proposal: One Plane tree (T5 of TPO 421A) removal of lowest branch on west side (highlighted by red arrows on attached photo), removal of branch (highlighted by yellow arrows on photograph), cut back to growth point the branch (highlighted by blue arrows on photograph) .Crown lift to give no more than 6 metres clearance from ground level and removal of deadwood and damaged trailing branches
Address **1 Woodstocks Farnborough Hampshire GU14 8BZ**

Application No 15/00185/FULPP Ward: Wellington
Applicant: Daisy Nursery Ltd
Decision: **Permission Granted**
Decision Date: 13 May 2015
Proposal: Change of use of Anglesey Lodge from Use Class B1(a) to a flexible B1(a)/D1 nursery use and erection of a cycle shed
Address **Anglesey Lodge Farnborough Road Aldershot Hampshire GU11 3BJ**

Application No 15/00191/TPOPP Ward: St John's
Applicant: Mr Steven Lee
Decision: **Permission Granted**
Decision Date: 13 May 2015
Proposal: Oak (T49 of TPO 407) Crown thin by no more than 15% remove deadwood and reduce back by no more than 3 metres the lowest 3 limbs that overhang the neighbouring property. Oak (T50 of TPO 407) Crown thin by no more than 20% remove deadwood and reduce back by no more than 1.5 metres the lowest / closest limb to the owners property
Address **4 Thyme Court Farnborough Hampshire GU14 9XT**

Application No 15/00196/FUL Ward: Fernhill
Applicant: Mr Woodham
Decision: **Permission Granted**
Decision Date: 14 May 2015
Proposal: Formation of a bow or bay window to facilitate a garage conversion
Address **8 Polden Close Farnborough Hampshire GU14 9HN**

Application No 15/00201/COND Ward: Wellington
Applicant: Westgate Aldershot Limited
Decision: **Conditions details approved**
Decision Date: 14 May 2015
Proposal: Submission of details to comply with condition 5 (surfacing materials) attached to planning permission 10/00076/FULPP dated 3 December 2010.
Address **Westgate Development Site Wellington Avenue Aldershot Hampshire**

Application No 15/00203/ADVPP Ward: Empress
Applicant: Mrs Jacqui Thomson
Decision: **Permission Granted**
Decision Date: 20 April 2015
Proposal: Display of two internally illuminated fascia signs, 1 internally illuminated chevron fascia sign, 1 internally illuminated projecting sign, 2 x illuminated ATM full surrounds and one non-illuminated sign
Address **1 - 5 Queensmead Farnborough Hampshire GU14 7RQ**

Application No 15/00205/TPOPP Ward: Rowhill
Applicant: Mr Chris Pedoe
Decision: **Permission Granted**
Decision Date: 15 May 2015
Proposal: Oak Tree (T1 of TPO 260A) Crown reduce and shape branches over house and driveway by no more than 3 metres
Address **20 Pavilion Road Aldershot Hampshire GU11 3PB**

Application No 15/00208/FULPP Ward: Knellwood
Applicant: Mrs ATTALE
Decision: **Permission Granted**
Decision Date: 22 April 2015
Proposal: Erection of two storey rear extension
Address **4 The Grove Farnborough Hampshire GU14 6QR**

Application No 15/00210/FULPP Ward: Fernhill
Applicant: Mr Karl Hitchins
Decision: **Permission Granted**
Decision Date: 27 April 2015
Proposal: Erection of a single storey side and rear extension
Address **274 Fernhill Road Farnborough Hampshire GU14 9EE**

Application No 15/00211/FULPP Ward: North Town
Applicant: Mr Hutton
Decision: **Permission Granted**
Decision Date: 20 April 2015
Proposal: Erection of a conservatory to rear
Address **50 Roberts Road Aldershot Hampshire GU12 4RB**

Application No 15/00214/PRIOR Ward: Empress
Applicant: Inland Homes
Decision: **Prior Approval Required and Granted**
Decision Date: 22 April 2015
Proposal: PRIOR APPROVAL : Demolition of building
Address **The Ham And Blackbird 281 Farnborough Road Farnborough Hampshire GU14 7LZ**

Application No 15/00216/FUL Ward: Fernhill
Applicant: Mr And Mrs Brian Clark
Decision: **Permission Granted**
Decision Date: 20 April 2015
Proposal: Erection of single storey side and front extension following demolition of existing detached garage
Address **76 Chapel Lane Farnborough Hampshire GU14 9BJ**

Application No 15/00221/FULPP Ward: Cove And Southwood
Applicant: Mr HADFIELD
Decision: **Permission Granted**
Decision Date: 05 May 2015
Proposal: Erection of first floor extension over existing garage and single storey side extension
Address **10 Westglade Farnborough Hampshire GU14 0JE**

Application No 15/00222/FUL Ward: Knellwood
Applicant: Mr R Scott
Decision: **Permission Granted**
Decision Date: 23 April 2015
Proposal: Erection of front porch and single storey rear extension
Address **174 Woburn Avenue Farnborough Hampshire GU14 7HE**

Application No 15/00223/REXPD Ward: Rowhill
Applicant: Mr & Mrs Rogers
Decision: **Prior approval is NOT required**
Decision Date: 24 April 2015
Proposal: Erection of a single storey rear extension measuring 5 metres from the original rear wall x 3 metres high to the eaves and 4 metres overall height
Address **27 Eggars Hill Aldershot Hampshire GU11 3NG**

Application No 15/00224/NMA Ward: Knellwood
Applicant: Mrs Heck
Decision: **Permission Granted**
Decision Date: 24 April 2015
Proposal: Non Material Amendment to planning permission 14/00472/FUL dated 08.09.14 to allow a variation in appearance, height and position of boundary wall
Address **19 Chatsworth Road Farnborough Hampshire GU14 7DY**

Application No 15/00229/FUL Ward: Knellwood
Applicant: Mr And Mrs Power
Decision: **Permission Granted**
Decision Date: 24 April 2015
Proposal: Erection of outbuilding to rear
Address **13 Ashley Road Farnborough Hampshire GU14 7EZ**

Application No 15/00231/FUL Ward: St Mark's
Applicant: Mr James Hunter-Japp
Decision: **Permission Granted**
Decision Date: 05 May 2015
Proposal: Retention of single storey rear extension and decking area
Address **37A Peabody Road Farnborough Hampshire GU14 6HA**

Application No 15/00233/FULPP Ward: St John's
Applicant: Mrs Roz Thomas
Decision: **Permission Granted**
Decision Date: 06 May 2015
Proposal: Erection of a single storey rear infill extension
Address **3 Pinewood Crescent Farnborough Hampshire GU14 9TP**

Application No 15/00235/REXPD Ward: Empress
Applicant: Mr P Marsland
Decision: **Prior approval is NOT required**
Decision Date: 30 April 2015
Proposal: Erection of a single storey rear extension measuring 5 metres from the rear wall of the original house, 3.55 metres in width, 2.9 metres to the eaves with an overall roof height of 3 metres
Address **107 Pierrefondes Avenue Farnborough Hampshire GU14 8NZ**

Application No 15/00237/REV Ward: St John's
Applicant: Mr D Hubbard
Decision: **Permission Granted**
Decision Date: 30 April 2015
Proposal: Variation of condition 7 of planning permission 02/00898/OUT dated 22 March 2004 to allow the erection of a single storey rear extension
Address **10 Haskins Gardens Farnborough Hampshire GU14 9FQ**

Application No 15/00243/FUL Ward: Fernhill
Applicant: Mr Iain Roy
Decision: **Permission Granted**
Decision Date: 01 May 2015
Proposal: Formation of a dormer window in front roof elevation with 4 skylights in rear roof elevation and erection of single storey rear extension
Address **84 Cotswold Close Farnborough Hampshire GU14 9ET**

Application No 15/00247/REXPD Ward: West Heath
Applicant: Mr N Cannon
Decision: **Prior approval is NOT required**
Decision Date: 05 May 2015
Proposal: Erection of a single storey rear extension measuring 4.6 metres from the rear wall of the original house, 3.24 metres in width, 2.1 metres to the eaves with an overall height of 3.39 metres
Address **36 Riverside Close Farnborough Hampshire GU14 8QT**

Application No 15/00248/COU Ward: Manor Park
Applicant: Mr Ray Newman
Decision: **Permission Granted**
Decision Date: 05 May 2015
Proposal: Conversion of upper floor of building to two flats (resubmission of planning application 14/00939/COU withdrawn on 3 February 2015)
Address **231 High Street Aldershot Hampshire GU11 1TJ**

Application No 15/00254/PDC Ward: St Mark's
Applicant: Mrs J Torrington
Decision: **Development is Lawful**
Decision Date: 06 May 2015
Proposal: CERTIFICATE OF LAWFULNESS FOR A PROPOSED
DEVELOPMENT: Formation of an L-shape dormer on rear roof elevation
and insertion of two sky lights within front roof elevation.
Address **107 Peabody Road Farnborough Hampshire GU14 6EA**

Application No 15/00259/REXPD Ward: Empress
Applicant: Mr Paul Burcombe
Decision: **Prior approval is NOT required**
Decision Date: 08 May 2015
Proposal: Erection of single storey rear extension measuring 4 metres from the
original rear wall, 2.1 metres to the eaves and 3.2 metres overall height
Address **3 Cabrol Road Farnborough Hampshire GU14 8NY**

Application No 15/00262/FULPP Ward: Fernhill
Applicant: Miss Tracey Davis
Decision: **Permission Granted**
Decision Date: 13 May 2015
Proposal: Erection of single storey side extension
Address **8 Field Path Farnborough Hampshire GU14 9DH**

Application No 15/00264/REV Ward: Fernhill
Applicant: Mr G Tomlinson
Decision: **Permission Granted**
Decision Date: 13 May 2015
Proposal: Variation of Condition 9 attached to planning permission 05/00297/FUL
dated 05 January 2006 to allow the erection of a single storey rear
extension
Address **6 Goddards Close Farnborough Hampshire GU14 9GU**

Application No 15/00266/FULPP Ward: Wellington
Applicant: Mr Jamie Monks
Decision: **Permission Granted**
Decision Date: 14 May 2015
Proposal: Installation of timber shop front
Address **The Arcade Victoria Road Aldershot Hampshire GU11 1EE**

Application No 15/00267/ADVPP Ward: Wellington
Applicant: Mr Jamie Monks
Decision: **Permission Granted**
Decision Date: 14 May 2015
Proposal: Display of 3 externally illuminated fascia signs and 1 internally illuminated double sided projecting sign
Address **The Arcade Victoria Road Aldershot Hampshire GU11 1EE**

Application No 15/00268/FULPP Ward: Cove And Southwood
Applicant: Mr Shane Blank
Decision: **Permission Granted**
Decision Date: 13 May 2015
Proposal: Single storey rear extension
Address **155 Keith Lucas Road Farnborough Hampshire GU14 0DL**

Application No 15/00270/COND Ward: Fernhill
Applicant: D84 Architects
Decision: **Conditions details approved**
Decision Date: 05 May 2015
Proposal: Submission of details pursuant to Condition No.15 of planning permission 13/00522/FULPP granted 9 October 2013
Address **Garages North Farm Road Farnborough Hampshire**

Application No 15/00272/COND Ward: Cherrywood
Applicant: D84 Architects
Decision: **Conditions details approved**
Decision Date: 05 May 2015
Proposal: Submission of details required pursuant to Condition Nos.15 (sustainability rating) and 18 (communal aerial details) of planning permission 13/00530/FULPP granted 16 October 2013
Address **Garage Area 1 Worcester Close Farnborough Hampshire**

Application No 15/00276/FUL Ward: St John's
Applicant: Mr & Mrs Wood
Decision: **Permission Granted**
Decision Date: 13 May 2015
Proposal: Formation of a dropped kerb
Address **72 Fleet Road Farnborough Hampshire GU14 9RA**

Application No 15/00282/FUL Ward: North Town
Applicant: Mr A Berlemont
Decision: **Permission Granted**
Decision Date: 14 May 2015
Proposal: Erection of a single storey rear extension
Address **15 Haig Road Aldershot Hampshire GU12 4PS**

Application No 15/00289/COND Ward: West Heath
Applicant: Farnborough Lawn Tennis Club
Decision: **Conditions details approved**
Decision Date: 14 May 2015
Proposal: Submission of details to comply with condition 4 (cycle parking) attached to planning permission 14/00899/REVPP dated 23 January 2015
Address **Farnborough Lawn Tennis Club Tile Barn Close Farnborough Hampshire GU14 8LS**

Application No 15/00355/NMA

Ward: Knellwood

Applicant: Mr Paul Breese

Decision: **Permission Granted**

Decision Date: 15 May 2015

Proposal: Non material amendment to application 15/00062/FULPP dated 26 February 2015 to allow the removal of parapet walls

Address **58 Fellows Road Farnborough Hampshire GU14 6NX**

Enforcement and possible unauthorised development

1. Introduction

This report considers current matters of enforcement and possible unauthorised development. The taking of planning enforcement action is delegated to the Head of Planning in consultation with the Chairman. Therefore, only a few matters that require Committee decision to take formal action are reported to Committee.

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 normally, therefore, is to report to Committee matters that are breaches of planning control but where it is recommended that it is not expedient to take enforcement action.

2. Policy

The Council's Policy on Planning Enforcement is set out in the adopted Planning Enforcement Charter. The essential thrust of the Policy is that We will not condone wilful breaches of planning law but we will exercise our discretion about taking enforcement action if it is considered expedient to do so. The principle enforcement policies are:

Policy PE2

Immediate planning enforcement action will be taken against any unauthorised development that unacceptably affects public amenity or causes harm to land or buildings.

Policy PE3

Formal enforcement action will not normally be taken where a trivial or technical breach of planning control has occurred that causes no material harm

Policy PE24

Where development is being carried out which is considered to be significantly different from the approved plans and the changes cause serious harm to public amenity, immediate enforcement action may be taken, including the issue of a Stop Notice or Enforcement Injunction to stop the unauthorised development. However, where no material harm is being caused or where the works are "de-minimus", no further action will be taken.

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 14 Church Circle Farnborough.

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.

Keith Holland
Head of Planning

BACKGROUND PAPERS

Rushmoor Local Plan Review (1996-2011)

Rushmoor Core Strategy (October 2011)

Planning Enforcement - Policies And Procedures

National Planning Policy Framework (NPPF)

Item 1

Site Location	14 Church Circle Farnborough.
Alleged Breach	Unauthorised installation of UPVC windows.
Recommendation	Enforcement notice be served

Description

The site is located on the north west side of Church Circle. It comprises a large detached building each with accommodation over three floors which appear to have been built at the end of the 19th century/early part of the 20th century. It is of a red brick construction with grey slate roofs. There are car parking areas to the front and side of the building. The site is located within the South Farnborough Conservation Area.

Planning history

In 2009 planning permission, 09/00016/COU, was granted for the erection of a two storey rear extension to facilitate the change of use of the building from community home to 3 two bedroom and 2 one bedroom flats. Five car parking spaces were approved to serve the development. The submitted application form clearly stated that the existing windows were "single glazed timber sash" with the new windows proposed "to match existing style and appearance".

Condition 2 of this permission states

"The external walls and windows of the extension hereby permitted shall be of the same material, design, colour and type as those of the existing building, and in the case of brickwork matching the existing bond and pointing, unless otherwise approved by the Local Planning Authority.

Reason - To ensure satisfactory external appearance."

In May 2012 planning permission, 12/00157/EXT, to extend the time limit of planning permission 09/00016/COU was granted. Condition 2 as stated above was repeated in this permission. Outstanding matters relating to conditions imposed on this permission are being dealt with under separate cover but are not to be considered as part of this report.

Alleged breach

In May 2014, a complaint was received that UPVC windows had been installed in the building without the necessary planning permission for the existing building and also in the extension in breach of condition 2.

Investigation

Visits to the site have confirmed that UPVC windows have been installed in both the retained building and the extension. Outstanding matters relating to conditions imposed on this permission are being dealt with under separate cover but are not to be considered as part of this report.

Commentary

Within a conservation area there is a legal duty to preserve or enhance the character of the area as set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

“Saved” local plan policies ENV34 and 36 are particularly relevant to this case and state:

“ENV34

In conservation areas the Council will only permit development which preserves or enhances the character or appearance of that area

ENV36

In permitting development in conservation areas, the Council will require the use of materials sympathetic and appropriate to the locality”

Policy PE17 of the Council’s Planning enforcement policies and procedures state that:

“Where development has been carried out in a conservation area without planning permission or conservation area consent and the development does not preserve or enhance the character and appearance of the area, enforcement action will be considered in accordance with the general enforcement policies PE1 to PE7”

The agent, who is the father of the owner of the site, was first advised of the aforementioned breach of planning control in May 2014. He responded by advising that:

“The existing windows must have been “single glazed” when the property was originally built and later modified to internally “double glazed” prior to my purchase.

They were badly fitted, did not stay open in the open position.

The sashes were broken and could not be repaired.

They were inefficient in preventing heat loss and reducing noise and were a health risk to its occupants.

I was advised by a leading window manufacturing company to replace the old windows.

The new windows have the same appearance as the old ones and are more efficient in preventing heat losses and reducing noise”

Having consulted the Council’s Conservation Officer she raised objection to the new windows on the following basis:

- Mid rail is too thick (a common issue when UPVC is used);
- The method of opening is not clear, however assumed that these are not sliding sashes and are top hung opening which is not acceptable;
- Trickle vents on the outside are not an appropriate feature and not required if the resident uses the window and opens it.

The agent was advised of this in June 2014.

In the absence of a meaningful response/strategy to address the outstanding breach of planning control, a Planning Contravention Notice was served in December 2014.

In responding to the Planning Contravention Notice, the agent reiterated many of the comments originally made in May 2014 but added that:

- The window frames were rotten and beyond repair;
- The new windows are very similar in design to the property next door and the recently finished development a short distance away within the conservation area

A meeting was subsequently held in February 2015 with the agent and the owner to discuss options to resolve the outstanding breach of planning control. In March 2015 an e-mail was sent to the agent/owner setting out available options and seeking confirmation from the owner, by mid-April, of the actions to be taken to address the outstanding breach of planning control. In the absence of a response, an e-mail was sent at the beginning of May 2015 advising that a report would be presented to this committee. In response to this the agent advised that he was waiting for a detailed survey report from his surveyor which he will forward to the Council with a request to meet and discuss best how to resolve the dispute.

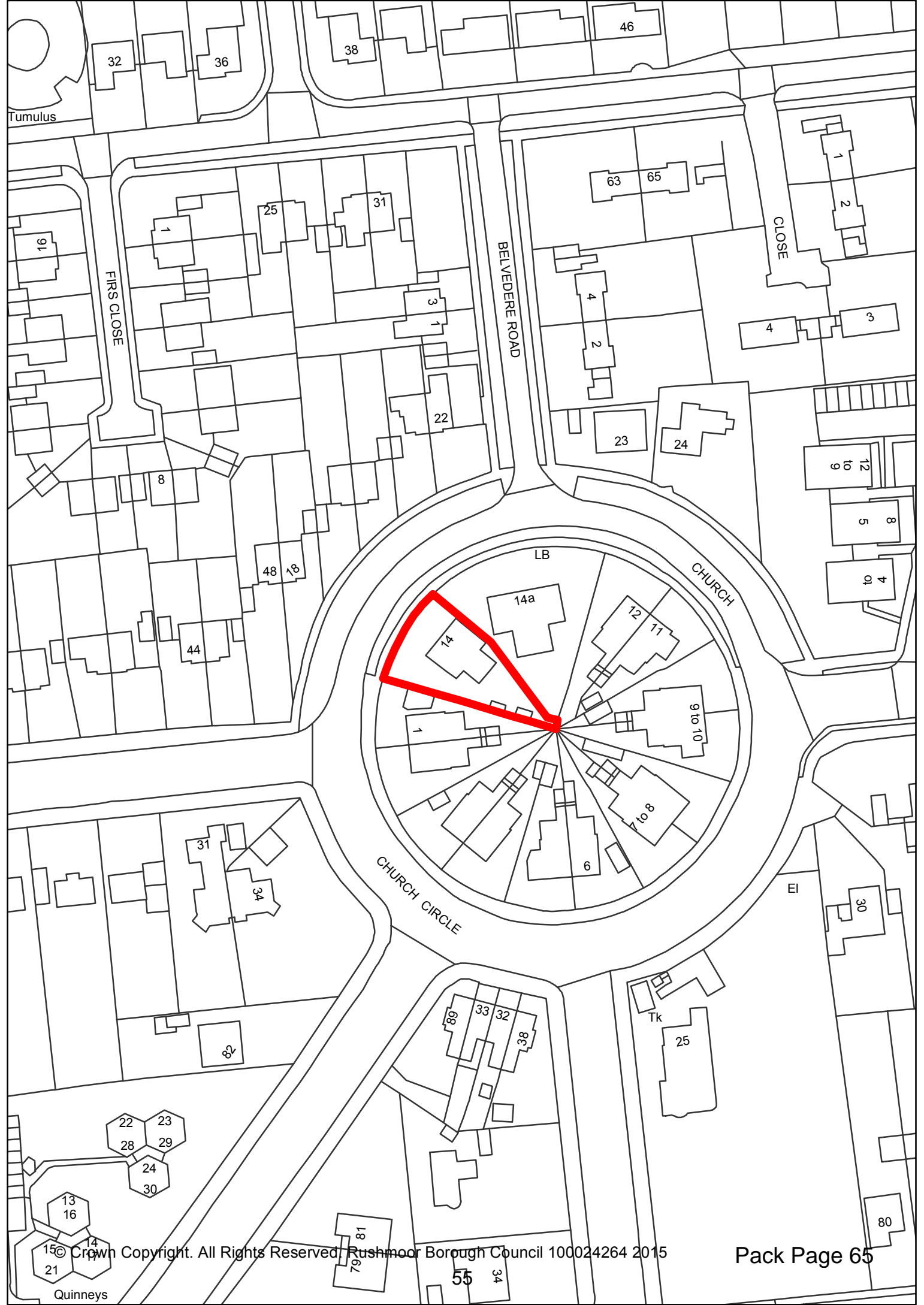
Whilst it is noted that there are UPVC windows in the adjoining three storey building at 14a Church Circle which is in use as flats, it is noted that the planning permission for this building, (RSH 04739) was granted (15 June 1987) before the South Farnborough Conservation Area was designated (2 July 1987). Notwithstanding this, the windows installed at 14a Church Circle have a slim profile when compared to those installed at 14 Church Circle.

In this case, for the reasons set out above, the windows are considered to have a detrimental impact on the character of the building and are not considered to preserve or enhance the character of the South Farnborough Conservation Area.

Full recommendation

It is recommended that an **ENFORCEMENT NOTICE** be served to require the replacement of the unauthorised UPVC windows with timber sliding sash windows with a period of 6 months for compliance for the following draft reason:-

The replacement windows by reason of their inappropriate design and use of materials detracts from visual appearance of the building and thereby harms the overall character and appearance of the South Farnborough Conservation Area, contrary to the objectives of policy CP2 of the Rushmoor Core Strategy, "saved" local plan policies ENV34 and ENV36, the National Planning Policy Framework and Planning (Listed Buildings and Conservation Areas) Act 1990.







PLANNING
Town and Country Planning (General Permitted Development) (England)
Order 2015

1. The Town and Country Planning (General Permitted Development) (England) Order 2015 came into force on 15th April 2015 seeking to consolidate and recent legislative change and implement further changes referred to in recent Ministerial statements. Schedule 2 of the GPDO now consists of 19 parts rather than the 43 in the 1995 order.
2. Most new rights are subject to a prior approval process allowing the Council some capacity to intervene on specific matters. This requires the person wishing to use the permitted development rights to first submit relevant details to the Council and to obtain prior approval of those details before the work can proceed as PD. The significant changes to permitted development rights in the new order are as follows:
 - 2.1 PART1 – Development within the curtilage of a dwellinghouse

Class A

 - 2.1.1 The time limited period of permitted development to carry out larger domestic rear extensions under Class A (up to 8m for a detached house and 6m in other cases, subject to Prior Approval and neighbour notification) has been extended from until 30th May 2019.
 - 2.2 PART 3 – Changes of use

Shops

 - 2.2.1 Betting shops and payday loan shops are removed from the A2 use class to become 'sui generis' so that planning permission is required to change to or from either of these uses.

*Class C**

 - 2.2.2 It is permitted to change the use of Class A1 or A2 uses, betting shops, payday loan shops and casinos not exceeding 150sqm floorspace (in such use on 5th December 2013) to class A3 restaurants and cafes.

Class D

 - 2.2.3 The change of use of Class A1 (retail shop) premises to Class A2 (financial and professional services) is now permitted development.

Class E

- 2.2.4 The change of use of Class A2 uses, betting shops and payday loan shops (with a ground floor display window) to Class A1 retail is permitted development

Class F

- 2.2.5 The change of use of betting offices and payday loan shops to Class A2

2.2.6 *Class J**

The change of use of Class A1 or A2 premises to class D2 (assembly and leisure) where the floorspace does not exceed 200sqm and the premises were in A1 or A2 use on 5th December 2013.

*The changes in Classes C and J are subject to prior approval in which the applicants must assess and consider the proposal's impact in terms of highways and transport, hours of opening, noise, the supply of A1 and A2 premises and, where the unit is in a key shopping area, on its sustainability.

Amusement arcades and casinos

Class N₁

- 2.2.7 The change of amusement arcades and casinos to class C3 (residential) use is permitted development providing the floorspace does not exceed 150sqm.

¹This change is subject to prior approval with the applicants obliged to assess and consider the proposal's impact in terms of transport and highways, flooding, contamination and, where works are required, design issues.

Offices

Class O

- 2.2.8 The time limited period of permitted development for change from offices to Class A3 residential has **not** been extended and therefore currently remains in force only until 30th May 2016

Storage and distribution floorspace

Class P₂

- 2.2.9 The change of use of Class B8 (storage and distribution) uses not exceeding 500sqm floorspace (in such use on 19th March 2014) to class C3 dwellinghouses.

²These changes are time limited until 15th April 2018 and subject to prior approval with the applicants obliged to assess and consider the proposal's impact in terms of transport and highways, air quality, noise, contamination, flooding and the impact on existing industrial, storage or distribution activities in the vicinity.

3. Other New Rights. These changes are now permitted development:
- Temporary use of buildings or land for commercial film making purposes for up to 9 months in a 27 month period (Part 4 *Class E*) (subject to prior approval)
 - Erection of click and collect facilities within the curtilages of shops (Part 7 *Class C*) (subject to prior approval)
 - Modification of shop loading bay sizes (Part 7 *Class D*)
 - Part 7 Rights (previously time limited) to extend shops, offices, industrial and warehouse buildings become permanent
 - Replacement plant, machinery and buildings on sui generis waste management facilities (Part 7 *Class L*)
 - Installation of pumping stations, valve houses, control panel housing or switch gear housing (Part 13 *Class B*)
 - Solar Voltaic installations on roofs of non-domestic buildings (Part 14 *Class J*)

4. **Recommendation**

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

Keith Holland
Head of Planning

Background papers - Town and Country Planning (General Permitted Development)
(England) Order 2015

Contact: John W Thorne, Development Manager 01252 398791

Development Management Committee
27th May 2015

Directorate of Community
and Environment
Planning Report No. PLN1528

Appeals Progress Report

1. New Appeals/Update

- 1.1 An appeal has been received in respect of the refusal of planning permission for Demolition of public house/restaurant building and erection of one 5 storey, and one 6 storey building to provide 25 one-bedroom and 37 two-bedroom flats (62 dwelling units in total), community/arts/food and drink facility, public plazas, parking at lower ground floor level with revised access arrangements and associated highways and improved pedestrian access works at The Ham and Blackbird, 281 Farnborough Road, Farnborough (14/00706/FULPP). This appeal is to be dealt with by way of the hearing procedure at a date yet to be decided.

2. Recommendation

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

Keith Holland
Head of Planning

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