

Public Document Pack



RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

*at the Council Offices, Farnborough on
Wednesday, 16th September, 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

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 - 90)

To confirm the Minutes of the Meeting held on 19th August, 2015 (copy attached).

3. **PLANNING APPLICATIONS –**

To consider the Head of Planning's Report No. PLN1544 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. PLN1546 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

5. **MOUNTBATTEN COURT, BIRCHETT ROAD ALDERSHOT –**

To consider the Head of Planning's Report No. PLN1547 (copy attached) on a request to vary the terms of a S.52 Planning Agreement.

6. **HAM AND BLACKBIRD, FARNBOROUGH ROAD –**

To consider the Head of Planning's Report No. PLN1548 (copy attached) which seeks authority to enter into a S.106 Planning Agreement.

7. **APPEALS PROGRESS REPORT –**

To receive the Head of Planning's Report No. PLN1549 (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, 19 August 2015 at the Concorde Room, Council Offices, Farnborough at 7.00 pm.

Voting Members

a Cllr G.B Lyon (chairman)_
Cllr B.A. Thomas (Vice-Chairman) (In the Chair)

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

Cllr P.I.C. Crerar
Cllr Sue Dibble
Cllr D.S. Gladstone

Cllr C.P. Grattan
Cllr J.H. Marsh
a Cllr Jennifer Evans

Non-Voting Members

Councillor Roland Dibbs (ex-officio)

Apologies for absence were submitted on behalf of Councillor Jennifer Evans and Councillor Gareth Lyon.

Cllr P.F. Rust and Cllr S.J. Masterson attended as standing deputy in the place of Cllr G.B. Lyon

28. DECLARATIONS OF INTEREST

Having regard to the Members' Code of Conduct, the following declarations of interests were 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. J.H. Marsh	15/00389/FULPP (Jenner House, No. 159 Cove Road, Farnborough)	Prejudicial	The application site is Cr. Marsh's doctor's surgery where he is registered as a patient and would benefit from the improvements to the surgery.

29. MINUTES

The Minutes of the Meeting held on 22nd July, 2015 were approved and signed by the Chairman.

30. **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 applications set out in Appendix "A" attached hereto, subject to the conditions, restrictions and prohibitions (if any) mentioned therein:

* 15/00339/FULPP (Nos. 37 to 41 Cross Street and Nos. 59 – 61a Southampton Street, Farnborough)

* 15/00389/FULPP (Jenner House, No. 159 Cove Road, Farnborough)
15/00487/FULPP (SBAC Exhibition Area, ETPS Road, 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. PLN1538, be noted; and

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

15/00427/FULPP (No. 177 Ash Road, Aldershot)

15/00475/FULPP (The Queen's Head, No. 97 North Lane, Aldershot)

15/00548/FUL (St. Joseph's Roman Catholic Primary School, Bridge Road, Aldershot).

* The Head of Planning's Report No. PLN1538 in respect of these applications was amended at the meeting.

31. **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
15/00389/FULPP	(Jenner House, No. 159 Cove Road, Farnborough)	Mr. T. Hardy Mr. R. Adams	Against In support

32. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT –LAND ADJACENT TO NO. 11 FINTRY WALK, FARNBOROUGH**

The Committee received the Head of Planning's Report No. PLN1540 regarding a change of use of land from public amenity land to that of a private residential garden by the erection of a close board fence at No. 11 Fintry Walk, Farnborough.

A complaint had been received in May, 2015 claiming that a 1.8 metre fence had been erected by the owner of No. 11 Fintry Walk, enclosing open land and changing its use to private residential garden land. Visits to the site had confirmed that a 1.8 to 2 metre high close board fence had been erected on land adjacent to No. 11 Fintry Walk. The enclosure of the land had resulted in the change of use of land to private residential garden. Land Registry records had indicated that the land was registered to Hughes and Rogers Limited, which was likely to have been the previous developer of the estate and had since dissolved. A letter had been sent to the owner of No. 11 Fintry Walk advising that the change of use of land and the erection of a fence in excess of one metre high adjacent to the highway required planning permission. Subsequent site visits had revealed that the fence still remained and the owner had failed to respond to further requests to cease the breach in planning control.

The Committee was informed that the main issues were the principle of the change of use and the visual impact and highway safety implications. It was highlighted that the Council's Core Strategy Policy CP12 recognised the important role that amenity land played within the street scene and that loss of amenity land was resisted by the Council. The principle of the development was therefore unacceptable in planning terms. With regard to the visual impact, the enclosure by fence and loss of land to the general streetscape had a detrimental impact on the setting of the property and overall character of the area and could well set a precedent. This was contrary to the objectives of Core Strategy Policy CP12 and Saved Local Plan Policy ENV17. Concerning highway safety the Council's Transportation Strategy Officer had raised concerns about the positioning of the fence towards the rear of the site, adjacent to the garages and parking space which took access from Pennine Way. In order to maintain a suitable visibility splay and to prevent conflict with vehicles and pedestrians, the fence would need to be reduced to a height of one metre.

It was therefore considered that the unauthorised fencing and associated change of use of land was considered unacceptable in principle, would result in significant harm to the visual character of the area and would be likely to harm highway safety.

RESOLVED: That the Council issue an Enforcement Notice requiring removal of the unauthorised fencing with a period of one month for compliance for the following reasons:

- (i) the enclosure of open amenity land with close boarded fencing is detrimental to the character and visual appearance of the street scene and the surrounding area; and
- (ii) the unauthorised fencing, by virtue of its height and location gives rise to restricted sight lines and consequent potential conflict between users of the highway and footway, and vehicles entering or leaving the adjacent parking area to the detriment of highway safety.

33. **PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER 1ST APRIL – 30TH JUNE, 2015**

The Committee received the Head of Planning's Report No. PLN1541 which provided an update on the position with respect to achieving performance indicators for the Development Management Section of Planning and the overall workload of the Section for the period 1st April to 30th June, 2015.

The Development Manager provided a further update in relation to changes made by the Government to the national planning guidance regarding the use of Section 106 contributions from small sites (of ten dwellings or less) and the application of vacant building credits in relation to seeking affordable housing when vacant buildings were re-used or redeveloped.

The Committee was reminded that, at the time of the previous report in February, 2015, a High Court Challenge had been underway against the Ministerial Statement introducing the changes. The challenge had been spearheaded by Reading and West Berkshire Councils. On 10th February the Cabinet had agreed that, until the outcome of the legal challenge was known:

- (i) the current approach of seeking infrastructure contributions from residential developments of less than ten dwellings would be continued and, subject to the agreement of Hampshire County Council, any monies from such schemes would be protected;
- (ii) any income towards open space, transport or other obligations arising from schemes of less than ten dwellings would be protected;
- (iii) the vacant building credit guidance would not be applied to the national planning guidance changes and that officers would determine a way forward so that any changes to the affordable housing requirement could be made to permitted schemes, should the national guidance changes on the vacant building credit be found to be legally compliant; and
- (iv) a contribution of £2,000 would be made to assist in the collective legal challenge.

The Committee was informed that the local authorities had been successful in their legal challenge but the Government had since appealed the decision. A further update would be provided to the Committee in due course and in the meantime the Council would continue in accordance with the actions agreed by the Cabinet as set out above.

RESOLVED: That the Head of Planning's Report No. PLN1541 be noted.

34. **APPEALS PROGRESS REPORT**

The Committee received the Head of Planning's Report No. PLN1542 concerning the following new appeals:

Application No.	Description
15/00008/COUPP	Against the Council's decision to refuse planning permission for the change of use of the ground floor from Use Class A1 (retail) to Use Class A2 (betting office) at Nos. 60 – 62 Union Street, Aldershot. The appeal would be dealt with by way of the written representations procedure.

15/00094/FULPP

Against the Council's decision to refuse planning permission for the erection of five dwellings (two two-bedrooms and three three-bedrooms) with associated access parking and landscaping at land to the rear of Nos. 87 – 97 Rectory Road, Farnborough. The appeal would be dealt with by way of the written representations procedure.

RESOLVED: That the Head of Planning's Report No. PLN1542 be noted.

The meeting closed at 7.50 pm.

CLLR G.B. LYON
CHAIRMAN

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RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

***Wednesday, 16th September, 2015
at 7.00 p.m.***

To:

VOTING MEMBERS

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

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



Mr. Chairman, 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, 16th September, 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

8th September, 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/7882>

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 19th August, 2015 (copy attached).

Items for decision

3. **Planning applications –**

To consider the Head of Planning's Report No. PLN1544 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. PLN1546 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

5. **Mountbatten Court, Birchett Road Aldershot –**

To consider the Head of Planning's Report No. PLN1547 (copy attached) on a request to vary the terms of a S.52 Planning Agreement.

6. **Ham and Blackbird, Farnborough Road –**

To consider the Head of Planning's Report No. PLN1548 (copy attached) which seeks authority to enter into a S.106 Planning Agreement.

Items for information

7. **Appeals progress report –**

To receive the Head of Planning's Report No. PLN1549 (copy attached) on the progress of recent planning appeals.

**Index to Development Management Committee Agenda
16th September 2015
Report No.PLN1544**

Item No	Case Number	Address	Recommendation	Page No
1	15/00606/FULPP	31 - 33 Queens Road - 62 Peabody Road Farnborough	For Information	21
2	15/00562/FULPP	The Old Mint Pound Road Aldershot	Grant	22
3	15/00475/FULPP	The Queens Head 97 North Lane Aldershot	Refuse	32

Development Management Committee
16th September 2015

Head of Planning

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, 19th August, 2015 at the Council Offices,
Farnborough at 7.00 p.m.

Voting Members

a Cr. G.B. Lyon (Chairman)
Cr. B.A. Thomas (Vice-Chairman) (In the Chair)

Cr. D.B. Bedford	Cr. P.I.C. Crerar	Cr. D. Gladstone
Cr. D.M.T. Bell	Cr. Sue Dibble	Cr. C.P. Grattan
Cr. R. Cooper	a Cr. Jennifer Evans	Cr. J.H. Marsh

Non-Voting Member

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

Apologies for absence were submitted on behalf of Cr. Jennifer Evans
and Cr. G.B. Lyon.

Cr. S.J. Masterson attended as standing deputy in place of Cr. G.B.
Lyon and Cr. P.F. Rust attended as standing deputy in place of Cr. Jennifer
Evans.

In the absence of the Chairman, the Vice-Chairman, Cr. B.A. Thomas
took the Chair.

28. DECLARATIONS OF INTEREST –

Having regard to the Members' Code of Conduct, the following
declarations of interests were 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. J.H. Marsh	15/00389/FULPP (Jenner House, No. 159 Cove Road, Farnborough)	Prejudicial	The application site is Cr. Marsh's doctor's surgery where he is registered as a patient and would benefit from the improvements to the surgery.

Cr. C.P. Grattan	15/00389/FULPP (Jenner House, No. 159 Cove Road, Farnborough)	Prejudicial	Cr. C.P. Grattan is registered as a patient at this surgery and would benefit in the improvements to the premises.
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29. **MINUTES –**

The Minutes of the Meeting held on 22nd July, 2015 were approved and signed by the Chairman.

30. **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 applications set out in Appendix “A” attached hereto, subject to the conditions, restrictions and prohibitions (if any) mentioned therein:
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31. **REPRESENTATIONS BY THE PUBLIC –**

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The Committee was informed that the main issues were the principle of the change of use and the visual impact and highway safety implications. It was highlighted that the Council's Core Strategy Policy CP12 recognised the important role that amenity land played within the street scene and that loss of amenity land was resisted by the Council. The principle of the development was therefore unacceptable in planning terms. With regard to the visual impact, the enclosure by fence and loss of land to the general streetscape had a detrimental impact on the setting of the property and overall character of the area and could well set a precedent. This was contrary to the objectives of Core Strategy Policy CP12 and Saved Local Plan Policy ENV17. Concerning highway safety the Council's Transportation Strategy Officer had raised concerns about the positioning of the fence towards the rear of the site, adjacent to the garages and parking space which took access from Pennine

Way. In order to maintain a suitable visibility splay and to prevent conflict with vehicles and pedestrians, the fence would need to be reduced to a height of one metre.

It was therefore considered that the unauthorised fencing and associated change of use of land was considered unacceptable in principle, would result in significant harm to the visual character of the area and would be likely to harm highway safety.

RESOLVED: That the Council issue an Enforcement Notice requiring removal of the unauthorised fencing with a period of one month for compliance for the following reasons:

- (i) the enclosure of open amenity land with close boarded fencing is detrimental to the character and visual appearance of the street scene and the surrounding area; and
- (ii) the unauthorised fencing, by virtue of its height and location gives rise to restricted sight lines and consequent potential conflict between users of the highway and footway, and vehicles entering or leaving the adjacent parking area to the detriment of highway safety.

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The Development Manager provided a further update in relation to changes made by the Government to the national planning guidance regarding the use of Section 106 contributions from small sites (of ten dwellings or less) and the application of vacant building credits in relation to seeking affordable housing when vacant buildings were re-used or redeveloped.

The Committee was reminded that, at the time of the previous report in February, 2015, a High Court Challenge had been underway against the Ministerial Statement introducing the changes. The challenge had been spearheaded by Reading and West Berkshire Councils. On 10th February the Cabinet had agreed that, until the outcome of the legal challenge was known:

- (i) the current approach of seeking infrastructure contributions from residential developments of less than ten dwellings would be continued and, subject to the agreement of Hampshire County Council, any monies from such schemes would be protected;

- (ii) any income towards open space, transport or other obligations arising from schemes of less than ten dwellings would be protected;
- (iii) the vacant building credit guidance would not be applied to the national planning guidance changes and that officers would determine a way forward so that any changes to the affordable housing requirement could be made to permitted schemes, should the national guidance changes on the vacant building credit be found to be legally compliant; and
- (iv) a contribution of £2,000 would be made to assist in the collective legal challenge.

The Committee was informed that the local authorities had been successful in their legal challenge but the Government had since appealed the decision. A further update would be provided to the Committee in due course and in the meantime the Council would continue in accordance with the actions agreed by the Cabinet as set out above.

RESOLVED: That the Head of Planning's Report No. PLN1541 be noted.

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15/00094/FULPP	Against the Council's decision to refuse planning permission for the erection of five dwellings (two two-bedrooms and three three-bedrooms) with associated access parking and landscaping at land to the rear of Nos. 87 – 97 Rectory Road, Farnborough. The appeal would be dealt with by way of the written representations procedure.

RESOLVED: That the Head of Planning's Report No. PLN1542 be noted.

The Meeting closed at 7.50 p.m.

B.A. THOMAS
VICE-CHAIRMAN

**Development Management Committee
19th August 2015**

Appendix "A"

Application No. & Date Valid: **15/00339/FULPP** **8th May 2015**

Proposal: **Erection of two pairs of semi-detached houses comprising two 3-bedroom and two 2-bedroom units following demolition of the existing garages at **Development At Land Rear Of 37 To 41 Cross Street And 59 - 61A Southampton Street Farnborough Hampshire****

Applicant: **Mr Rodney Raggett**

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

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

2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015, (or any Order revoking and re-enacting that Order), no development falling within Classes A, B & C of Part 1 of Schedule 2 shall be carried out without the prior permission of the Local Planning Authority.

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

- 3 Prior to occupation of the development hereby permitted, all the parking spaces shown on the approved plans shall be completed and made available only for the parking of vehicles ancillary and incidental to the residential use of the existing and proposed dwellings on the site. These spaces shall be kept available at all times for parking and shall not be used for the storage of Caravans, boats or trailers.

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

- 4 No works shall start on site until a schedule and/or samples of the external materials to be used in the development have been submitted to, and approved in writing by, the Local Planning Authority. The Development shall be completed and retained in accordance with the details so approved.

Reason - To ensure satisfactory external appearance.*

- 5 No works shall start on site until a schedule and/or samples of surfacing materials, including those to access driveways/forecourts to be used in the development have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved

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

- 6 No works shall start on site until details of all screen and boundary walls, fences, hedges or other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved.

Reason - To safeguard the amenities of neighbouring property.*

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

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

- 8 No works shall start on site until a fully detailed landscape and planting scheme (to include, where appropriate, both landscape planting and ecological enhancement) has been submitted to and approved in writing by the Local Planning Authority.

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

- 9 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the practical completion of the development, whichever is the sooner.

Reason -To ensure the development makes an adequate contribution to visual amenity.

- 10 With the exception of any trees specifically shown on the approved plans to be felled, or as may be otherwise agreed in writing by the Local Planning Authority, no tree, or hedge within the application site shall be lopped, topped, felled, destroyed or damaged.

Reason - To preserve the amenity value of the tree(s)and shrubs.

- 11 The permission hereby granted shall be carried out in accordance with the following approved drawings -

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

12 Prior to the commencement of development details of the cycle store, shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented in full prior to the first occupation of the dwelling and retained in perpetuity.

Reason - To ensure satisfactory cycle storage arrangement.*

13 Prior to the commencement of development, and notwithstanding any details submitted with the application, details of measures to achieve the energy performance standards in accordance with Code Level 4 for Sustainable Homes or equivalent shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented in full prior to the first occupation of the dwelling to which they relate and retained in perpetuity.

Reason - To reflect the objectives of Policy CP3 of the Rushmoor Core Strategy

14 Prior to the commencement of development details of measures to incorporate Sustainable Drainage Systems (SUDS) into the development or suitable alternative drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented in full prior to the first occupation of the dwelling and retained in perpetuity.

Reason - To reflect the objectives of Policy CP4 of the Rushmoor Core Strategy _

**Application No.
& Date Valid:**

15/00389/FULPP

28th May 2015

Proposal:

Installation of dormer extension and velux windows within roofscape to facilitate the conversion of the second floor into additional office/storage accommodation with associated internal alterations, reconfiguration of existing car parking layout to include the creation of an additional parking space/cycle parking and retention of car park lighting. at **Jenner House 159 Cove Road Farnborough Hampshire**

Applicant:

Jenner House Surgery

Conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The dormer extension hereby permitted shall be finished in materials of the same colour and type as those of the existing roof. The development shall be completed and retained in accordance with the details so approved.

Reason - To ensure satisfactory external appearance.

- 3 The parking spaces shown on the approved plan shall be made available for use prior to the first occupation of the development and shall not thereafter be used for any purpose other than the parking of vehicles.

Reason - To ensure the provision of on-site parking accommodation.

- 4 With the exception of the top fanlights, the windows in the west roof plan shall be obscure glazed in their entirety and fixed closed with the exception of opening toplights as shown on drawing number E&P/008.

Reason - To protect the amenities of neighbouring residential properties.

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

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

- 6 With the exception of those rooms shown on the approved plans, there shall be no increase in medical treatment rooms. In the interests of clarity this means treatment, examination and clinic rooms and doctors surgeries.

Reason - To ensure acceptable levels of car parking are provided to serve the building.

7 No building materials shall be stored during the construction period within the rooting zones of the trees located along the western site boundary.

Reason - To ensure that existing trees are adequately protected and to preserve their amenity value.

8 The velux windows in the east roof plan as shown on drawing number E_P/008 shall be completed in obscure glazing.

Reason - To protect the amenities of neighbouring residential properties.

9 No trees along the western site boundary within the application site shall be lopped, topped, felled, destroyed or damaged.

Reason - To preserve the amenity value of existing trees and in the interests of visual and residential amenity

10 Prior to the laying of any new surfacing, details of the surfacing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved

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

11 The permission hereby granted shall be carried out in accordance with the following approved drawings - E_P/001, 002, 003, 004, 005, 006, 007, 008, 009, 010, 011, 012, 013 and 014

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

**Application No.
& Date Valid:**

15/00487/FULPP

2nd July 2015

Proposal:

Erection of a semi-permanent chalet accommodation and associated first floor pedestrian bridge to be used in connection with the biennial Farnborough International Airshow for a temporary period up to and including 2030 at **Lockheed Martin Chalet SBAC Exhibition Area ETPS Road Farnborough**

Applicant:

ADS Group Limited

Conditions:

- 1 The structures hereby permitted shall be removed and the land restored to its former condition on or before 31st December 2030.

Reason - To accord with the terms of the application and given the impact of the character and appearance of the structure, reconsideration in the light of prevailing circumstances at the end of the specified period would be appropriate in the interest of amenity.

- 2 The structures hereby permitted shall be used for the duration of, and in connection with, the biennial Farnborough International Airshow and for no other purpose without the prior permission in writing of the Local Planning Authority.

Reason - To ensure a satisfactory approach to the use and development of the site and its impact on the surrounding area.

- 3 The permission hereby granted shall be carried out in accordance with the following approved drawings -
158901T/AL-P01, 158901T/AL-P02/A,
158901T/AL-P003/B, 158901T/AL-P004/B,
158901T/AL-P005/A, 158901T/AL-P006/C,
158901T/AL-P007/B, 158901T/AL-P008/E,
158901T/AL-P009/B, 158901T/AL-P010/B,
158901T/AL-P011/B, 158901T/AL-P012/B &
158901T/AL-P013/B

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

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 21

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 21

Section C – Items for DETERMINATION – Pages 22 to 53

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 54 to 68

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 be accepted or allowed to influence Members in the determination of any planning application unless those representations have first been submitted to the Council in the proper manner (but see (b) above).
- d) Copies of individual representations will not be circulated to members but where the requisite number of copies are provided, copies of individual representation will be placed in Members' pigeonholes.
- e) All letters of representation will be made readily available in the Committee room an hour before the Committee meeting.

7. Financial Implications

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

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	15/00606/FULPP	Demolition of existing buildings and erection of 8 three bedroom houses and 5 two bedroom apartments with associated car parking and formation of new vehicular access onto Queens Road. 31 to 33 Queens Road and 62 Peabody Road Farnborough

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	Mark Andrews
Application No.	15/00562/FULPP
Date Valid	20 th July 2015
Expiry date of consultations	11 th September 2015
Proposal	Retention of two 3-bedroom flats with associated works
Address	The Old Mint Pound Road Aldershot Hampshire GU12 4LR
Ward	Manor Park
Applicant	Mr David Sturm
Agent	None
Recommendation	Grant subject to legal agreement

Description

The site is occupied by a detached two-storey warehouse building with forecourt parking to the front of the property, located on the north side of Pound Road. To the north and east of the site is the flat development and associated amenity land of York Lodge. The former Beehive Public house is to the south and a Victorian terrace fronting High Street, containing a mixture of commercial units at ground level with residential above lies to the west.

The Old Mint warehouse formerly provided workshop, storage and garaging for the shop unit at 254/256 High Street. Between October 2006 to July 2008, the Planning Department investigated the change of use of the premises from a warehouse to a ground and first floor office. The change from a warehouse to an office use was deemed to be permitted development (development not requiring planning permission) and the enforcement case was subsequently closed.

The Development Management Committee of 29th April 2015 were due to consider an application for a Certificate of Lawful existing use in respect of use of the property as two self-contained flats. The Officer recommendation was to refuse to issue a certificate on the grounds that the supporting evidence submitted was insufficient to demonstrate continuous use for the requisite period. The recommendation was also to issue an

enforcement notice requiring cessation of the unauthorised use with a period of three months for compliance.

Prior to consideration by this Committee, the Certificate of Lawful Existing Use application was withdrawn. Members however resolved to take enforcement action as per the recommendation.

In the light of the subsequent receipt of a valid planning application seeking to regularise the use, the Solicitor to the Council has held in abeyance the service of an Enforcement Notice.

The current application seeks planning permission for the retention of two 3-bedroom flats with associated works. The proposal shows two off-street parking spaces (one for each property) and refuse and cycle storage enclosures to the front of the property and amendments to the front boundary wall to improve pedestrian access. The only external alterations to the property involve replacement ground floor windows and the insertion of an additional ground floor lounge window in the western elevation. The additional window would be obscure glazed below 1.7m above finished floor levels.

Consultee Responses

County Archaeologist	No objection
Transportation Strategy Officer	No objection
Environmental Health	No objection
Refuse & recycling	No objection
Thames Water	No objection
Parks Development Officer	No objection subject to the appropriate contribution towards identified open space projects
Hampshire Fire & Rescue	No objection

Neighbours notified

In addition to posting a site notice and press advertisement, 18 individual letters of notification were sent to properties in High Street and Pound Road.

Neighbour comments

No comments have been received as a result of notification.

Policy and determining issues

The site is located within the built-up area of Aldershot (outside of any Key Employment Sites) as defined in the Rushmoor Core Strategy and saved Rushmoor Local Plan Review

1996-2011. As such, Core Strategy Policies SS1 (The Spatial Strategy), CP1 (Sustainable Development Principles), CP2 (Design and Heritage), CP3 (Renewable Energy and Sustainable Construction), CP10 (Infrastructure Provision), CP13 (Thames Basin Heath Special Protection Area), CP16 (Reducing and Managing Travel Demand) and CP17 (Investing in Transport) are relevant to the consideration of this application.

Whilst the Core Strategy introduces a number of new policies that replace specific Local Plan Policies, a number of Local Plan Policies continue to be 'saved' and will therefore remain in use for the time being until they are replaced by future tranches of Local Development Framework documents. In this respect, Local Plan Policies ENV17 (Development on Smaller Sites), OR4 & OR4.1 (Public Open Space) and H8 Conversion to Flats) are relevant to the consideration of this proposal.

Also relevant are the Council's adopted Supplementary Planning Documents (SPDs) Housing Density and Design, Sustainable Design and Construction, Transport Contributions and Parking Standards. Advice contained in the National Planning Policy Framework (NPPF) is also relevant.

The relevant determining issues are considered to be:-

1. The principle of residential development;
2. Visual impact on the character of the conservation area;
3. Impact on neighbours;
4. The living environment created;
5. Highway considerations;
6. Impact on nature conservation interests; and
7. Public open space.

Commentary

1. Principle of development -

The site is within the defined built up area of Aldershot where there is a presumption in favour of development, subject to normal planning considerations. Policy SS1 of the Core Strategy directs new residential development to urban areas and as such, the general principle of residential development in this location is acceptable.

2. Visual Impact on the character of the conservation area –

Having regard to the visual impact of the development on the character of the area, the only external alterations to the property involve the insertion of an additional ground floor window and two replacement windows in the western flank wall, alterations to the front wall to improve pedestrian access and the formation of refuse and cycle stores.

The works are considered conventional in design and appearance and compatible with the street scene and is therefore considered to have an acceptable visual impact on the property and the character of the area.

3. Impact on neighbours –

Having regard to the impact on neighbouring properties, the additional ground floor

window in the western flank wall would be obscurely glazed below 1.7m above finished floor levels, orientated towards the rear access and service yard of commercial properties fronting High Street and would not result in any overlooking or loss of privacy. Due to the location of the front wall alterations and refuse and cycle stores and the distance of separation from neighbouring properties, these works are not considered to result in any detrimental impact. The residential use of the property is not considered to differ significantly from the permitted office use of the property in terms of associated activity and movements and is considered therefore to have an acceptable impact on the amenity of adjoining properties.

4. Living environment created -

The residential properties are considered suitably designed with access to natural light and ventilation. The applicant has indicated areas for refuse and cycle storage with vertical bike rack, which the Council's Contracts Manager and Transportation Strategy Officer consider satisfactory to meet the functional requirements for existing and proposed residents.

5. Highway considerations -

The Car and Cycle Parking Standards Supplementary Planning Document (SPD) requires two parking spaces for each 3-bedroom house. The application proposes a total of two off road parking spaces (1 for each property). The Council's Transportation Strategy Officer has been consulted and comments:

'I am satisfied that as this is a conversion of existing premises and that this site has a reasonable degree of accessibility being close to the town centre with good pedestrian links to local facilities and public transport that one parking space for each of the residential units should be sufficient. Cycle parking for two cycles is required for each residential property, which should be secure, accessible, and weatherproof as shown on the drawings.

The proposed development is not expected to generate more multi-modal trips than the existing use therefore an transport contribution is not required. No highway objection.'

Having regard to the above, the proposal is not considered to result in any significant highway safety issues and is therefore acceptable in highway terms.

6. Impact on nature conservation interests -

The Rushmoor Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy comprises two elements. Firstly the provision of Suitable Alternative Natural Greenspace (SANG) at Hawley Meadow in order to divert additional recreational pressure away from the Thames Basin Heaths Special Protection Area (TBHSPA) and secondly the provision of a range of Strategic Access Management and Monitoring Measures to avoid displacing visitors from one part of the TBHSPA to another and to minimize the impact of visitors on the TBHSPA. In accordance with the strategy, the scheme requires a financial contribution of £14,422 to provide and maintain the SANG at Hawley Meadows. Natural England raises no objection to proposals for new residential development, provided that it is in accordance with the above strategy. Subject to the necessary s106 Undertaking being completed in this respect, the proposal is therefore considered to have an acceptable

impact on the Thames Basin Heaths Special Protection Area and would comply with the requirements of Core Strategy Policies CP11 and CP13.

7. Public Open Space –

The Local Plan seeks to ensure that adequate open space provision is made to cater for future residents in connection with new residential developments. Policies OR4 and OR4.1 allow provision to be made on the site, or in appropriate circumstances a contribution to be made towards upgrading facilities nearby. The policy does not set a threshold of a particular number of dwellings or size of site above which the provision is required.

The site is not big enough to accommodate anything other than the development proposed. This is a circumstance where a contribution towards off-site provision, in this case amenity/parkland habitat improvement works at Manor Park (£2,169.80), can be secured by way of a planning obligation.

Having regard to the above, subject to the completion of the requisite planning agreement, the proposal is considered acceptable within the terms of Policy OR4/OR4.1.

8. Conclusion

In conclusion, the proposal would be acceptable in principle and would have an acceptable impact on the character of the area. It has been satisfactorily demonstrated that the proposal will create a satisfactory living environment for future occupiers, have an acceptable impact on adjoining non-residential occupiers and meet the functional requirements of the development. The proposal is acceptable in highway terms, it makes satisfactory provision for public open space and an appropriate contribution towards SPA mitigation measures.

Full Recommendation

It is recommended that subject to the completion of a satisfactory Agreement under s106 of the Town and Country Planning Act 1990 by 12th October 2015 to secure financial contributions towards SPA mitigation and open space the Head of Planning in consultation with the Chairman be authorised to **GRANT** planning permission subject to the following conditions and informatives:-

However, in the event that a satisfactory s106 Agreement is not received by 12th October 2015 the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal 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; 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 Avoidance and Mitigation Strategy contrary to Policy CP13 of the Rushmoor Core Strategy; does not provide appropriate car and cycle parking in accordance with the Council's adopted car and cycle parking standards or make satisfactory provision for refuse storage as required by Saved Local Plan Policy ENV17 and Core Strategy Policies CP2 and CP17.

CONDITIONS

- 1 Within 1 month of the date of this permission, the parking spaces shown on the approved plans shall be marked out and made available only for the parking of vehicles ancillary and incidental to the residential use of the proposed dwellings on the site. These spaces shall be kept available at all times for parking and shall not be used for the storage of caravans, boats or trailers.

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

- 2 Within 1 month from the date of this permission, the amendments to the front wall, as shown on approved drawing No. P/01A shall be implemented in full and retained thereafter.

Reason - To ensure suitable means of access to the residential properties.

- 3 Within 1 month from the date of this permission, the refuse and cycle storage arrangements hereby approved, shall be carried out and retained in accordance with the details so approved.

Reason - To safeguard the amenities of the area.

- 4 Within 1 month from the date of this permission, the window alterations hereby approved, shall be carried out and retained in accordance with the details so approved.

Reason - To safeguard the amenity of future occupants.

- 5 The permission hereby granted shall be carried out and retained in accordance with the following approved drawings – PLAN-01, PLAN-02, PLAN-03, PLAN-04, P/01A & P/02A

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

Informatives

- 1 **INFORMATIVE - REASONS FOR APPROVAL** - The Council has granted permission because the proposal is acceptable in principle and would have an acceptable impact on the character of the area. It has been satisfactorily demonstrated that the proposal will create a satisfactory living environment for future occupiers, have an acceptable impact on adjoining non-residential occupiers and meet the functional requirements of the development. The proposal is acceptable in highway terms, it makes satisfactory provision for public open space and an appropriate contribution towards SPA mitigation measures. As such it complies with development plan policies, the Council's adopted SPD on The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy, the National Planning Policy Framework/Planning Practice Guidance and the Planning (Listed Buildings and Conservation Areas) Act 1990. 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.

- 2 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 3 INFORMATIVE - The applicant is advised that there may be a need to comply with the requirements of the Party Wall (etc.) Act 1996 before starting works on site. The Party Wall (etc.) Act is not enforced or administered by the Council but further information can be obtained from the Chief Building Control Officer.
- 4 The applicant is advised that failure to complete the requisite Section 106 Legal Agreement by the specified date of 12th October 2015 will result in the issue of an Enforcement Notice in accordance with the Development Management Committee resolution of 29th April 2015.



PC

237

82.9m

239

241

Shelter

REDAN GARDENS

1 to 12

Amber Court

13 to 24

6 to 9

10 to 13

14

15

246

245

The Old Mint

1 to 6

York Lodge

252

254

256

258

260

262

POUND ROAD

1b

257

259

261

HIGH STREET

The Bee Hive (PH)

Windmill Court

1 to 6

264a

7 to 12

1

11

EI

Sta

13

15

81.1m

266

266a

266b

268

270

PH

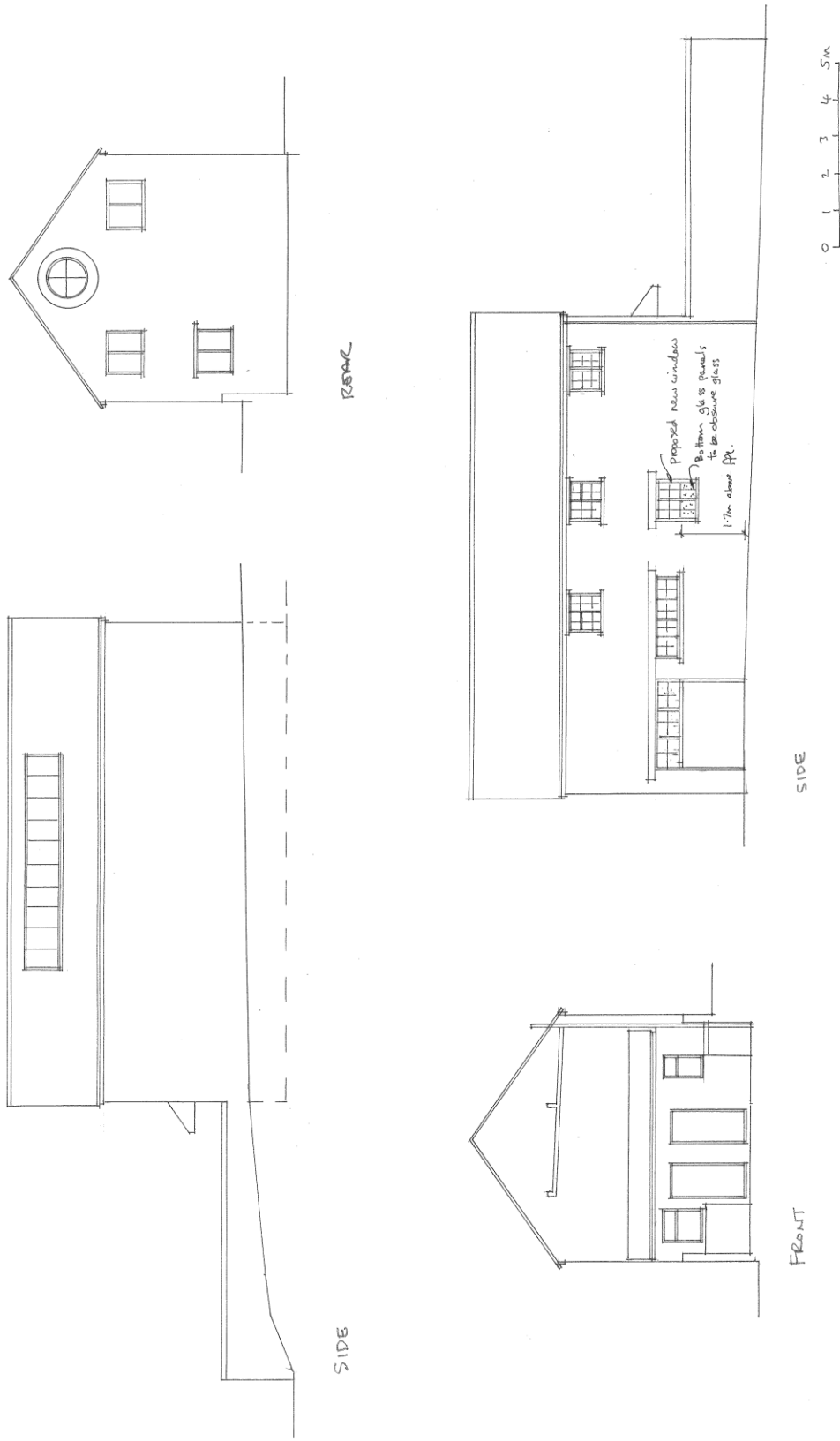
272

274

Manor Park Industrial Estate

5

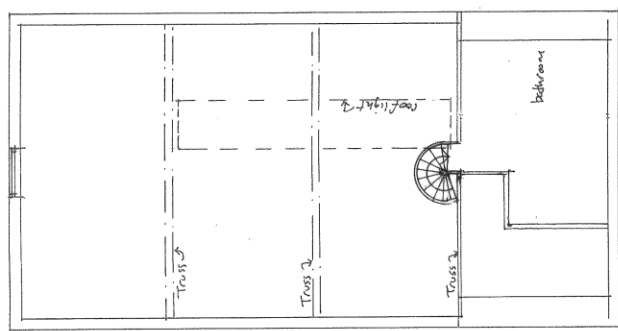
6



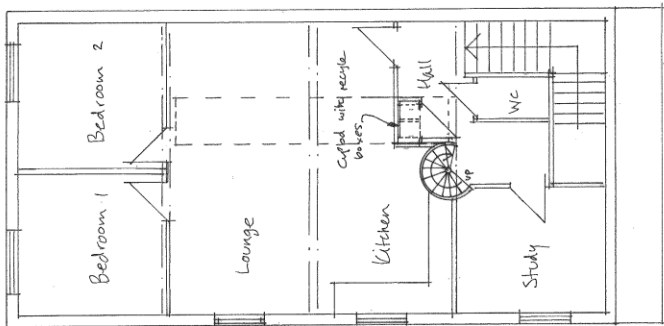
Rev A - Obscure glass added to side elevation.

**The Old Mint, Pound Road, Aldershot
Proposed Elevations**

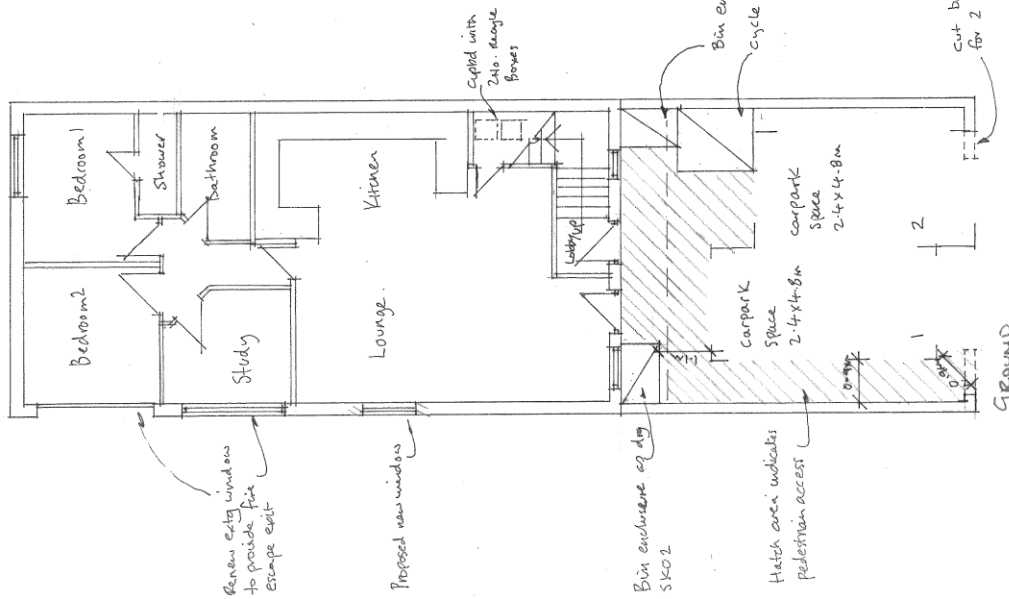
Project P/02A
Dwg No/rev. 1:100
Scale 1:100
Date May 15



SECOND



FIRST



Rev-A cycle & Bin enclosure added

The Old Mint, Pound Road, Aldershot Proposed Plans

Project P/01A
Dwg No/rev. 1-100
Scale
Date May 15

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.	15/00475/FULPP
Date Valid	26th June 2015
Expiry date of consultations	17th July 2015
Proposal	Demolition of existing public house and re-development of site with two pairs of 2-bedroom semi-detached houses on road frontage with new access between leading to a pair of 3-bedroom semi-detached houses at rear of site (6 new dwellings in total), together with detached garages, parking spaces, turning area and associated landscaping
Address	The Queens Head 97 North Lane Aldershot
Ward	North Town
Applicant	Mr G Boulden
Agent	Mr Les Snell, L J S Architects
Recommendation	Planning permission be REFUSED

Description

The site is located on the west side of North Lane and comprises a vacant Public House with ancillary residential accommodation over. The property has parking provided by a forecourt area to the front and also an area to the northern side of the building, capable of accommodating approximately 15 cars on-site. The rearmost half of the property is a garden area with a number of trees and shrubs located around the margins. The property was acquired by the applicant in August 2013 following closure as a Public House under previous ownership in 2012. The site is currently enclosed to the road frontage by hoardings.

The site is of an irregular shape, has an area measuring 0.15 hectares, a road frontage 27 metres wide, and narrows down to a width of 19 metres towards the rear. It is located on the west side of North Lane opposite the commercial units at the Alpha Centre. To the immediate south is No.95 North Lane and the rear garden boundaries of residential properties at Nos.9, 10, 11 and 12 Northfield Close back on to this side boundary of the site further to the rear. The rear (west) boundary of the site backs onto part of the side boundary of the rear garden of No.224 Holly Road. To the north, the site abuts maisonettes and houses at Nos.226-236 Holly Road and Nos.99 and 101 North Lane.

The proposal the subject of the application is for the demolition of the existing Public House building and the re-development of the site with a total of six two-storey semi-detached houses. In this respect, it is proposed to erect two pairs of two-storey 2-bedroom semi-detached houses conventionally fronting North Lane (House nos.1-4 inclusive), with an access road leading into the site in-between the front pairs to a turning area, with a further pair of larger 3-bedroom two-storey semi-detached houses with attached garages (Houses nos.5 & 6) at the rear of the site. House Nos.1-4 inclusive would have detached garages located to the rear.

Each of the proposed houses would be provided with two curtilage parking spaces comprising a garage and forecourt. A pair of visitor parking spaces would be provided within the access road. All the proposed houses would have private rear garden areas. Due to the setback of the front units from the road, house nos.1-4 would also have front garden areas.

The proposed houses are of a conventional design with mainly fully-hipped roofs. Each pair would have an asymmetric form, with one half of each pair having a feature gable-end facing the road. It is indicated that the houses would be finished with brick and have slate roofs.

The application is accompanied by a Planning, Design & Access Statement, an Arboricultural Report, an Ecological Appraisal, a Surface Water Drainage Strategy Report, and a Sustainability Appraisal. A letter from a local Estate Agency was also submitted describing the marketing of the property for sale, and the limited interest shown in April 2015, after its acquisition by the applicant in July-August 2013

The applicants are seeking to prepare a s106 Planning Obligation in the form of a Unilateral Undertaking to secure financial contributions towards the off-site provision and/or enhancement of Public Open Space, and in respect of the SPA Mitigation and Avoidance.

In July 2015 the applicant requested (and the Council agreed) an extension of time for the determination of the application until 21 September 2015. This was in order to allow time for the preparation and submission to the Council of more substantial information concerning the marketing of the property as a Public House and the alternative Pub provision in the area to address the Council's "Development Affecting Public Houses" Supplementary Planning Document (SPD) adopted on 30 June 2015. The Report in this respect was received by the Council on 3 September 2015.

Consultee Responses

Planning Policy

Objection : The proposals fail to address the issue of the loss of the Public House in accordance with the requirements of the Council's adopted Supplementary Planning Document (SPD) "Development Affecting Public Houses".

Comments in respect of additional Report received 3 September 2015 : Objections maintained : The additional report provides insufficient evidence to support the assertions of marketing activity undertaken. Further it is dismissive of the large part of the Pub catchment in North Town that would fall outside the 800 metre catchment of the nearest alternative Pubs. The Report inaccurately describes

	the location of the site as being “tucked-away”
Transportation Strategy Officer	No highway objections. No Transport Contribution required having taken account of the traffic generation potential of the Public House planning use of the site.
Environmental Health	No objections subject to conditions and informatives. Conditions to include a sound insulation condition in respect of the frontage units on account of the impact of road traffic noise from the adjoining road.
Community - Contracts Manager	No objections.
Parks Development Officer	No objections and identifies projects to which Public Open Space contribution would contribute.
Aboricultural Officer	No objections : no trees worthy of retention would be lost.
Ecologist Officer	No objections, the submitted Ecological Report is satisfactory and appropriately identifies the need for further surveys of the building prior to demolition; and of the trees/shrubs on site prior to their removal.
Thames Water	No objections.
Hampshire & I.O.W. Wildlife Trust	No comments received during the consultation period, thereby presumed to have no objections.
Environment Agency	The proposals have a low environmental risk. Due to workload prioritisation the EA are unable to make an individual response in respect of the proposed development at this time.
Natural England	No objections provided SPA impact mitigated. Reference is made to NE Standing Advice in terms of the assessment of the risk of protected species being located at the site.
Crime Prevention Design Advisor	No objections, but make the following crime prevention comments: "Appropriate rear boundary treatments should be put in place to provide for the security of both the existing and proposed dwellings. I would recommend that rear boundary treatments are of robust construction and at least 1.8m high. Gates within the rear boundary treatments should be of a similar height and construction to the adjacent boundary treatment and fitted with a key operated lock that can be operated from either side of the gate. To provide for the safety and security of residents and visitors an appropriate level of lighting should be provided

throughout the development."

[Officer Note: the applicant is aware of this advice]

Hampshire Fire & Rescue
Service

No objections but provides generic fire safety/precautions advice.

Neighbours notified

In addition to posting a site notice and press advertisement, 28 individual letters of notification were sent to properties in North Lane, Holly Road and Northfield Close, including all properties physically adjoining the site.

Neighbour comments

Objections to the proposals have been received from the occupiers of Nos.11 & 12 Northfield Close (directly adjoining the site to the south), 72 Roberts Road, 81 Holly Road, 5 Lower Newport Road, 4 South Walk, the Aldershot Civic Society, and the Pubs Officer for the Surrey Hants Borders Campaign for Real Ale (CAMRA) on the following collective grounds:-

- (a) The marketing information submitted with the application is totally inadequate and does not in any way satisfy and address the requirements of the Council's newly adopted "Development Affecting Public Houses" SPD. The information of, by their own admission, a 'discrete' marketing of the property falls well short of what is required;
- (b) It is clear (and there is no evidence to the contrary) that the Pub was acquired by the current owner with no intention of running the Pub as a going concern. The property has simply been boarded-up for the last 2 years;
- (c) No proper viability assessment has been undertaken and the information provided is wholly anecdotal and generic in nature;
- (d) The property was marketed at a price out of reach of that which could be afforded by aspiring normal freehold independent publicans;
- (e) The needs of the local community have not been considered : the Pub has a large potential catchment area given that there are no other Pubs left in North Town;
- (f) There are no other Pubs within a reasonable distance that offer sufficiently similar facilities. The area would benefit from retaining a Pub/restaurant;
- (g) Loss of local employment;
- (h) Loss of local amenity and community facility;
- (i) The lack of viability of the Pub does not justify the proposed demolition of a beautiful historic Victorian building with intact features. Any new development should retain the existing building intact;
- (j) Community spirit would/has been lost and cannot be easily re-gained; and
- (k) Removal of trees adjoining the site boundary [with Nos.11 & 12 Northfield Close] would expose these properties to loss of privacy (including possible overlooking from side-facing landing window [Officer Note: shown to be obscurely glazed] of House No.5) and security against crime/trespass. Detrimental to local wildlife. Also concern that installation of new boundary fencing would damage trees (or require their removal altogether) and disturb existing boundary fencing put up by neighbouring residents.

A letter of support for the proposals has been received from the occupiers of No.95 North Lane, which directly abuts the application site to the south. They make the following observations:-

1. The Public House was a significant and enduring nuisance and intrusion to local

- residents when it was open;
2. The Pub has demonstrably failed to operate successfully as a business;
 3. The property was marketed as a Pub before being acquired by the applicant; and
 4. The hoardings enclosing the front of the site for the last 2 years are an eyesore – which would be likely to remain for a considerable further period of time if planning permission were to be refused.

Policy and determining issues

The site is located within the built-up area of Aldershot. It is not in a Conservation Area, nor located adjoining a Listed Building. The building is not identified as a Building of Local Importance as a result of the “Buildings of Local Importance” SPD. Furthermore, despite a community nomination of the property as an “Asset of Community Value” (ACV) under the Localism Act in May 2015, the Solicitor to the Council confirmed by decision dated 2 July 2015 that the property should not be placed on the Council’s ACV list. As a result, the property has no status providing any protection from recent permitted development changes.

The Rushmoor Core Strategy was adopted by the Council in October 2011 and, as such, has replaced the Rushmoor Local Plan Review (1996-2011) as being part of the Development Plan for the area. To this end Core Strategy Policies CP1 (Sustainable Development Principles), CP2 (Design and Heritage), CP3 (Renewable Energy and Sustainable Construction), CP4 (Surface Water Flooding), CP5 (Meeting Housing Needs and Housing Mix), CP10 (Infrastructure Provision), CP11 (Green Infrastructure Network), CP12 (Open Space, Sport and Recreation), CP13 (Thames Basin Heaths Special Protection Area), CP15 (Biodiversity), CP16 (Reducing and Managing Travel Demand) and CP17 (Investing in Transport) are relevant to the consideration of the current proposals.

Whilst the Core Strategy introduces a number of new policies that replace specific Local Plan policies, a number of Local Plan policies continue to be 'saved' and will therefore remain in use for the time being until they are replaced by future tranches of local planning policies. In this respect, Local Plan Policies ENV17 (general development criteria), H14 (amenity space), ENV41-43 (flood risk) and OR4/OR4.1 are 'saved' policies that remain relevant to the consideration of this application.

Also relevant are the Council's adopted Supplementary Planning Documents (SPDs) "Housing Density and Design" and "Sustainable Design and Construction" both adopted in April 2006; 'Transport Contributions' adopted in April 2008; and “Parking Standards” adopted in 2012. Since these documents were subject to extensive public consultation and consequent amendment before being adopted by the Council, some significant weight can be attached to the requirements of these documents. The advice contained in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) is also relevant.

Core Strategy Policy CP6 requires, subject to viability, provision of 35% affordable housing with developments of 15 or more net dwellings. However, since the scheme proposes only six additional units, the requirements of this policy do not apply in this case.

In this context, the key determining issues are considered to be:

1. The Principle of the proposals;
2. Design and Visual Impact including impact on trees;
3. Impact on Neighbours;

4. The Living Environment Provided;
5. Highways Considerations;
6. Impact on Wildlife;
7. Drainage Issues;
8. Renewable Energy and Sustainability; and
9. Public Open Space.

Commentary

1. Principle -

The Council's Planning Policy Team has considered the proposals in the light of current adopted planning policy as set out in the National Planning Policy Framework, National Planning Policy Guidance, the Rushmoor Core Strategy and the Council's new adopted Supplementary Planning Document (SPD) "Development Affecting Public Houses" formally adopted by the Council's Cabinet with effect from 30 June 2015.

National Policy & Guidance and Rushmoor Core Strategy.

Core Strategy Policy CP10 (infrastructure provision) seeks the retention of community facilities unless specific circumstances can be shown to exist. Specifically the policy states that community facilities "...will be protected unless:

- (i) It can be proven that there is no longer term need for the facility, either for its original purpose or for another facility that meets the need of the community; or
- (ii) It is to be re-provided elsewhere to the satisfaction of the Council."

Although the Policy does not define a public house as being a 'community use', Paragraph 70 of the NPPF states, inter alia, that:-

"To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- *Plan positively for the provision and use of shared space, community facilities (such as shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;*
- *Guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;"*

The recognition of public houses as a community facility in the NPPF means that any policies in the Rushmoor Plan referring to community facilities should also cover properties in Public House use.

"Development Affecting Public Houses" SPD

The National Planning Policy and Guidance and Core Strategy Policy CP10 set out the context and justification within which the SPD has been proposed and adopted by the Council. The SPD sets out a standard and consistent approach for an applicant seeking to demonstrate that there is no longer-term need for the Public House, including a further requirement to demonstrate that alternative Public Houses are readily accessible to serve the

needs of the community. These matters must be considered and found acceptable before planning permission can be granted for proposals resulting in the loss of a Public House.

The Queens Head (97 North Lane) is identified as a safeguarded former Pub site, to which the SPD relates.

Objection is raised to the proposals by the Council's Planning Policy Team on the basis that the application fails to address the requirements of the SPD. The applicant and their agents were made aware of the emergence of the SPD during pre-application contact with the Council. Nevertheless, the application was originally submitted with a property marketing statement provided solely in the form of a letter from a local estate agent. This submission is considered to fall substantially short of what is required to address the issue satisfactorily in accordance with the SPD. Although the applicant has subsequently submitted additional information detailing the extent of the marketing of the property undertaken largely prior to the acquisition of the property by the applicant, the Planning Policy Team maintain their objections to the proposals, for reasons explained in the following paragraphs:-.

Demonstrating that there is no longer term need for the Public House

In order to justify no longer term need, it is necessary for an applicant to demonstrate that they have undertaken the following:

Criterion 1 : The Pub has been marketed for 12 months as a public house free of tie and restrictive covenant and there has been no interest in either the freehold or leasehold; and

Criterion 2 : Reasonable efforts have been made to preserve the facility (including diversification options explored – and evidence supplied to illustrate this), but it has been demonstrated that it would not be economically viable to retain the building or site for its existing Use Class (Use Class A4).

In order to satisfy Criterion 1, the marketing exercise should reflect the guidance given in Annex A of the SPD. To demonstrate that the operation is no longer economically viable, evidence should be provided to the Council in accordance with Annex B of the SPD.

The applicant originally provided a marketing statement solely comprising a letter from a local Estate Agent which explained that the public house had been “discreetly” marketed for the applicant. This letter claims that the only interest shown from clients was for the redevelopment of the site for residential use and an offer in this respect was rejected. This is insufficient evidence to satisfy the requirements of Criterion 1. In particular, it fails to demonstrate that the public house was actively marketed for 12 months or that the asking price that was associated with the marketing was reflective of the value of the site as a trading Pub. Furthermore, the ‘discreet’ nature of the marketing could be construed as contrived to attract minimal attention from a very small target market that would minimise the possibility of interest from persons who might want to operate the property as a Pub. By contrast, as set out within the SPD, the marketing exercise should include as a minimum:

- A for sale/for rent signboard on the premises;
- Advertisements in the Local Press/appropriate trade magazines/websites;
- Advertisements through both national and local estate agents (including their websites)

Copies of all sales literature (and in the case of a signboard, dated photographs) are required

to support the application. Copies of all details of approaches and offers should be provided together with full reasons as to why any offer has not been accepted.

The references to the earlier marketing (before the applicant acquired the site) described by the applicant's additional report, are considered to be unsubstantiated and anecdotal. It is not explained why this information was not provided with the application when originally submitted despite the prior knowledge of the emergence of the SPD. It is considered that there is an general absence of evidence to support the statements made in the additional report. The firm responsible for the marketing of the property prior to its acquisition by the applicant, New Ballerino, are described as experts in the field of marketing Pubs whom have presided over the disposal of 50+ Public Houses throughout central southern England. However there is no evidence provided to indicate how many of these Pub properties were sold as going concerns as opposed to being sold for development; and, as such that this firm has any experience of marketing Public Houses for continuing use.

Various marketing methods and procedures are described, but there is no confirmation that all were actually employed with the marketing of this particular property. The marketing of the property that is evidenced appears to have been low-key. Comments made in pre-application advice provided by the Council for the applicant's earlier proposals for the development and change of use of the site are presented inaccurately and out of context. It is considered that the information provided remains insufficient to satisfy concerns raised previously that the marketing was neither sufficiently robust nor focussed on marketing the Pub as a going concern. Indeed, the sales literature provided in the report gives prominence to the suitability of the property for alternative uses rather than marketing the property as a Pub as required by the SPD. According to the information provided in the Report, the marketing of the property commenced in March 2013 and, although 25 enquiries were claimed to be received (including an offer from a housing developer that was rejected), the acquisition by the applicant completed in July-August 2013. It appears that the applicant [not a prospective or actual Pub operator] may have been one of only two persons that made an offer for the property. It is clear that the property was not marketed in a manner required to meet the terms of the SPD.

Within the CAMRA Viability Assessment that has been undertaken, the question is asked whether the public house was marketed at a realistic, competitive price. The answer given states that the valuation was undertaken by New Ballerino, but there is no further detail provided on how they set that price. There is an assertion that they believed that the value had been set at the right level because some limited interest in the property was received. This is not considered to be an appropriately objective or convincing basis on which to assert that the price was set at a level reasonably likely to attract interest in the property as a Pub.

In respect of Criterion 2, the submitted Planning, Design and Access Statement outlines that the Public House closed due to lack of business and cites a 40% reduction in barrelage between 2007 and 2012, apparently as a facsimile indicator for overall economic viability. The Statement outlines that the pub had not made profit for 4 years, however no other information has been put forward to support this claim. No consideration appears to have been given to the possibility that the Pub business could have been turned-around, especially as the nearest competitor Pub in North Town, the Heroes of Lucknow, had closed. Annex B of the SPD sets out the information that is required to satisfy Criterion 2. The applicant's additional Report avoids providing any additional information by simply stating that the Pub closed in 2012 and, as such, there is no up-to-date data available with which to assess viability in current market conditions.

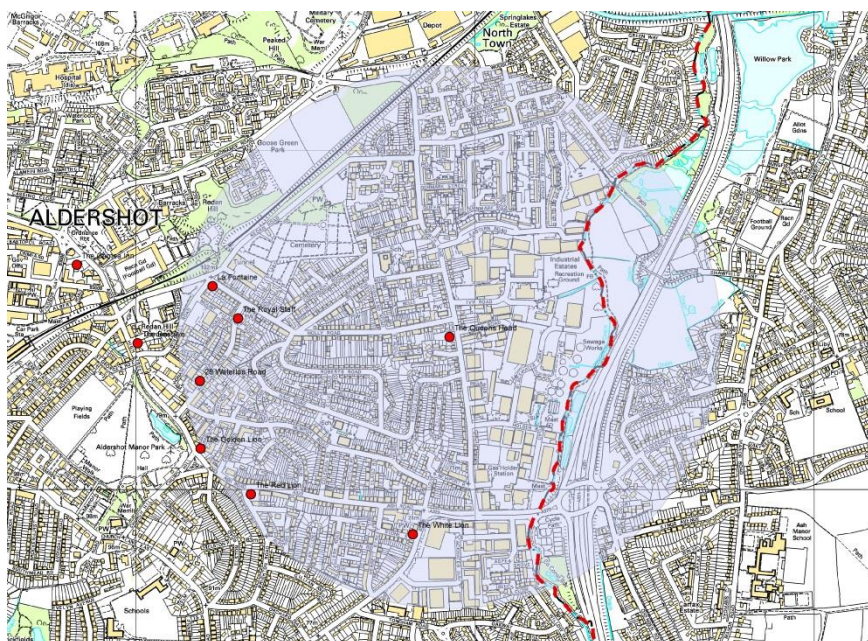
The report asserts that the Pub has no future potential as a viable business. It is variously suggested that the Pub was/is unviable because it is not located in an ideal position. It is described, unlike its local rivals, as being ‘tucked away’ and not located on or near a main road. This is incorrect given that North Lane is a busy distributor road within Aldershot. Other rival Pub establishments are located on significantly quieter roads, yet are described as being located in busier and more ideal locations. However the marketing particulars of the property describe the site as being a “prominent roadside property” located on the “busy North Lane” and refer to “a prominent frontage onto North Lane”. The case that the position of the property is a major contributory factor in the demise of the business, that competitors are located in more advantageous positions and there is therefore no prospect of a viable Pub operating at the site is not borne out by fact.

Demonstrating that alternative Public Houses are readily accessible

The applicant is also required to provide evidence that:

- There are alternative public houses within easy walking distance of the public house (as set out in Annex C of the SPD)
- Any such alternative premises offer similar facilities and a similar community environment to the public house which is the subject of the application.

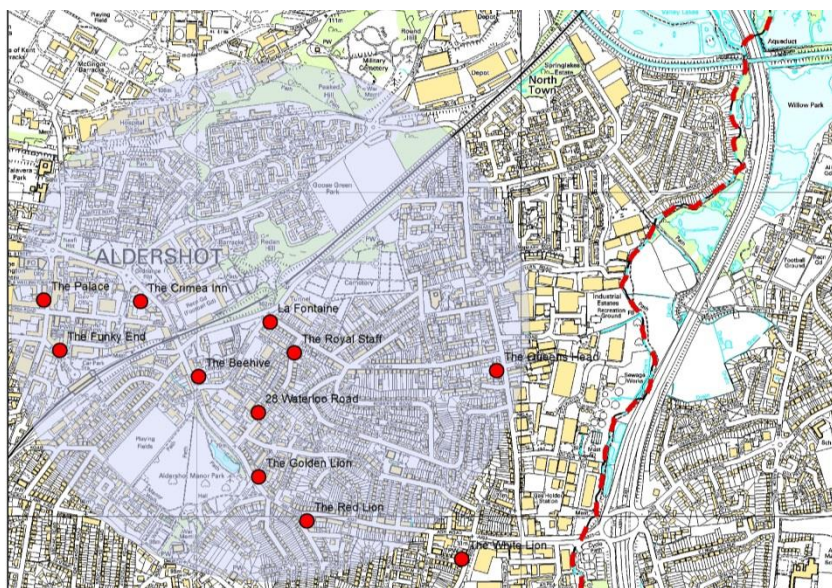
The applicant is required to ascertain whether adequate alternative provision is available in the area to provide at least one pub within an 800m (10 minute walk) catchment radius of the site to which the proposal relates. In this respect, applicants must demonstrate that there are good walking routes to an alternative facility and that the alternative provision offers a similar community environment. The following map shows the catchment of the Queens Head public house:-



Customer Catchment Area for Queens Head Pub

The applicant queries how Appendix C of the SPD is interpreted in respect of ascertaining whether adequate alternative provision is available in the area to provide at least one pub within an 800m catchment radius. However, there is evidently a detrimental impact on the accessibility to a public house for the community residing to the north west of the Queens Head arising from the loss of this Public House use (see further map on next page). The

majority of residents within North Town would be outside the 800m catchment of a public house, contrary to Annex C of the SPD. The proposals, if permitted, would therefore clearly reduce the North Town community's ability to meet its day-to-day needs (Paragraph 70 of the NPPF).



Catchment Areas for Nearest Rival Pubs

It should be noted that the area of North Town is going through significant regeneration with permission in place for residential development in proximity to the Queens Head site. Work on this re-development has commenced since the purchase of the application property site by the applicant. There has been the recent loss of the immediate competition to the Queens Head, with The Heroes of Lucknow converted to a convenience store. It is considered likely that the potential viability of the Queens Head as a Pub could be improved by these changes within its catchment, yet there is no recognition of this within the Viability Assessment.

In summary, the application in its current form, despite the additional information provided on behalf of the applicant, is not considered to provide adequate justification for the loss of the existing Public House use, or satisfactory evidence that the local community is able to meet its day-to-day needs in terms of the role provided by Public Houses as a community facility. It is considered that it has not been satisfactorily demonstrated that the loss of the public house use is justified in planning policy terms.

2. Visual Impact -

The vicinity has a mixed character, with a variety of dwelling types, ages and external materials. Nevertheless, there is a predominance of two-storey terraced and semi-detached houses. As a result, it is considered that the proposed frontage houses (Nos.1-4 inclusive) would be sympathetic to the character and appearance of the existing street scene in North Lane. Proposed house Nos.5-6 would be located in a backland position where they would not be particularly visible from publicly accessible vantage points in the street and, even then, at some distance. Nevertheless, it is considered that the design and external appearance of this proposed development would also accord with the already varied design and external appearance of existing development in the locality.

Appropriate external finishing and surfacing materials can be secured by imposition of the usual conditions. There is also scope for the introduction of landscape planting to soften the

appearance of the development in the street, the internal courtyard and also in respect of adjoining residential properties. Although a number of trees and shrubs around the margins of the site would be removed, none are considered to be worthy of retention having regard to saved Local Plan Policy ENV13. Furthermore, it is not considered that the loss of these trees would have any material and harmful visual impact, especially since there would be opportunities to plant new trees within the scheme.

Accordingly, it is considered that the proposed development would integrate effectively into its surroundings and not significantly detract from the character and appearance of the area. It is therefore considered that the proposals are acceptable in visual terms.

3. Impact on Neighbours -

It is considered that the proposed houses would have entirely conventional relationships with all their neighbours. Due to a combination of house design, orientation and separation distances, it is considered that no undue or unacceptable harm to neighbouring properties would arise in planning terms.

Although objection has been raised on grounds of loss of privacy in respect of Nos.11 and 12 Northfield Close, this concern solely relates to the side-facing landing window of House No.5 that is shown to be obscurely-glazed. Conditions can be imposed to ensure that the obscure glazing is installed and retained; and for no further windows to be installed in the side elevations of the houses.

4. Living Environment Created -

Each of the proposed dwellings would be provided with private rear gardens sufficient to provide an acceptable living environment. The internal layout of a development is a functional matter between a developer and his client and is to some extent covered by the Building Regulations. It is therefore a matter for prospective purchasers/occupiers to decide whether they choose to live in the proposed development. Nevertheless, it is considered that the living environment created would be acceptable.

5. Highways Considerations -

Since the existing lawful use of the site is as a Public House on a site capable of accommodating approximately 15 cars, the traffic generation potential for this use is the base position from which to consider the highways impact of the proposed development. In this respect, the proposed access arrangements to the site involve creation of a new road access junction onto North Lane positioned centrally within the site road frontage. This would replace the existing arrangement where vehicles could enter or leave the road at almost any position along the site frontage depending upon the extent of use of the on-site parking. The proposed access would have acceptable visibility sightlines. The proposed access road is of acceptable dimensions and has adequate visibility splays. The internal design and layout of the site is also considered to be acceptable. The Transportation Strategy Officer is also satisfied that the traffic associated with the proposed development would have no material and harmful impact on traffic conditions on North Lane.

The proposed houses would each be provided with two parking spaces each, together with provision of two on-site visitor spaces. All would be of acceptable size, on-site location and arrangement. This provision meets the Council's adopted maximum parking standards in full and, as such, the proposed development makes appropriate provision for parking on-site to

support itself. Cycle parking would be provided by sheds in the rear gardens of each of the proposed dwelling plots.

The refuse/recycling bins for each property would be stored on each individual plot with this arrangement and simply moved by residents to the collection point when required. This is the usual way in which bins are collected for emptying and, as such, it is considered to be an acceptable arrangement for the proposed development. Sheds are shown to be provided to provide on-plot cycle storage for each individual plot.

The Council's Transportation Strategy Officer has confirmed that no Transport Contribution can be justified in this case given that the proposed development is considered likely to generate less traffic than would arise from the resumption of the Public House use.

It is considered that the proposals are acceptable in highways terms.

6. Impact on Wildlife -

The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy comprises two elements. Firstly the maintenance of Suitable Alternative Natural Greenspace (SANG) at Hawley Meadows in order to divert additional recreational pressure away from the Thames Basin Heaths Special Protection Area (TBHSPA) and secondly the maintenance of a range of Strategic Access Management and Monitoring Measures to avoid displacing visitors from one part of the TBHSPA to another and to minimize the impact of visitors on the TBHSPA. The proposal meets the criteria against which requests to allocate capacity at the Hawley Meadows SANG will be considered.

The applicant is aware of this requirement and the need to make a financial contribution of £35,766 to maintain the Hawley Meadows SPA mitigation scheme to be secured by way of a section 106 planning obligation. In this respect the applicant has recently contacted the Council's Legal Team to pursue this matter. Natural England raises no objection to proposals for new residential development in the form of Standing Advice provided that it is in accordance with the above strategy. Provided the applicants submit a satisfactory completed s106 Undertaking by no later than 17 September 2015 it is considered that they would have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths Special Protection Area in compliance with the requirements of Core Strategy Policies CP11 and CP13. However failure to do so would result in a further reason for refusal being advanced on the grounds of the scheme not addressing SPA impact.

According to the submitted Ecological Survey report there some potential for protected wildlife species existing or likely to exist at the application site that would be affected by the proposed development. The Report therefore correctly identifies the need for surveys to be undertaken prior to demolition or tree/shrub removal works being undertaken to ascertain whether any such protected species are present at that time. The Council's Ecology & Biodiversity Officer considers this approach to be appropriate. Accordingly, on a precautionary basis, were the Council minded to grant planning permission, this would be subject to an informative advising the applicant of the requirements of the Wildlife & Countryside Act with respect to any protected wildlife species encountered on site.

7. Surface Water Drainage –

The proposed development is considered likely to result in an improvement in the surface water drainage situation despite the additional hard-surfacing that would occur as a result of

the additional building. The applicants indicate that a SUDs system would be incorporated to deal with surface water drainage on site. Accordingly it is considered appropriate to deal with this matter through the imposition of a condition requiring the submission of details of the system to be installed and how this would be maintained. The site is located within Flood Zone 1, which is land at the lowest risk of flooding. As a result, the Environment Agency raise no objections as standing advice and no mitigation measures are indicated as being necessary. This being the case, it is considered that there is no requirement under Policy CP4 for mitigation measures to be incorporated into the development. Accordingly, subject to the imposition of a condition to require the submission of details in this respect, it is considered that the requirements of Core Strategy Policy CP4 would be met.

8. Sustainable Development and Renewable Energy -

The application, is accompanied by a sustainability assessment to address the requirements of Policy CP3. However since the submission of the application, and after the determination of the appeal, following the Royal Assent of the Deregulation Bill 2015 (on 26 March 2015) the government's current policy position is that planning permissions should no longer be granted requiring or subject to conditions requiring compliance with any technical housing standards such as the Code for Sustainable Homes. This is other than for those areas where Councils have existing policies referring to the attainment of such standards. In the case of Rushmoor this means that we can require energy performance in accordance with Code Level 4 as set out in policy CP3 of the Rushmoor Core Strategy. Such measures may be secured by way of condition and on this basis no objection is raised to the proposal in terms of Policy CP3.

9. Public Open Space -

The Local Plan seeks to ensure that adequate open space provision is made to cater for future residents in connection with new residential developments. Core Strategy Policy CP10 and saved Local Plan Policies OR4 and OR4.1 allow provision to be made on the site, or in appropriate circumstances, a contribution to be made towards upgrading facilities nearby. The policy does not set a threshold of a particular number of dwellings or size of site above which the provision is required. The site is not big enough to accommodate anything other than the development proposed and any associated landscape planting.

This is a circumstance where a contribution (in this case £11,400 towards the off-site provision of public open space comprising: contribution to renewed playground facilities at Ivy Road (North Lane) Playing Fields, Aldershot; and a contribution towards improved changing facilities at Ivy Road (North Lane) Playing Fields, Aldershot) secured by way of a planning obligation in the form of a Unilateral Undertaking would be appropriate. Subject to the applicant satisfactorily completing and submitting the s106 Undertaking in this respect, it is considered that the proposal would be acceptable within the terms of Core Strategy Policies CP10, CP11 and CP12 and saved Local Plan Policy OR4. However failure to do so would result in a further reason for refusal being advanced on the grounds of the scheme not addressing the requirements of Core Strategy Policies CP10, CP11 and CP12 and saved Local Plan Policy OR4.

Conclusions – The proposed scheme for the development of the site is considered to be acceptable in planning terms. However, notwithstanding the submission of additional information, the applicant has failed to address the requirements of the Council's adopted SPD "Development Affecting Public Houses" and it is on this matter of principle that the application is recommended for refusal. If the applicant does not submit a satisfactory s106

Unilateral Undertaking to secure SPA and public open space contributions by 17 September 2015, it is considered that it would be appropriate to raise these matters as further reasons for refusal.

Full Recommendation

It is recommended that:

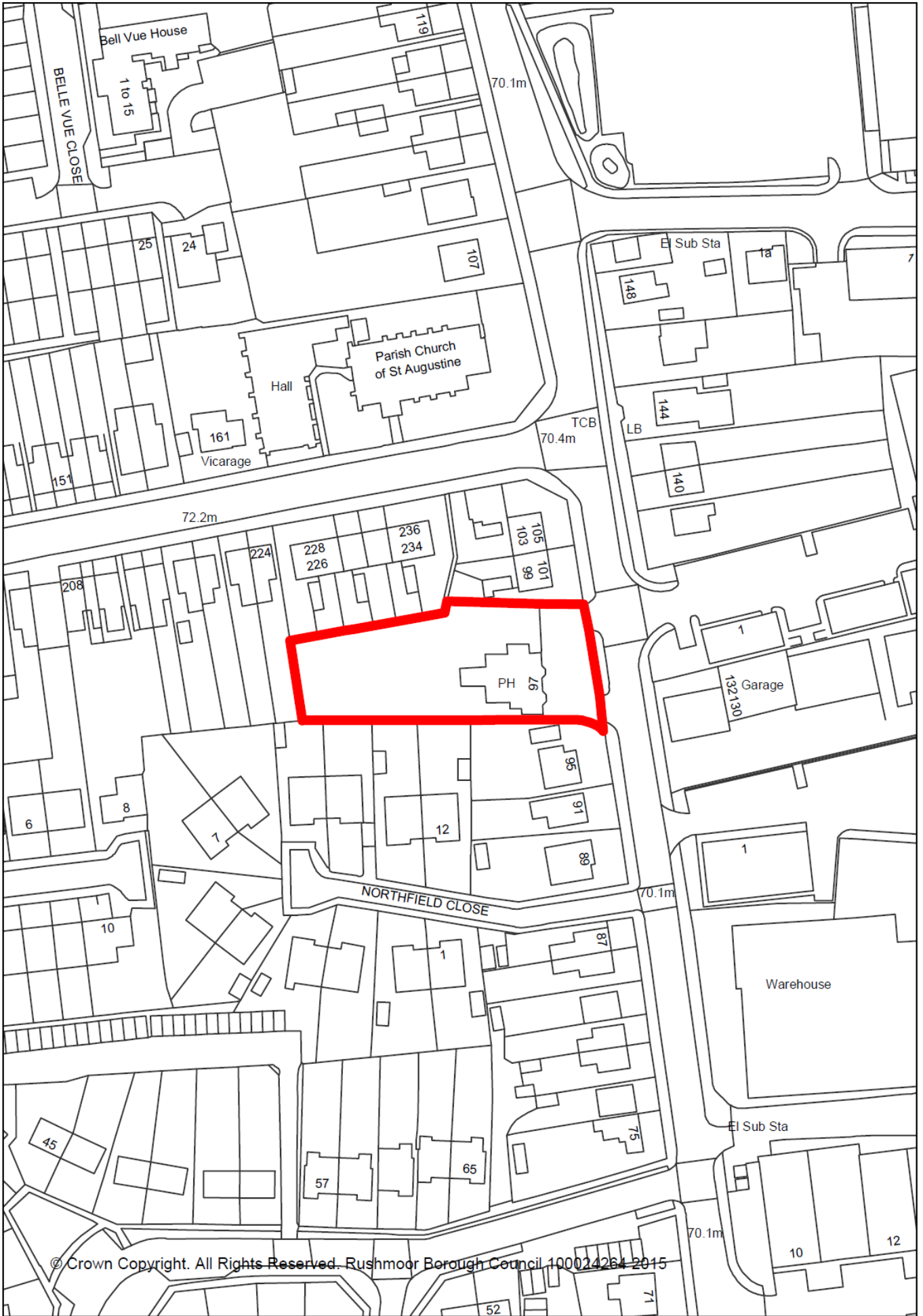
A. Planning permission be **REFUSED** for the following reason:-

1 It has not been satisfactorily demonstrated that there is no longer term need for the Public House and that alternative Public Houses are readily accessible to meet the needs of the community in the vicinity in accordance with the requirements of the Council's "Development Affecting Public Houses" Supplementary Planning Document formally adopted by the Council's Cabinet on 2 June 2015. The proposed development would thereby result in the unjustified loss of a community facility contrary to Government Planning Policy and Guidance and also Policy CP10 of the Rushmoor Core Strategy (November 2011).

B. In the event that a satisfactory completed s106 Unilateral Undertaking securing Special Protection Area mitigation and Public Open Space contributions is not received by 17 September 2015 at the latest, the application also be refused with the following additional reasons:-

2 The proposal fails to make provision for an appropriate Special Protection Area Mitigation and Avoidance contribution towards the Hawley Meadows suitable accessible natural green space, or strategic access management measures in order to address the impact of the proposed development upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposal is thereby contrary to the requirements of Policies CP13 and CP15 of the Rushmoor Core Strategy adopted October 2011.

3 The proposals do not make provision for public open space in accordance with the requirements of Policies CP11 and CP12 of the Rushmoor Core Strategy adopted October 2011, saved Local Plan Policies OR4 and OR4.1; and the Council's continuing Interim Advice Note (dated August 2000 and updated July 2006) "Financial Contributions towards Provision of Open Space in Association with New Housing Development".





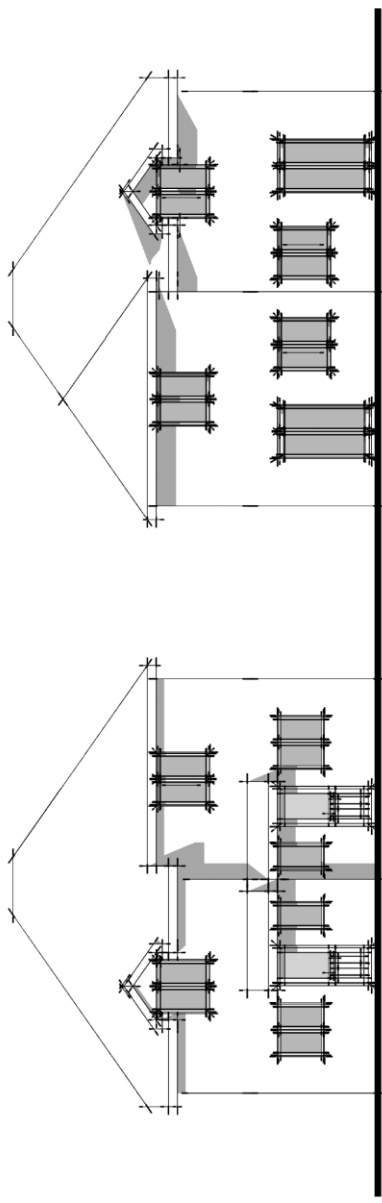
Summyside Captains Green Road
 Telephone 01904 564032
 www.summysidearchitects.co.uk
 Client

Project	Mr G Boulden
Site plan	Six dwellings at 97 North Lane, Aldershot
June 2015	1:200 @ A3
A546/510	

Houses 1 - 4
 Floor area each house 72 sq m
 Ground floor 36 sq m
 First floor 36 sq m
 built-in storage 2.14sq m
 Technical Housing Standards 2015
 space requirement 2b3p min. 70 + 2 = 72 sq m

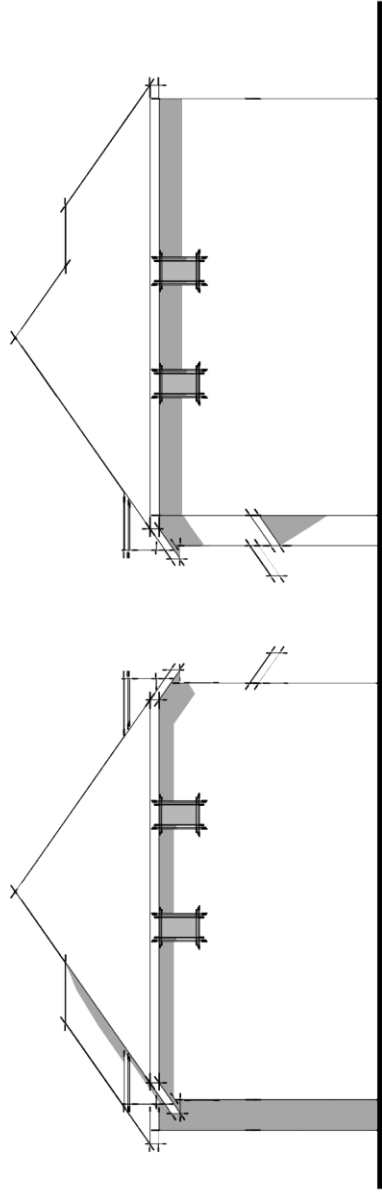
Houses 5 & 6
 Floor area each house 96.9 sq m
 Ground floor 45.5 sq m
 First floor 51.4 sq m
 built-in storage sq m 2.92 sq m
 Technical Housing Standards 2015
 space requirement 3b5p min. 93 + 2.5 = 95.5 sq m





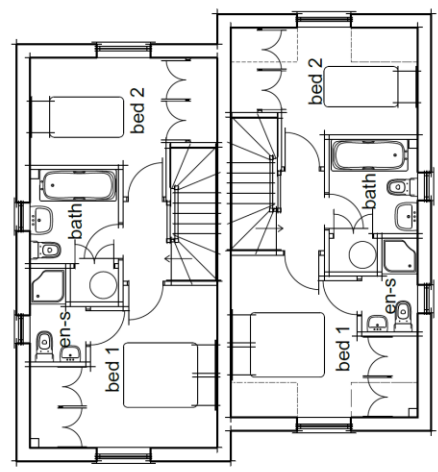
REAR

FRONT

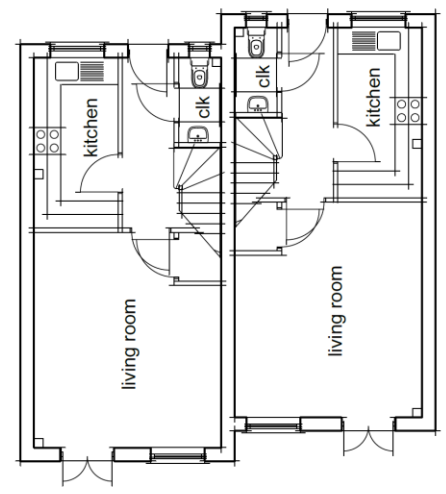


SIDE

SIDE



FIRST FLOOR



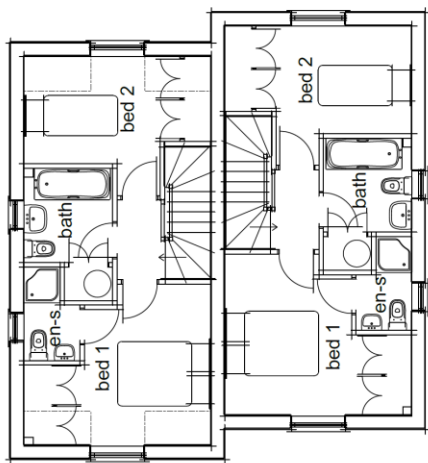
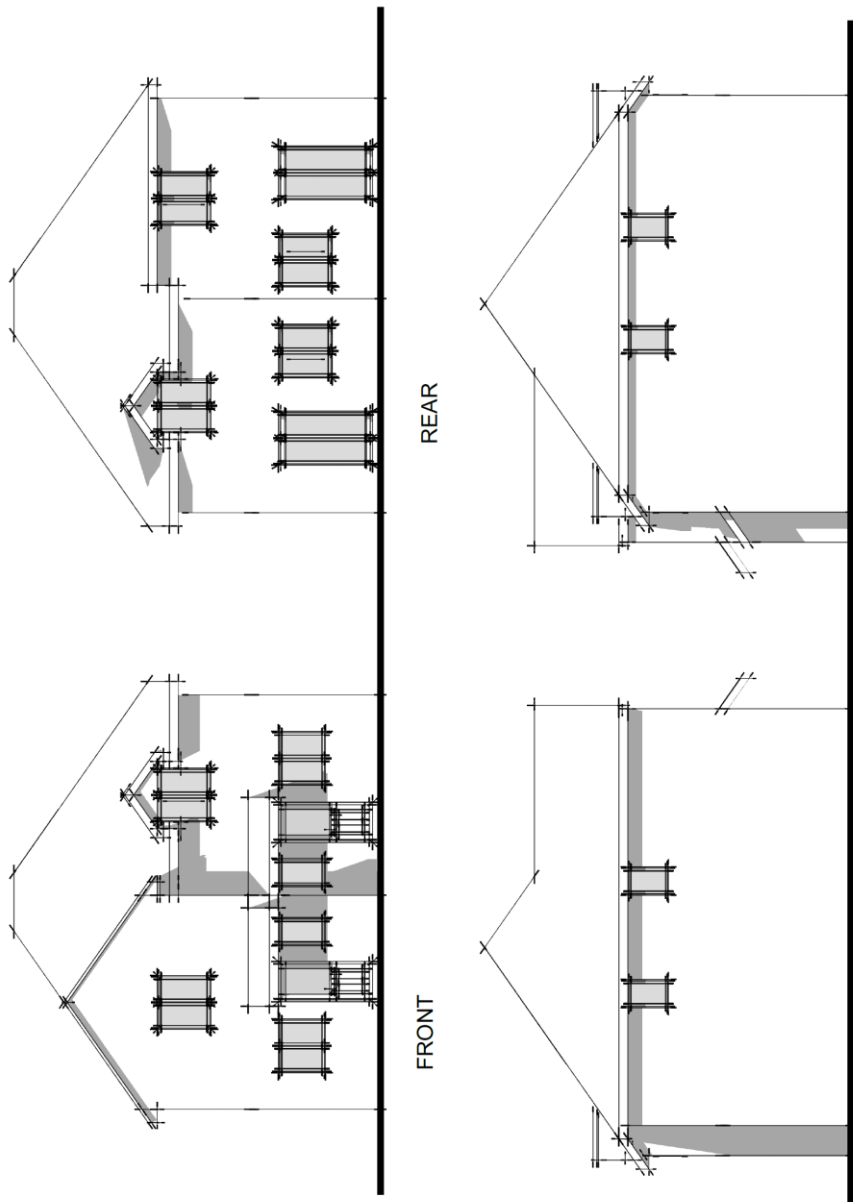
GROUND FLOOR

APS Architects
 Summyside Captains Green Road
 Telephone 01534 544022
 97 North Lane, Aldershot
 Hampshire GU11 1JH
 Email: info@apsarchitects.co.uk

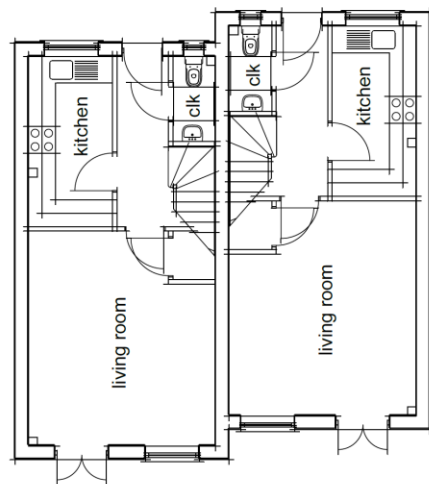
Client	Mr G Boulden
Project	Six dwellings at 97 North Lane, Aldershot
	Houses 1 & 2
June 2015	1:100 @ A3
A546/515	

Houses 1 - 4
 Floor area each house 72 sq m
 Ground floor 36 sq m
 First floor 36 sq m
 built-in storage 2, 14sq m
 Technical Housing Standards 2015
 space requirement 2b5p min. 70 + 2 = 72 sq m





FIRST FLOOR



GROUND FLOOR

Houses 1 - 4
 Floor area each house 72 sq m
 Ground floor 36 sq m
 First floor 36 sq m
 built-in storage 2,14sq m
 Technical Housing Standards 2015
 space requirement 2b5p min. 70 + 2 = 72 sq m



AMS Architects
 Summyside Captains Green Road
 Telephone 01534 594023
 Email summyside@architects.co.uk
 Yorkley Lydney GL15 4TW

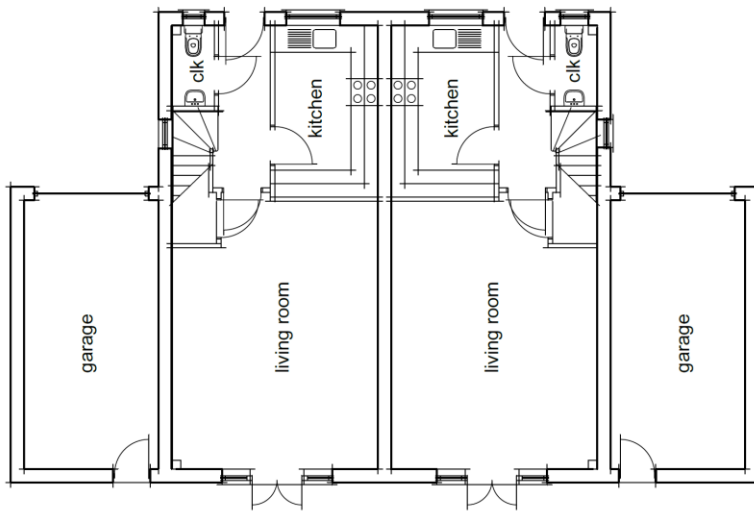
Client: Mr G Bouden

Project: Six dwellings at 97 North Lane, Aldershot

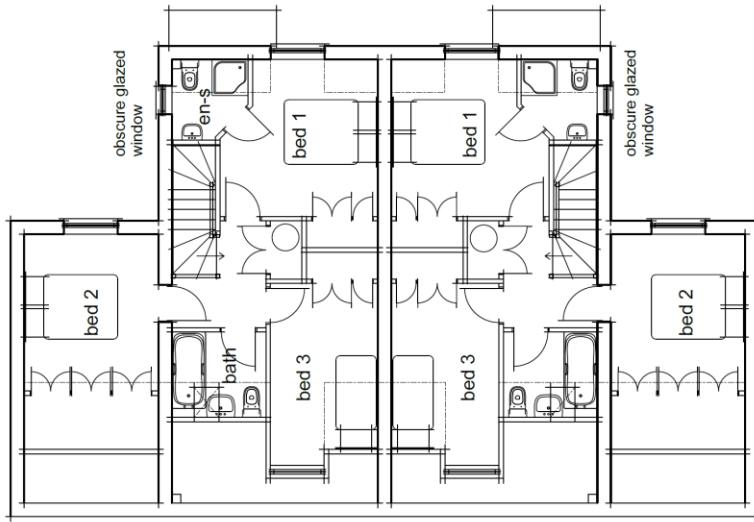
Houses 3 & 4

June 2015 1:100 @ A3

A546/516 ©



GROUND FLOOR



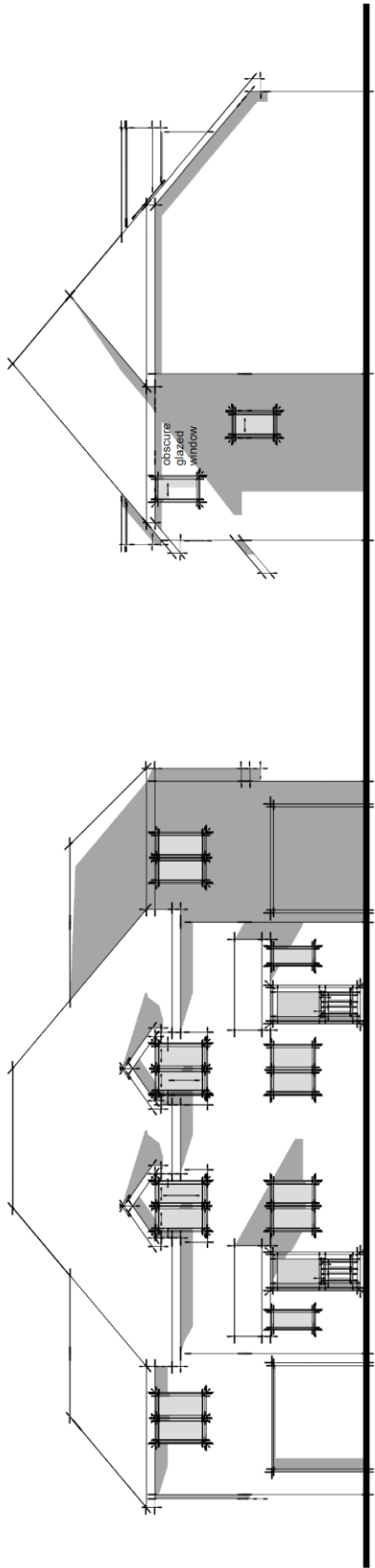
FIRST FLOOR

Houses 5 & 6
 Floor area each house 96.9 sq m
 Ground floor 45.5 sq m
 First floor 51.4 sq m
 built-in storage sq m 2.92 sq m
 Technical Housing Standards 2015
 space requirement 365p min. 93 + 2.5 = 95.5 sq m

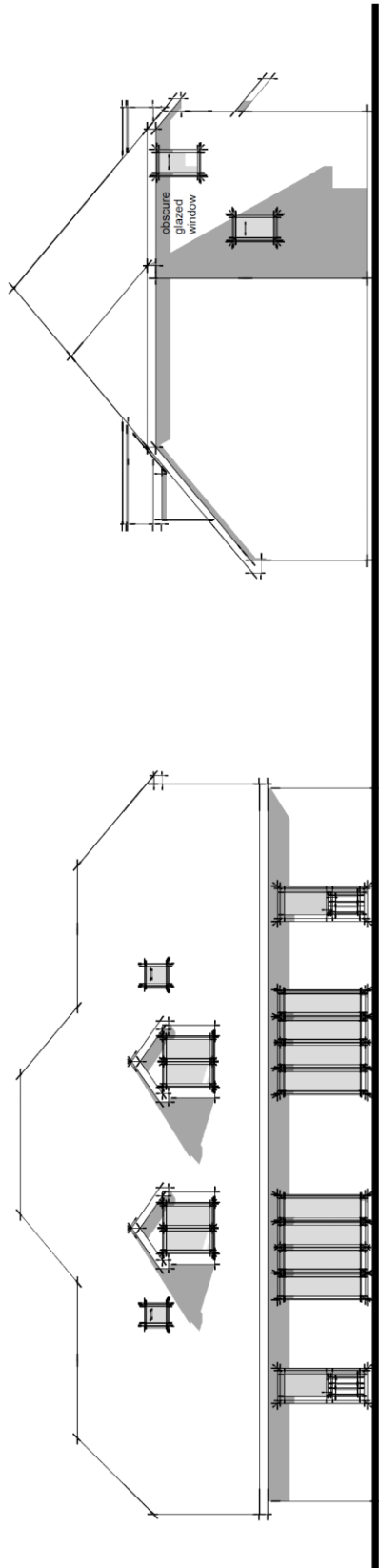


Summyside Captains Green Road
 Yorkley, Lyrday, CL15 4TW
 email: summyside@aosarchitects.co.uk

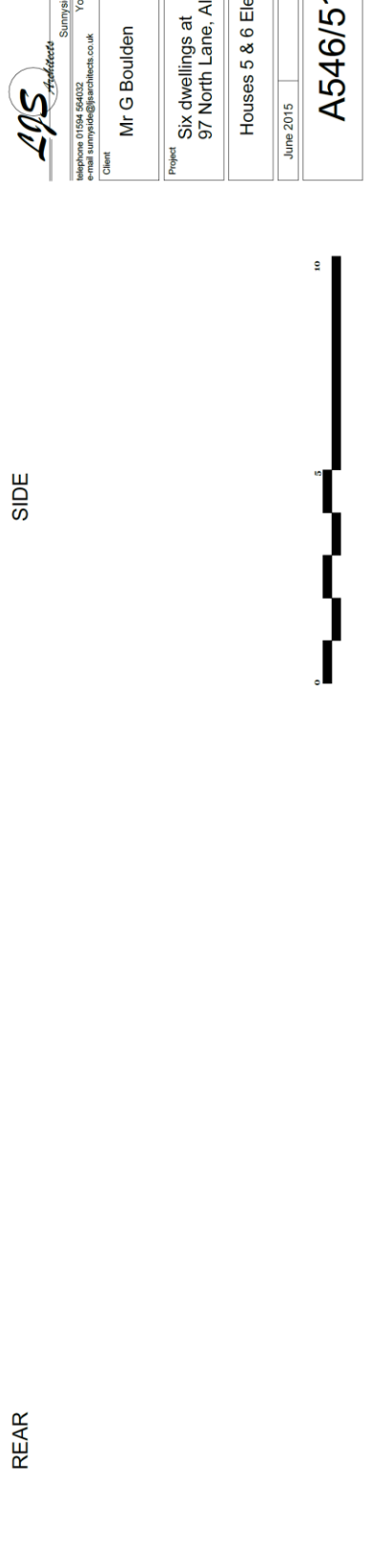
Client	Mr G Boulden
Project	Six dwellings at 97 North Lane, Aldershot
	Houses 5 & 6 Plans
June 2015	1:100 @ A3
	A546/517



FRONT



SIDE

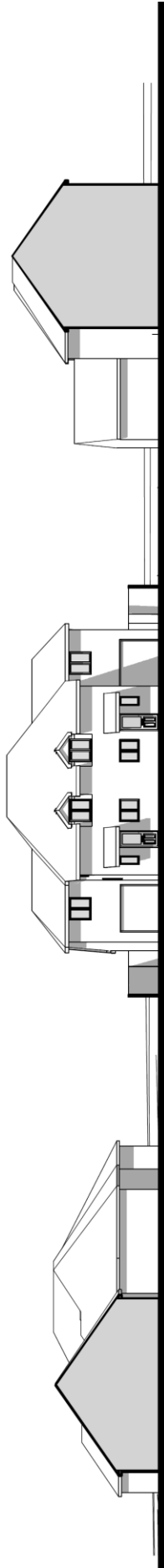


REAR

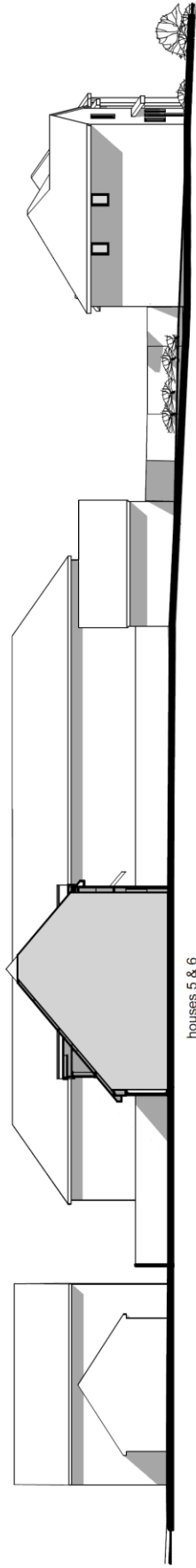


Sunnyside Captains Green Road
 Weymouth DT96 5EJ
 01949 864003
 info@lpsarchitects.co.uk

Client	Mr G Boulden
Project	Six dwellings at 97 North Lane, Aldershot
	Houses 5 & 6 Elevations
June 2015	1:100 @ A3
A546/518	
©	



Site section A



Site section B



Sunnyside Captains, Green Road
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 Client

Mr G Boulden

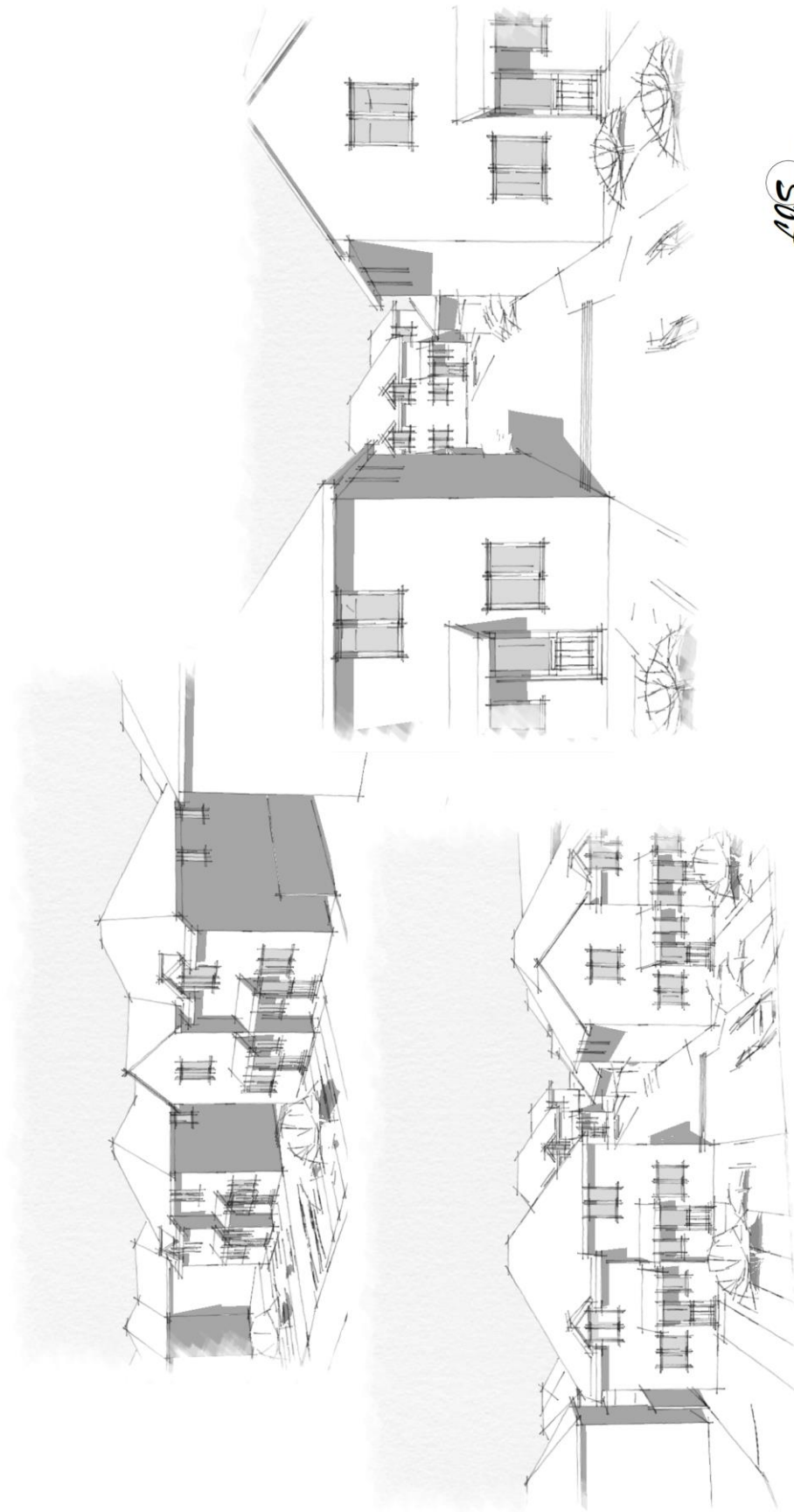
Project
 Six dwellings at
 97 North Lane, Aldershot

Site sections

June 2015 1:200 @ A3

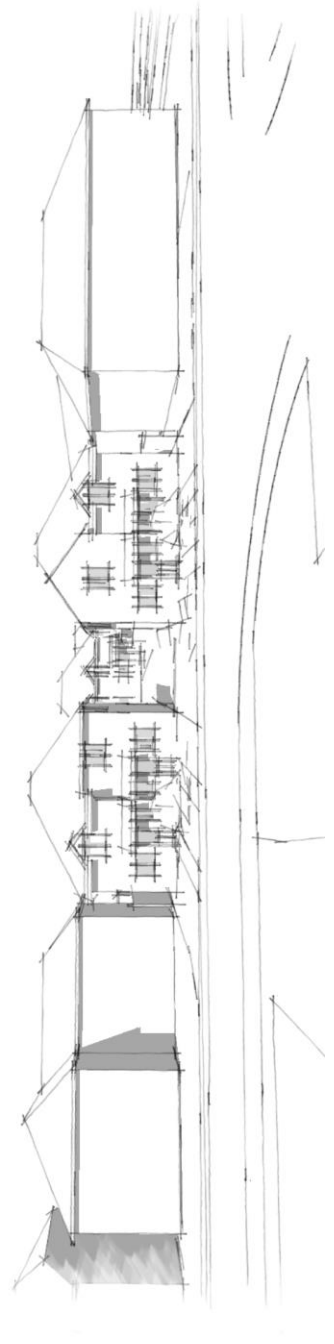
A546/512





Sunnyside Captains Green Road
Yorkley Lydney GL15 4TW
www.lpsarchitects.co.uk
info@lpsarchitects.co.uk

Client	Mr G Boulden
Project	Six dwellings at 97 North Lane, Aldershot
	Sketches
June 2015	A3
A546/520 ©	



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	14/00176/CONDPP	Ward: Knellwood
Applicant:	National Tyre Service Limited	
Decision:	Conditions details approved	Decision Date: 1st September 2015
Proposal:	Submission of details pursuant to Condition 4 (ventilation system) attached to Planning Permission 13/00731/REVPP dated 20th December 2013 at 98 Farnborough Road Farnborough Hampshire GU14 6TN	
Application No	14/00674/LBC2	Ward: Wellington
Applicant:	Annington Property Limited	
Decision:	Permission Granted	Decision Date: 20th August 2015
Proposal:	Listed Building Consent for internal and external alterations associated with the conversion of the buildings to provide twelve 2- bedroom and five 1-bedroom apartments with access, car parking and landscaping. at Union Buildings Hospital Hill Aldershot Hampshire	
Application No	14/00712/NMA	Ward: Wellington
Applicant:	Annington Property Ltd	
Decision:	Permission Granted	Decision Date: 10th August 2015
Proposal:	Non Material Amendment in respect of internal and external alterations to the buildings in respect of planning permission 12/00611/FUL dated 9 January 2013. at Union Buildings Hospital Hill Aldershot Hampshire	

Application No	14/00740/CONDPP	Ward: Wellington
Applicant:	Annington Property Ltd	
Decision:	Conditions details approved	Decision Date: 20th August 2015
Proposal:	Submission of details pursuant to conditions 3 (flues), 4(i) (internal and external facing and roofing materials), 4(ii) (internal and external plaster and render mixes), 4(iii) (doors and windows), 4(iv) (elevations and staircase), 4(v) (rooflights), 4(vi) (rainwater goods), 4 (vii) (repointing and mortar mix), 4(viii) (setback of windows/doors), 4(ix) (vents/wall ventilators), 4(x) (insulation), 5 (surfacing materials), 6 (levels), 7 (screen walls and fencing), 8 (refuse storage), 13 (landscaping), 14 (cycle storage) and 15 (tree and hedge protection) pursuant to planning permission 12/00611/FUL dated 9 January 2013. at Union Buildings Hospital Hill Aldershot Hampshire	
Application No	15/00101/COND	Ward: St Mark's
Applicant:	Domus Living	
Decision:	Conditions details approved	Decision Date: 25th August 2015
Proposal:	Submission of details to comply with conditions 4 (car parking), 5 (refuse and cycle storage) and 6 (amenity space) attached to planning permission 14/00063 dated 4 April 2014 at Development Site At 203 - 205 Lynchford Road Farnborough Hampshire	
Application No	15/00106/COND	Ward: Fernhill
Applicant:	Bellway Homes (Thames Valley)	
Decision:	Conditions details approved	Decision Date: 28th August 2015
Proposal:	Submission of details to comply with conditions 2 (external materials), 8 (construction method statement) and 15 (Code Level 4 for Sustainable Homes) attached to planning permission 14/00014/FUL allowed on appeal dated 7 January 2015, for the demolition of the existing part built structures and erection of 150 dwellings, construction of internal roads, provision of open space, school parking area, landscaping and associated infrastructure, formation of a new access onto Sandy Lane and closure of the existing access from the Minley Road roundabout except for emergency vehicles at Land At Guillemont Park Sun Park Minley Road Farnborough Hampshire	

Application No	15/00109/COND	Ward: Fernhill
Applicant:	Bellway Homes (Thames Valley)	
Decision:	Conditions details approved	Decision Date: 28th August 2015
Proposal:	Submission of details to comply with conditions 9 (landscaping), 11(phasing plan - unallocated parking), 16 (noise mitigation measures) and 20 (arboricultural method statement) attached to planning permission 14/00014/FUL, allowed on appeal 7 January 2015 for the demolition of the existing part built structures and erection of 150 dwellings, construction of internal roads, provision of open space, school parking area, landscaping and associated infrastructure, formation of a new access onto Sandy Lane and closure of the existing access from the Minley Road roundabout except for emergency vehicles at Land At Guillemont Park Sun Park Minley Road Farnborough Hampshire	
Application No	15/00141/FULPP	Ward: St Mark's
Applicant:	Mr Martin Lazenby	
Decision:	Permission Granted	Decision Date: 24th August 2015
Proposal:	Erection of two storey side extension and open sided porch canopy extending across full width of property at 109 York Road Farnborough Hampshire GU14 6NQ	
Application No	15/00321/CONDPP	Ward: Cherrywood
Applicant:	Chancerygate	
Decision:	Conditions details approved	Decision Date: 11th August 2015
Proposal:	Submission of details pursuant to Condition No.17 (tree protection measures) of planning permission 14/00572/FUL granted 24 October 2014 at Land At 72 Hawley Lane Farnborough Hampshire	
Application No	15/00376/FULPP	Ward: Knellwood
Applicant:	P. Davey Developments	
Decision:	Permission Granted	Decision Date: 20th August 2015
Proposal:	Proposed change of use from residential dwelling to four flats (2 X 2-bedroom and 2 X 1-bedroom) with associated parking and amenity space at 141 - 143 Alexandra Road Farnborough Hampshire GU14 6RR	

Application No	15/00407/FULPP	Ward: St Mark's
Applicant:	Red Hot Investing Ltd	
Decision:	Permission Granted	Decision Date: 28th August 2015
Proposal:	Demolition of existing commercial premises and erection of ten flats comprising 7 one-bedroom and 3 two-bedroom flats with associated car parking, bicycle and refuse storage and new access onto Queens Road at 13 - 15 Queens Road Farnborough Hampshire	
Application No	15/00419/FUL	Ward: Empress
Applicant:	Mr Steve Leah	
Decision:	Permission Granted	Decision Date: 11th August 2015
Proposal:	Cladding of front of building in black composite aluminium and erection of canopy over front door at Shieling House 30 Invincible Road Farnborough Hampshire	
Application No	15/00420/ADV	Ward: Empress
Applicant:	Mr Steve Leah	
Decision:	Permission Granted	Decision Date: 12th August 2015
Proposal:	Display of two internally illuminated free-standing signs with AO poster panel to front of building and high level internally illuminated on front elevation of building at Shieling House 30 Invincible Road Farnborough Hampshire	
Application No	15/00447/CONDPP	Ward: St Mark's
Applicant:	Mr C Walker	
Decision:	Conditions details approved	Decision Date: 21st August 2015
Proposal:	Submission of details pursuant to Conditions 6 (boundary treatments) 8 (cycle storage) and 9 (SUDS) attached to Planning Permission 14/00746/FULPP dated 1st December 2014 at 11 Gordon Road Farnborough Hampshire GU14 6HN	
Application No	15/00452/ADVPP	Ward: Wellington
Applicant:	Dixons Car Phone - Mr John Armitage	
Decision:	Split decision	Decision Date: 14th August 2015
Proposal:	Continued display of internally illuminated fascia sign and internally illuminated projecting sign at 10 Union Street Aldershot Hampshire GU11 1EG	

Application No	15/00465/COND	Ward: Rowhill
Applicant:	First Wessex	
Decision:	Conditions details approved	Decision Date: 10th August 2015
Proposal:	Submission of details pursuant to Condition Nos.3 (external materials), 4 (surfacing materials), 5 (levels), 6 (boundary enclosure details), 10 (operatives parking and turning during the construction period), 11 (landscaping scheme), 14 (site investigation), 16 (SUDS drainage details) of planning permission 15/00046/FULPP granted 2 April 2015 and Condition No.2 (sustainability details) of planning permission 15/00362/REVPP granted 24 July 2015 at 85 - 86 Alexandra Road Aldershot Hampshire	
Application No	15/00460/FULPP	Ward: Cherrywood
Applicant:	Mr R Walls	
Decision:	Permission Granted	Decision Date: 28th August 2015
Proposal:	Erection of a detached 3-bedroom house following demolition of existing outbuildings at Land To Rear Of 39 Meadow Road Farnborough Hampshire	
Application No	15/00464/TPO	Ward: Knellwood
Applicant:	Mr Jaimie Russo	
Decision:	Permission Granted	Decision Date: 19th August 2015
Proposal:	One Oak (part of group G2 of TPO 396A) reduce over extended limbs on upper canopy by no more than 2 metres and crown lift to no more than 5 metres from ground level. One Beech (part of group G2 of TPO 396A) crown thin by 15% and crown lift to no more than 5 metres from ground level. One Horse Chestnut (T5 of TPO 396A) crown thin by 15% and crown lift to no more than 5 metres from ground level at 52 Cedar Road Farnborough Hampshire GU14 7AX	
Application No	15/00466/CONDPP	Ward: Cherrywood
Applicant:	AG Frimley GP Limited On Behalf Of AG Investream Frimley LLP	
Decision:	Conditions details approved	Decision Date: 21st August 2015
Proposal:	Submission of details to comply with conditions 2 (external materials), 3 (surfacing materials), 4 (levels) , 5 (boundary treatment), 8 (construction method statement), 9 (landscaping) and 19 (lighting strategy) attached to planning permission 13/00938/FULPP dated 25 April 2014 at Buildings 4.5 To 4.10 Frimley Business Park Frimley Camberley	

Application No	15/00467/TPO	Ward: Fernhill
Applicant:	Stuart Shepherd Acting For The Occupant	
Decision:	Permission Granted	Decision Date: 19th August 2015
Proposal:	Oak (T1 of TPO 284) reduce lateral spread by no more than 3 metres and reduce upper crown by no more than 2 metres at 140 Sandy Lane Farnborough Hampshire GU14 9JQ	
Application No	15/00477/FULPP	Ward: Cove And Southwood
Applicant:	Mr P Howard	
Decision:	Permission Granted	Decision Date: 20th August 2015
Proposal:	Erection of a single storey rear extension at 22 Southwood Road Farnborough Hampshire GU14 0JQ	
Application No	15/00480/FULPP	Ward: Wellington
Applicant:	Enterprise Rent-A-Car UK Ltd	
Decision:	Permission Granted	Decision Date: 27th August 2015
Proposal:	Installation of 4 grilled louvres at fifth and sixth floors on the north and west elevations at Fifth And Sixth Floors Victoria House Victoria Road Aldershot	
Application No	15/00488/TPOPP	Ward: West Heath
Applicant:	Mr Andy Jenkinson	
Decision:	Permission Granted	Decision Date: 27th August 2015
Proposal:	Oak (T7 of TPO 437) Crown thin by no more than 20% , remove deadwood and crown reduce by no more than 4 metres at 37 Brewers Close Farnborough Hampshire GU14 8NR	
Application No	15/00493/TPOPP	Ward: St John's
Applicant:	Mr Luke Miller	
Decision:	Permission Granted	Decision Date: 26th August 2015
Proposal:	Fell one Sweet Chestnut (T26 of TPO 355A) at 52 Kingfisher Close Farnborough Hampshire GU14 9QX	

Application No	15/00496/LBC2	Ward: Wellington
Applicant:	Grainger (Aldershot) Limited And Secretary Of State	
Decision:	Permission Granted	Decision Date: 28th August 2015
Proposal:	LISTED BUILDING CONSENT: Demolition of ancillary buildings (Building 24A - Eye and Dental Clinic and Building 24B - Laundry and Incinerator) to Cambridge Military Hospital (Phase 3 demolition). at Cambridge Military Hospital Hospital Road Aldershot Hampshire	
Application No	15/00494/FULPP	Ward: West Heath
Applicant:	Mr & Mrs Lee Dolton	
Decision:	Permission Granted	Decision Date: 14th August 2015
Proposal:	Erection of a two storey side and rear extension with an attached single garage at 29 Birchett Road Farnborough Hampshire GU14 8RF	
Application No	15/00502/TPO	Ward: St John's
Applicant:	Mr John Clarkson	
Decision:	Permission Granted	Decision Date: 1st September 2015
Proposal:	Scots Pine (1 on plan) fell, Scots Pine (2 on plan) canopy reduction of no more than 8 feet, Scots Pine (3 on plan) fell, Scots Pine (4 on plan) remove lower hanging branch. All trees are part of group G8 of TPO 358A at 29 The Birches Farnborough Hampshire GU14 9RP	
Application No	15/00497/TPOPP	Ward: Cove And Southwood
Applicant:	Mr Alan Wise	
Decision:	Permission Granted	Decision Date: 2nd September 2015
Proposal:	Three Oaks (part of G1 of TPO 98) on boundary of 63 and 65 Southwood Road, reduce side limbs by no more than 3 metres and reduce crown height by no more than 2 metres and remove deadwood at Land Affected By TPO 98 Southwood Road Farnborough Hampshire	
Application No	15/00498/FULPP	Ward: Wellington
Applicant:	Mr Anthony Dougherty	
Decision:	Permission Granted	Decision Date: 27th August 2015
Proposal:	Conversion of vacant office to two-bedroom ground floor flat (alternative to conversion permitted by planning permission 14/00947/FULPP dated 11 February 2015) at 117 High Street Aldershot Hampshire GU11 1TT	

Application No	15/00501/FULPP	Ward: Rowhill
Applicant:	Mr Simon Ash	
Decision:	Permission Granted	Decision Date: 19th August 2015
Proposal:	Erection of first floor rear extension, single storey front extension and enlargement of existing detached garage and replacement of workshop at 15 Rowhill Avenue Aldershot Hampshire GU11 3LU	
Application No	15/00503/EDC	Ward: St Mark's
Applicant:	Mr Bruce Rathod	
Decision:	Development is Lawful	Decision Date: 1st September 2015
Proposal:	CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT: Formation of box dormer with Juliet balcony within rear roof elevation, insertion of two roof lights within front roof elevation and insertion of two side-facing windows within the flank wall at 36 Somerset Road Farnborough Hampshire GU14 6DP	
Application No	15/00508/FULPP	Ward: Manor Park
Applicant:	Mr Binai Gurung	
Decision:	Permission Granted	Decision Date: 14th August 2015
Proposal:	Proposed part first floor and single storey rear extension. at 24 St Georges Road Aldershot Hampshire GU12 4LD	
Application No	15/00516/LBC1	Ward: Cherrywood
Applicant:	Dr Clarence Chikasu	
Decision:	Permission Granted	Decision Date: 2nd September 2015
Proposal:	Listed Building Consent Replacement of roof tiles and guttering, new door and window, replacement of second door with window and brickwork at 389 Farnborough Road Farnborough Hampshire GU14 8BA	
Application No	15/00522/FUL	Ward: St John's
Applicant:	Mr Butler	
Decision:	Permission Granted	Decision Date: 14th August 2015
Proposal:	Erection of single storey side and rear extension at 81 Cripsey Road Farnborough Hampshire GU14 9QB	

Application No	15/00524/COND	Ward: Fernhill
Applicant:	Mr R Elvin	
Decision:	Conditions complied with	Decision Date: 12th August 2015
Proposal:	Submission of details pursuant to Condition No. 2 (Arboricultural Method Statement and Scheme of arboricultural supervision) of planning permission 14/00419/FUL dated 23rd July 2014 at 34 The Potteries Farnborough Hampshire GU14 9JR	
Application No	15/00544/FUL	Ward: Knellwood
Applicant:	Mr And Mrs Dimmick	
Decision:	Permission Granted	Decision Date: 18th August 2015
Proposal:	Erection of part two storey and part single storey side and rear extension at 63 Fellows Road Farnborough Hampshire GU14 6NU	
Application No	15/00533/FULPP	Ward: Fernhill
Applicant:	Mr Ben Stentiford	
Decision:	Permission Granted	Decision Date: 12th August 2015
Proposal:	Erection of two storey side extension at 27 Malvern Road Farnborough Hampshire GU14 9JJ	
Application No	15/00539/PRIOR	Ward: West Heath
Applicant:	Mr Carl Taylor	
Decision:	Prior Approval Required and Granted	Decision Date: 26th August 2015
Proposal:	PRIOR APPROVAL : Installation of 33 solar panels to south facing roof slope at Cove Bowling Club 53 Horn Road Farnborough Hampshire	
Application No	15/00542/CAT	Ward: Empress
Applicant:	Mr Simon Green	
Decision:	No Objection	Decision Date: 4th September 2015
Proposal:	Carry out remedial tree works as specified at Farnborough Hill School, 312 Farnborough Road, Farnborough within the Farnborough Hill Conservation Area at Farnborough Hill School 312 Farnborough Road Farnborough Hampshire	

Application No	15/00538/FULPP	Ward: Knellwood
Applicant:	Mr Chris Gare	
Decision:	Permission Granted	Decision Date: 18th August 2015
Proposal:	Erection of a two storey rear extension at Old White Lodge 183 Sycamore Road Farnborough Hampshire	
Application No	15/00550/FUL	Ward: Knellwood
Applicant:	Mr R Wiltshire	
Decision:	Permission Granted	Decision Date: 18th August 2015
Proposal:	Erection of a single storey front extension at 87 Avenue Road Farnborough Hampshire GU14 7BG	
Application No	15/00558/FUL	Ward: Cove And Southwood
Applicant:	Mr And Mrs Fabre	
Decision:	Permission Granted	Decision Date: 19th August 2015
Proposal:	Erection of a single storey extension to rear of existing garage at 1 New Dawn Close Farnborough Hampshire GU14 0PD	
Application No	15/00540/CONDPP	Ward: Cherrywood
Applicant:	Chancerygate	
Decision:	Conditions details approved	Decision Date: 10th August 2015
Proposal:	Submission of details pursuant to Condition No.9 (refuse storage and removal details) of planning permission 14/00572/FUL dated 24 October 2014 at Land At 72 Hawley Lane Farnborough GU14 8EH	
Application No	15/00541/CONDPP	Ward: Cherrywood
Applicant:	Chancerygate	
Decision:	Conditions details approved	Decision Date: 10th August 2015
Proposal:	Submission of details pursuant to Condition No.21 (cycle parking details) of planning permission 14/00572/FUL dated 24 October 2014 at Land At 72 Hawley Lane Farnborough GU14 8EH	

Application No	15/00549/CATPP	Ward: Empress
Applicant:	Mr Peter Hawes	
Decision:	No Objection	Decision Date: 4th September 2015
Proposal:	Crown reduce by no more than 2.5 metres and tidy 5 Fir Trees 1,2,3,4,5 as marked on plan, within Farnborough Hill Conservation Area at 52 Chingford Avenue Farnborough Hampshire GU14 8AD	
Application No	15/00551/FULPP	Ward: St John's
Applicant:	Ms Julia Barham Cook	
Decision:	Permission Granted	Decision Date: 20th August 2015
Proposal:	Erection of a conservatory to rear at 15 Chive Court Farnborough Hampshire GU14 9XE	
Application No	15/00552/FULPP	Ward: St John's
Applicant:	Mr & Mrs P Manlow	
Decision:	Permission Granted	Decision Date: 19th August 2015
Proposal:	Erection of a conservatory to rear at 28 Trafalgar Villas Brownsover Road Farnborough Hampshire	
Application No	15/00555/FUL	Ward: Empress
Applicant:	Mr And Mrs Rumbold	
Decision:	Permission Granted	Decision Date: 18th August 2015
Proposal:	Demolition of existing garage and utility room and erection of a single storey front,side and rear extension at 13 Chingford Avenue Farnborough Hampshire GU14 8AB	
Application No	15/00556/FULPP	Ward: Fernhill
Applicant:	Mr & Mrs M Burton	
Decision:	Permission Granted	Decision Date: 24th August 2015
Proposal:	Erection of a single storey rear extension at 29 Blackstone Close Farnborough Hampshire GU14 9JW	

Application No	15/00561/FUL	Ward: Cove And Southwood
Applicant:	Mrs V Jeffryes	
Decision:	Permission Granted	Decision Date: 24th August 2015
Proposal:	Erection of a two storey side extension and detached garage at 15 Brook Gardens Farnborough Hampshire GU14 0DU	
Application No	15/00560/FULPP	Ward: Cove And Southwood
Applicant:	Mr Burton	
Decision:	Development is Lawful	Decision Date: 24th August 2015
Proposal:	Lawful Development Certificate: Formation of 3 dormer windows to rear, insertion of 3 roof lights to front elevation and formation of new window to side elevation to facilitate the conversion of the attic to a habitable room at 41 Wisley Gardens Farnborough Hampshire GU14 0RS	
Application No	15/00565/FULPP	Ward: West Heath
Applicant:	Mr Murphy	
Decision:	Permission Granted	Decision Date: 20th August 2015
Proposal:	Installation of 16 solar panels to roof at 61 Chaucer Road Farnborough Hampshire GU14 8SP	
Application No	15/00583/NMA	Ward: St Mark's
Applicant:	Millstone Homes	
Decision:	Permission Granted	Decision Date: 26th August 2015
Proposal:	Non Material Amendment to planning application 14/00796/FULPP dated 16th January 2015 to allow internal alterations to accommodate lift shaft with associated lift overrun and two additional roof lights at 93 Somerset Road Farnborough Hampshire GU14 6DR	
Application No	15/00567/FULPP	Ward: Knellwood
Applicant:	Mr Pal Dhamrait	
Decision:	Permission Granted	Decision Date: 1st September 2015
Proposal:	Erection of a single storey side and rear extension and partial conversion of garage to habitable room at 3 Clandon Court Farnborough Hampshire GU14 7DT	

Application No	15/00568/FULPP	Ward: Cove And Southwood
Applicant:	Mr & Mrs Hepburn	
Decision:	Permission Granted	Decision Date: 27th August 2015
Proposal:	Erection of single storey rear extension at 29 The Shrubbery Farnborough Hampshire GU14 0RQ	
Application No	15/00569/FUL	Ward: West Heath
Applicant:	Mr Dudzinski	
Decision:	Permission Granted	Decision Date: 4th September 2015
Proposal:	Erection of a front extension at 50 Chaucer Road Farnborough Hampshire GU14 8SP	
Application No	15/00574/FULPP	Ward: Aldershot Park
Applicant:	Mr Noel Loughrey	
Decision:	Permission Granted	Decision Date: 1st September 2015
Proposal:	Erection of a part two storey, part single storey side and rear extension and detached double garage at 2 Whyte Avenue Aldershot Hampshire GU12 4AD	
Application No	15/00587/FUL	Ward: West Heath
Applicant:	Mr T Fuller	
Decision:	Permission Granted	Decision Date: 28th August 2015
Proposal:	Erection of a single storey rear extension following removal of existing rear extension at 111 Cheyne Way Farnborough Hampshire GU14 8SA	
Application No	15/00578/CONDPP	Ward: North Town
Applicant:	Mr Mohammed Choudhary	
Decision:	Conditions details approved	Decision Date: 19th August 2015
Proposal:	Submission of details for approval pursuant to Conditions 4 (Surfacing materials) , 5 (Sustainable Homes), 6 (Sustainable Urban Drainage Systems), 7 (Ground and floor levels, etc), Condition 8 (Boundary treatments), and condition 9 (Landscaping) of planning permission 12/00273/FUL for erection of an attached three bedroom house with new access and parking and associated alterations at 10 St Augustines Close Aldershot Hampshire GU12 4SF	

Application No	15/00584/FULPP	Ward: St John's
Applicant:	Anne Martin	
Decision:	Permission Granted	Decision Date: 1st September 2015
Proposal:	Erection of a single storey rear extension and part two storey side and rear extension at 19 Chiltern Avenue Farnborough Hampshire GU14 9SE	
Application No	15/00595/COND	Ward: St John's
Applicant:	Fidler And Pepper	
Decision:	Application Withdrawn	Decision Date: 27th August 2015
Proposal:	Confirmation that conditions attached to outline planning permission 02/00067/OUT dated 16 June 2003 in respect of the demolition of existing housing and redevelopment for new mixed residential purposes and construction of new community hall have been complied with. at 22 Maple Avenue Farnborough Hampshire GU14 9UR	
Application No	15/00593/FUL	Ward: St Mark's
Applicant:	Mr P Raeburn	
Decision:	Permission Granted	Decision Date: 28th August 2015
Proposal:	Retention of a wooden cycle locker in front garden at 9 Yeovil Road Farnborough Hampshire GU14 6LB	
Application No	15/00599/FULPP	Ward: Manor Park
Applicant:	Mr & Mrs J Haslett	
Decision:	Permission Granted	Decision Date: 1st September 2015
Proposal:	Retention of rear conservatory at 6 Ayjay Close Aldershot Hampshire GU11 3TW	
Application No	15/00603/REXP	Ward: Manor Park
Applicant:	Mrs V Pepper	
Decision:	Prior approval is NOT required	Decision Date: 4th September 2015
Proposal:	Erection of a single storey rear extension measuring 6 metres deep x 2.2 metres to the eaves x 4 metres high at 41 Highfield Gardens Aldershot Hampshire GU11 3DB	

Application No	15/00633/ADJ	Ward:
Applicant:	Surrey Heath Borough Council	
Decision:	No Objection	Decision Date: 4th September 2015
Proposal:	Consultation from Surrey Heath Borough Council in respect of a variation to condition 35 pursuant to planning permission 12/0546 (Hybrid planning application for residential led development totalling 1,200 new dwellings) to permit the residential units to attain Code 4 of the Code for Sustainable Homes (or equivalent national standard) as opposed to attaining level 4 and level 5 for CO2 reduction and water efficiency measures at Princess Royal Barracks Brunswick Road Deepcut Camberley	
Application No	15/00644/NMA	Ward: Wellington
Applicant:	Mr Krishna Gurung	
Decision:	Permission Granted	Decision Date: 25th August 2015
Proposal:	Non Material Amendment to planning application 14/00946/FULPP dated 6th February 2015 to allow front door alterations and amended stall-riser material at 38 Station Road Aldershot Hampshire GU11 1HT	
Application No	15/00653/COND	Ward: Manor Park
Applicant:	Natta Homes Ltd.	
Decision:	Conditions details approved	Decision Date: 27th August 2015
Proposal:	Submission of details pursuant to Condition No.17 (sustainability rating certification) of planning permission 13/00869/FULPP dated 6 February 2014 at Derelict Land - Former East End School Site Mount Pleasant Road Aldershot Hampshire	

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 1 177 Ash Road, Aldershot

Item 2 19 Whittle Crescent, 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	177 Ash Road, Aldershot
Alleged Breach	Unauthorised change of use of commercial space into residential accommodation.
Recommendation	ENFORCEMENT NOTICE be served.

Description

No.177 Ash Road is located in a corner position at the traffic-light controlled junction of Ash Road, Lower Newport Road and Lower Farnham Road. The building was originally mainly two-storey, but has been added to with a variety of extensions. It is located opposite the new Sainsbury convenience store constructed on the site of the former Prince of Wales public house, and diagonally opposite the Vauxhall car dealership on Lower Farnham Road.

No.177 Ash Road is 'Star Kebabs', a long-established hot food takeaway located in the middle of the ground floor of the building. To the east side of this is a sub-divided area of the building with lawful planning use as a separate hot food takeaway shop on the ground floor and with storage space above to be used ancillary to the ground floor commercial premises. No.177a Ash Road is located to the west side of 'Star Kebabs' and is also understood to be in the same ownership and is currently in use as a hairdressers, but was until recently used as a café. There is also a self-contained residential one-bedroom flat located on the first floor of the building, No.177c.

There is a small hard-surfaced parking area to the rear of the building with access from Lower Newport Road. There is also a hard-surfaced forecourt area to the front off Ash Road, although this provides limited on-site parking opportunities due to its position alongside the traffic-light junction.

Alleged breach

Complaints have been received that the eastern takeaway premises are being occupied residentially, in the form of a pair of studio units on the ground floor and with a further flat in the ancillary storage space on the first floor above.

Investigation

Inspection of the property confirmed the nature of the complaints and the property owner was advised that the residential conversion of the premises was unauthorised. In response the owner advised that they would be submitting a planning application seeking the extension and residential conversion of the relevant parts of the property, in effect seeking a retrospective planning permission for residential use, albeit in a slightly different form and layout within the building.

In this respect, a planning application (15/00427/FULPP) was submitted in early June 2015 for the following proposals: Erection of first floor extensions to front, side and

rear and external alterations to facilitate conversion of cafe to 1 x 1-bed flat, storage space above into 1 x 1-bed flat, and enlargement of existing first floor flat from 1 to 3-bedroom size with enclosed first floor roof terrace. This application was declared invalid on 7 July 2015 because of material inaccuracies in the plans. Although the applicant's agent has advised that work is afoot to prepare corrected plans, this work has not, to date, been completed and no corrected plans have been submitted to the Council with which to validate the application.

Commentary

The principle of the residential conversion of these premises is considered acceptable in principle. However such residential conversions would be granted planning permission subject to conditions to secure and retain various provisions in the interests of the amenities of the area, the amenities of neighbours, highway safety etc. In this case this would involve the provision, allocation and retention of parking spaces, and provision and retention of bin storage. This is not possible in the circumstances of this site and the unauthorised development in question since there are no means to impose the requisite conditions to render the proposals acceptable in planning terms.

The unauthorised nature of the residential conversion means that none of the usual s106 financial contributions have been secured, most notably including the contribution for Special Protection Area mitigation and avoidance. Without this contribution being secured with an allocation of SPA mitigation capacity made available to support the dwelling units created, the unauthorised development is fundamentally unacceptable and in conflict with the Habitats Regulations, Government planning policy and guidance and adopted Development Plan policy. It is considered that there would also be a requirement for a Public Open Space contribution in this case. These matters are therefore considered to be grounds for serving an Enforcement Notice.

Full recommendation

It is recommended that an **ENFORCEMENT NOTICE** be served to require the cessation of the unauthorised material change of use of the land for residential use with a period of 6 months for compliance for the following draft reasons:-

- 1 The unauthorised development intensifies the use of the property and is provided with inadequate and unsatisfactory on-site parking to meet its functional needs in a vicinity of limited on-street parking opportunities. The proposed residential would thereby be likely to attract indiscriminate, dangerous and obstructive parking in the streets nearby to the detriment of the safety and convenience of highway users. The proposal is thereby unacceptable contrary to the NPPF and adopted Rushmoor Core Strategy Policies CP2 and CP16.
- 2 The unauthorised development is provided with inadequate facilities for the on-site storage of refuse to the detriment of the visual amenities of the area and the living environment of occupiers contrary to adopted Rushmoor Core Strategy Policy CP2.

- 3 The proposal fails to make provision for an appropriate Special Protection Area Mitigation and Avoidance contribution towards the Hawley Meadows suitable accessible natural green space, or strategic access management measures in order to address the impact of the proposed development upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposal is thereby contrary to the requirements of Policies CP13 and CP15 of the Rushmoor Core Strategy adopted October 2011.

- 4 The proposals do not make provision for public open space in accordance with the requirements of Policies CP11 and CP12 of the Rushmoor Core Strategy adopted October 2011, saved Local Plan Policies OR4 and OR4.1; and the Council's continuing Interim Advice Note (dated August 2000 and updated July 2006) "Financial Contributions towards Provision of Open Space in Association with New Housing Development".

Item 2

Site location	19 Whittle Crescent Farnborough
Alleged breach	Erection of a single storey rear extension
Recommendation	No further action

Description

The property is a two storey semi-detached house located on the hammerhead of Whittle Crescent. The property has a shared drive leading to a detached garage. There is concrete hardstanding to the front garden.

Alleged breach

A single storey rear extension has been built measuring 3.7 metres from the original rear wall of the house. This is 700mm greater than the permitted development tolerance for this type of property set out in Schedule 2, Part 1 Class A of the general Permitted Development Order 2015.

Investigation

On receipt of the Building Control list of works commenced, it was ascertained that this development required planning permission but an application had not been submitted. The owners' response to contact was that they are not in a position to submit a formal planning application.

Commentary

It is concluded that the extension does not cause any significant material harm to the visual character of the area, to the amenities of neighbours or to highway safety. Had a planning application been submitted, it would have received a recommendation that permission be granted. Accordingly, in accordance with Policies CP2 and CP16 of the core strategy and saved Policy ENV17 and H15 of the Rushmoor Local Plan, it is considered neither expedient nor reasonable for the Council to take enforcement action in respect of the breach of planning control in this case.

Full recommendation

It is recommended that no further action be taken.



**Mountbatten Court, Birchett Road, Aldershot
Section 52 Legal Agreement**

1. Introduction

- 1.1 This report considers a recent request to relax a clause in a legal agreement under Section 52 of the Town and Country Planning Act 1971 restricting the age of occupiers of flats in Mountbatten Court.

2. Background

- 2.1 In August 1987, planning permission was granted for the erection of a 3 storey block of 17 x 2-bedroom flats and 9 x 1-bedroom flats on a site in Birchett Road, Aldershot (see attached site location plan). Attached to the planning permission (reference no. RSH 02804/3) was a legal agreement, one clause of which placed an age restriction on the occupants of some of the flats. The reason for this was that at that time the parking standards were considerably tighter and based on minimum standards. The developer provided less than the full provision at the time, claiming that the flats were for the elderly and therefore the parking provision could be less.
- 2.2 To ensure that this happened, a legal agreement was entered into under Section 52 of the Town & Country Planning Act 1971 (the pre-cursor to Section 106 Agreements in the 1990 Act), which required that the 16 flats of the ground and first floors to be occupied by at least one person of pensionable age.

3. Request For Relaxation

- 3.1 The Council has received a letter on behalf of the owners of Flat No.5 Mountbatten Court, where the age restriction is causing problems in the sale of the flat.
- 3.2 As a result of the neighbour notification in respect of the request for Flat No.5, the Council has also subsequently received a request for the non-enforcement of the age restriction by the executors of the late owner of Flat No.13.

4. Neighbour Notification

- 4.1 All 26 flats in Mountbatten Court have been notified by letter of the requests for the relaxation in the age restriction and invited to comment no later than 15 September 2015.
- 4.2 At the time of writing the only response has been from the executors of the late owner of Flat No.13, whom indicate that they have no objections in respect of the request in respect of Flat No.5 in addition to making their own request for non-enforcement in respect of Flat No.13. An update will be provided at the meeting should any further comments be received subsequently.

5. Conclusions

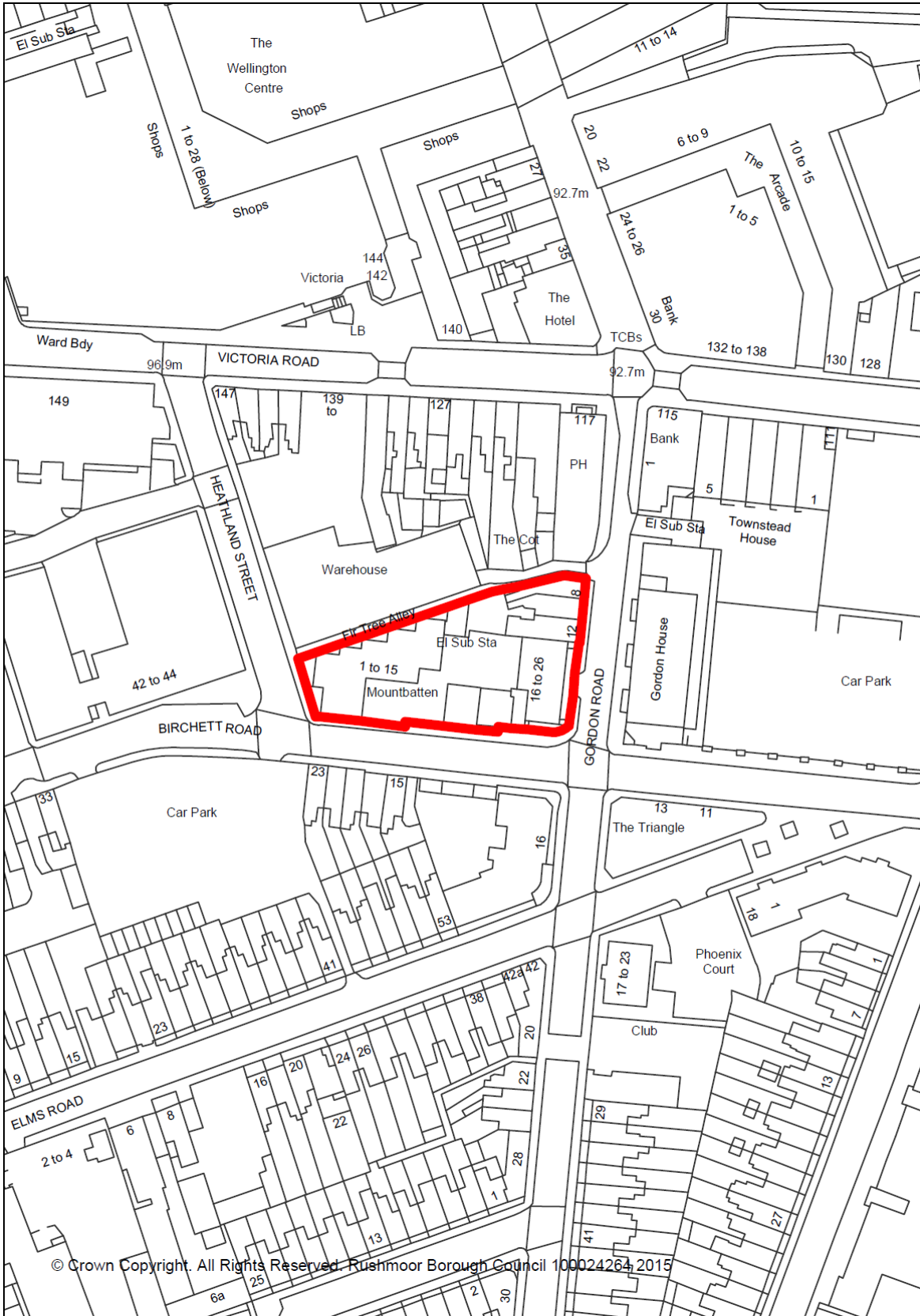
- 5.1 None of the age-restricted flats at Mountbatten Court were designed to current “mobility” standards. The age restriction was not imposed for any ‘social engineering’ reasons to achieve a particular mix of old and young residents. The age restriction was imposed solely because the developer was unable to provide enough parking on the site for the development to accord with the then applicable minimum parking standards.
- 5.2 Since planning permission was granted the Council’s parking requirements have changed significantly in response to changes in Government planning guidance. The parking standards applicable to residential development have changed and there is no longer any distinction made in terms of parking requirements between general purpose flats and those restricted to residents of pensionable age. The only reductions in parking requirements available for residential development now relate to sheltered housing establishments providing care to much less mobile residents. Furthermore, current Government guidance and the Council’s adopted parking requirements allow significant reductions in parking provision in town centre locations (such as Mountbatten Court) having high accessibility by public transport.
- 5.3 The original restriction was put in place for reasons relevant to planning at the time. However, circumstances have now changed significantly. The parking standards have altered such that the existing level of on-site parking provision (19 spaces) is now considered acceptable in respect of Mountbatten Court for general residential accommodation. As a result, retention of the age restriction no longer serves a planning purpose. This approach has already been agreed in respect of other flats at Mountbatten Court, the most recent being Flat No. 10 in November 2013.
- 5.4 Similar age-restricted flats at Phoenix Court nearby have also been subject to requests for relaxations that have been allowed by the Council.
- 5.5 In the circumstances, it recommended that the Council should not seek to enforce the terms of the legal agreement in respect of Flat Nos.5 and 13 Mountbatten Court.

6. Recommendation

- 6.1 That the Solicitor to the Council be authorised to advise the persons making the request that the Council is minded not to enforce the terms of the Section 52 Agreement in respect of Flat Nos.5 and 13.

Keith Holland
Head of Planning

Contact: Keith Holland – tel.no. 01252 – 398790 keith.holland@rushmoor.gov.uk
BACKGROUND PAPER : Planning permission ref. No. RSH 02804/3 and accompanying legal agreement.



Ham & Blackbird, 281 Farnborough Road, Farnborough

1. Introduction

Further to the decision by the Development Control Committee in January 2015 to refuse the planning application (14/00706/FULPP) for the “**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**” the applicants have lodged an appeal, which is due to be heard at a Hearing on 9 December 2015. As part of the appeal process for an appeal the applicants and the Council are seeking to prepare a Statement of Common Ground to identify to the Inspector those issues on which there is no dispute between the main appeal parties. Furthermore, the applicants have indicated that they wish to submit a draft s106 Agreement to the Inspector at the Hearing in order to address those reasons for refusal that relate to failure to secure s106 contributions.

There is a general duty imposed upon all involved in the appeal process to act reasonably and to seek to resolve matters of dispute where possible.

2. Background

In January 2015 planning permission was refused for the proposed development for the following reasons:-

- 1 *The submitted proposals involve development that fails to address the objectives of the National Planning Policy Framework in that the significant traffic movements generated by the development cannot be demonstrably accommodated adequately on the existing transport network. This would result in a severe impact on the road safety and operation of the local transport network in the vicinity of the Ham & Blackbird gyratory contrary to the NPPF and adopted Rushmoor Core Strategy Policies CP2 and CP16.*
- 2 *The proposal fails to make provision for an appropriate Special Protection Area Mitigation and Avoidance contribution towards the Hawley Meadows suitable accessible natural green space, or strategic access management measures in order to address the impact of the proposed development upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposal is thereby contrary to the requirements of Policies CP13 and CP15 of the Rushmoor Core Strategy adopted October 2011.*
- 3 *The proposals do not make provision for public open space in accordance with the requirements of Policies CP11 and CP12 of the Rushmoor Core Strategy*

adopted October 2011, saved Local Plan Policies OR4 and OR4.1; and the Council's continuing Interim Advice Note (dated August 2000 and updated July 2006) "Financial Contributions towards Provision of Open Space in Association with New Housing Development".

- 4 *The proposal fails to make provision for an appropriate provision of affordable housing. The proposal is thereby contrary to the requirements of Policy CP6 of the Rushmoor Core Strategy adopted October 2011.*

The matters relating to Reason for Refusal Nos.2 and 3 can be resolved by the applicants securing the appropriate financial contributions with a s106 Legal Agreement.

In respect of Reason No.4 (Affordable Housing provision) the applicants have agreed to make provision to meet the Council's requirements in full according to Policy CP6 of the Rushmoor Core Strategy, which is for at least 35% (22) of the units to be affordable housing. In this respect, the applicants are proposing that 11 affordable units are provided in the scheme and, at the request of the Head of Housing, a financial contribution is secured equivalent to the cost to the developer of providing the remaining 11 units within the scheme in order to provide affordable housing off-site that would be more appropriate to meeting local housing needs instead. The value of the financial contribution in this respect remains the subject of discussions between the Council and the applicants. However, subject to agreement being reached on this matter, this financial contribution (together with the 11 affordable units that would be provided on-site) would also need to be secured by the s106 Agreement and, if completed, would thereby resolve Reason for Refusal No.4

The applicants have approached the Solicitor to the Council to request that work be undertaken with the Council to produce a draft s106 Agreement seeking to address Reason for Refusal Nos.2, 3 and 4. Authority is sought from the Development Management Committee for the Head of Planning in consultation with the Solicitor to the Council prepare the necessary draft s106 Agreement to address these matters.

Undertaking this work would not affect the Council's position in relation to Reason for Refusal No.1 as set out above, but would remove the need for the Council to defend Reason for Refusal Nos.2, 3 and 4 at the forthcoming appeal hearing.

3. Recommendation

Members are asked to give authority to complete a legal agreement to address the impacts of the development as identified in Reason for Refusal Nos.2, 3 and 4 as set out in detail in the report considered by the Development Management Committee on 7 January 2015.

Keith Holland
Head of Planning

Contacts:

Keith Holland — tel.no. 01252 398790 keith.holland@rushmoor.gov.uk

David Stevens — tel.no. 01252 398738 david.stevens@rushmoor.gov.uk

**Development Management Committee
16th September 2015**

**Head of Planning
Planning Report No.PLN1549**

Appeals Progress Report

1. New Appeals/Updates

An appeal has been received in respect of the refusal of a Certificate of Lawful Existing Use of 35A Camp Road, Farnborough as a single dwelling (14/00956/EDCPP). This appeal is to be dealt with by means of the written procedure.

3. Recommendation

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

Keith Holland
Head of Planning