

# Public Document Pack



## RUSHMOOR BOROUGH COUNCIL

### DEVELOPMENT MANAGEMENT COMMITTEE

*at the Council Offices, Farnborough on  
Wednesday, 4th December, 2019 at 7.00 pm*

To:

#### **VOTING MEMBERS**

Cllr B.A. Thomas (Chairman)  
Cllr J.H. Marsh (Vice-Chairman)

Cllr Mrs. D.B. Bedford  
Cllr R.M. Cooper  
Cllr A.H. Crawford

Cllr P.I.C. Crerar  
Cllr P.J. Cullum  
Cllr C.P. Grattan

Cllr Mara Makunura  
Cllr P.F. Rust  
Cllr C.J. Stewart

#### **NON-VOTING MEMBERS**

Cllr Marina Munro (Cabinet Member for Planning and Economy) (ex-officio)

#### **STANDING DEPUTIES**

Cllr Gaynor Austin  
Cllr Sophia Choudhary

Enquiries regarding this agenda should be referred to Marion Young,  
Democracy, Strategy and Partnerships, 01252 398827  
[marion.young@rushmoor.gov.uk](mailto:marion.young@rushmoor.gov.uk)

# A G E N D A

## 1. **DECLARATIONS OF INTEREST** – (Pages 1 - 2)

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 3 - 8)

To confirm the Minutes of the meeting held on 6th November, 2019 (copy attached).

## 3. **PLANNING APPLICATIONS** – (Pages 9 - 44)

To consider the Head of Economy, Planning and Strategic Housing's Report No. PLN1958 (copy attached) on planning applications recently submitted to the Council.

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

<b>Item</b>	<b>Reference Number</b>	<b>Address</b>	<b>Recommendation</b>
1	18/00367/OUTPP	Former Police Station, Pinehurst Avenue, Farnborough	For information
2	19/00517/FULPP	Units 2A and 3 Blackwater Shopping Park, 12 Farnborough Gate, Farnborough	For information
3	19/00432/PINS	Esso Pipeline	For information

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

<b>Item</b>	<b>Pages</b>	<b>Reference Number</b>	<b>Address</b>	<b>Recommendation</b>
4	17-26	19/00599/FUL	Farnborough International Exhibition and Conference Centre, ETPS Road, Farnborough	Grant
5	27-29	19/00690/TPOPP	105 Campbell Fields, Aldershot	Grant

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

4. **ESSO PIPELINE PROJECT – (Pages 45 - 46)**

To receive a verbal update from the Head of Economy, Planning and Strategic Housing on the current position with regard to the Esso Pipeline Project.

5. **MEUDON HOUSE - PLANNING REF: 19/00337/FULPP – (Pages 47 - 62)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. PLN1961 (copy attached) which sets out discussions since the resolution to grant planning permission by this Committee in September 2019, and seeks approval for an amended recommendation, as outlined in the Report.

6. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT – (Pages 63 - 66)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. PLN1959 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

7. **APPEALS PROGRESS REPORT – (Pages 67 - 74)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. PLN1960 (copy attached) on the progress of recent planning appeals.

**MEETING REPRESENTATION**

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

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

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Development Management Committee  
4th December 2019

Head of Economy, Planning and Strategic Housing

**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

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# DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 6th November, 2019 at the Council Offices, Farnborough at 7.00 pm.

## **Voting Members**

Cllr B.A. Thomas (Chairman)  
Cllr J.H. Marsh (Vice-Chairman)

Cllr Mrs. D.B. Bedford  
Cllr R.M. Cooper  
Cllr A.H. Crawford  
Cllr P.J. Cullum  
Cllr Mara Makunura  
Cllr P.F. Rust

Apologies for absence were submitted on behalf of Cllr P.I.C. Crerar, Cllr C.P. Grattan and Cllr C.J. Stewart.

## **Non-Voting Member**

Cllr Marina Munro (Planning and Economy Portfolio Holder) (ex officio)

## **28. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **29. MINUTES**

The Minutes of the meeting held on 18th September, 2019 were approved and signed by the Chairman.

## **30. PLANNING APPLICATIONS**

**RESOLVED:** That

- (i) the applications dealt with by the Head of Economy, Planning and Strategic Housing, where necessary in consultation with the Chairman, in accordance with the Council's Scheme of Delegation, more particularly specified in Section "D" of the Head of Economy, Planning and Strategic Housing's Report No. PLN1952, be noted; and
- (ii) the following application be determined by the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman:

- \* 17/00914/OUTPP (Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot);
- (iii) the current position with regard to the following applications be noted pending consideration at a future meeting:
- 18/00225/LBCPP (Ramsden Garden Wall Memorial – Montgomery Lines, Aldershot);
  - 18/00367/OUTPP (Former Police Station, Pinehurst Avenue, Farnborough);
  - 19/00409/FULPP (No. 117 Farnborough Road, Farnborough);
  - 19/00432/PINS (Esso Pipeline);
  - 19/00517/FULPP (Units 2A and 3, Blackwater Shopping Park, 12 Farnborough Gate, Farnborough);
  - 19/00599/FULIA (Farnborough International Exhibition and Conference Centre, ETPS Road, Farnborough);
- \* 19/00690/TPOPP (No. 105 Campbell Fields, Aldershot);
  - \* The Head of Economy, Planning and Strategic Housing's Report No. PLN1952 in respect of these applications was amended at the meeting

### 31. REPRESENTATIONS ON APPLICATIONS

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

Application No.	Address	Representation	In support of or against the application
17/00914/OUTPP	Blandford House and Malta Barracks Development Site, Shoe Lane, Aldershot	Mr. P. Reneaux	Against

### 32. APPLICATION NO. 17/00914/OUTPP - BLANDFORD HOUSE AND MALTA BARRACKS DEVELOPMENT SITE, SHOE LANE, ALDERSHOT

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. PLN1952 (as amended at the meeting) regarding the outline planning



application for the development of up to 180 dwellings (including the conversion of Blandford House and retention of three existing dwellings) including access, internal roads, demolition of buildings, amenity space, green infrastructure and sustainable drainage systems (Matters for Approval – Access Only) to include full approval of details for the provision of 13.7ha of Suitable Alternative Natural Greenspace (SANG) and associated car park (18 spaces).

The Committee was reminded that it had approved a previous outline planning application for the development in March 2018 and noted that, due to the complexity of the matters surrounding the development, the negotiation process had significantly exceeded the deadline for issuing the original planning permission. Whilst there were no material changes to the planning application from that approved in 2018, aspects of the following matters required to be updated:

- SANG Delivery Strategy;
- Conditions and Section 106 Legal Agreement
- Shadow Appropriate Assessment

**RESOLVED:** That:

- (i) subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure the measures set out in (but not restricted to) the Heads of Terms of the Agreement as set out in Report No. PLN1952 (as amended at the meeting), the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to grant planning permission subject to the conditions and informatives set out in Report No. PLN1952 (as amended at the meeting) and the Corporate Manager – Legal Services to settle the detailed terms of the s106 agreement;
- (ii) in the event of failure to complete the agreement by 28th February, 2020, the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that inadequate provision was made in respect of SPA mitigation, affordable housing, open space, play areas, and transport obligations and contributions.

### 33. **ESSO PIPELINE PROJECT**

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. PLN1953 which set out the current position with regard to the proposed renewal and partial realignment of the existing Southampton to London fuel pipeline which crosses Rushmoor.

**RESOLVED:** That the Head of Economy, Planning and Strategic Housing's Report No. PLN1953 be noted.

34. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT**

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. PLN1954 regarding an alleged breach of a change of use of a garage to form a habitable room.

The Committee was advised that the garage had been built in 1981 with a planning condition placed on the development in respect of parking space. Whilst the garage had been converted into a habitable room in breach of this condition, a site visit had established that the property still met the Council's current adopted car parking standard of three spaces for a property of this size. In view of this, the Committee was advised that, were an application submitted to regularise the conversion of the garage, it would receive a recommendation that permission be granted.

**RESOLVED:** That no further action be taken.

35. **APPEALS PROGRESS REPORT**

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. PLN1955 concerning the following appeal decisions:

<b>Application / Enforcement Case No.</b>	<b>Description</b>	<b>Decision</b>
18/00466/FULLPP	Against the refusal of planning permission for the erection of extensions and alterations to existing office building (Use Class B1) at Pinehurst House, No. 117 Farnborough Road, Farnborough, to facilitate conversion and change of use to residential use (Use Class C3) to provide 113 flats (comprising 7 x studio, 52 x 1-bedroom; 52 x 2-bedroom and 2 x 3-bedroom units), retention/provision of 199 on-site parking spaces and use of existing vehicular access to Farnborough Road, and landscaping including creation of new landscaped podium amenity courtyard.	Allowed
18/00677/FUL	Against the refusal of planning permission for the demolition of garage and outbuildings at No. 1 Coldharbour Lane, Farnborough, and the erection of a two-storey building comprising two flats with associated parking, access and amenity space	Dismissed

and retention of No. 1 Coldharbour Lane on a reduced curtilage.

18/00697/FULPP

Against the refusal of planning permission for the demolition of side extension and outbuilding at No. 6 Church Avenue, Farnborough, and the erection of one detached three-bedroom house with attached garage and new access to highway for existing property. Dismissed

**RESOLVED:** That the Head of Economy, Planning and Strategic Housing's Report No. PLN1955 be noted.

36. **PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER JULY - SEPTEMBER 2019**

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. PLN1956 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 quarter from 1st July to 30th September, 2019.

**RESOLVED:** That the Head of Economy, Planning and Strategic Housing's Report No. PLN1956 be noted.

The meeting closed at 8.10 pm.

CLLR B.A. THOMAS (CHAIRMAN)

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Development Management Committee  
4th December 2019

Head of Economy, Planning and  
Strategic Housing  
Report No.PLN1958

## Planning Applications

### 1. Introduction

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

### 2. Sections In The Report

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

#### **Section A – FUTURE Items for Committee**

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

#### **Section B – For the NOTING of any Petitions**

#### **Section C – Items for DETERMINATION**

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

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

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

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

### 3. Planning Policy

- 3.1 Section 38(6) of the Town and Country Planning Act 1990 (as amended) requires regard to be had to the provisions of the development plan in the determination of planning applications. The development plan for Rushmoor comprises the Rushmoor 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. Relevant also as a material consideration in the determination of planning applications is the emerging Draft Submission Rushmoor Local Plan, June 2017.
- 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.

Tim Mills  
Head of Economy, Planning and Strategic Housing

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### *Background Papers*

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

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**Section A**

**Future items for Committee**

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

Item	Reference	Description and address
1	18/00367/OUTPP	<p>Outline application for the erection of up to 174 units across 8 storeys (plus a semi-underground car park) with associated car parking, cycle parking, open space, landscaping, lighting, drainage and associated infrastructure, engineering and service operations (all matters reserved)</p> <p><b>Police Station Pinehurst Avenue Farnborough Hampshire</b></p> <p>The future of this application is under review by the applicant. It may be superseded by a new proposal.</p>

2	19/00517/FULPP	<p>Refurbishment and amalgamation of existing Units 2A &amp; 3 Blackwater Shopping Park, including removal of existing mezzanine floors, revised car parking and servicing arrangements; relief from Condition No.4 of planning permission 93/00016/FUL dated 10 January 1994 to allow use as a foodstore (Use Class A1) with new mezzanine floor to provide ancillary office and staff welfare facilities, ancillary storage and plant machinery areas; use of part of new foodstore unit as self-contained mixed retail and café/restaurant use (Use Classes A1/A3); loss of existing parking spaces to front of proposed foodstore to provide new paved area with trolley storage bays and cycle parking; installation of new customer entrances to new units; widening of site vehicular access to Farnborough Gate road to provide twin exit lanes; and associated works</p> <p><b>Units 2A And 3 Blackwater Shopping Park 12 Farnborough Gate Farnborough</b></p> <p>This application is the subject of further consultation with regard to additional traffic and highways submissions. The response is awaited and the application is likely to come before this Committee in January 2020.</p>
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## Section B

### Petitions

Item	Reference	Description and address
	19/00432/PINS	<p>Application for a Development Consent Order.</p> <p><b>Southampton to London Esso Fuel Pipeline from the A327 crossing the western section of Southwood Country Park, through land to the west of Cove Brook, Cove Road and Nash Close, crossing the South Western main railway line to the west of Farnborough. Running east alongside the railway line to Stake Lane through Queen Elizabeth Park to the north of Farnborough Station, crossing open land at Farnborough Hill School under the North Downs Railway line, A331, and River Blackwater.</b></p> <p>A copy of a petition entitled 'Petition to Save Queen Elizabeth Park' comprising 1124 paper signatures and 5079 online signatures collected via the change.org Website was submitted to the Planning Inspectorate on 13<sup>th</sup> November 2019.</p>

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

Case Officer	Louise Davies
Application No.	19/00599/FULIA
Date Valid	20th August 2019
Expiry date of consultations	17th September 2019
Proposal	Erection of building for office use together with business and hospitality accommodation to be used in connection with the biennial Farnborough International Airshow
Address	<b>Farnborough International Exhibition and Conference Centre, ETPS Road, Farnborough, Hampshire GU14 6FD</b>
Ward	St Marks
Applicant	ADS Group Limited
Agent	Terence O'Rourke Limited
Recommendation	<b>GRANT</b>

## Description

### The Application Site & Context

This application relates to land forming part of the Farnborough Airport site that is used in connection with the biennial Airshow in the south and eastern part of the airport. Four main terraces house the Airshow exhibition halls and chalets, which increase in elevation from northwest to southeast. To the west of the terraced area is another area of hard standing and a semi-permanent exhibition facility known as 'Hall Five'.

Each terrace comprises an area of hard standing upon which temporary exhibition halls are erected for the duration of the Airshow. Viewing and hospitality chalets are located on the western edge of each terrace.

The site the subject of this application is 0.64ha in area, located adjacent to Top Terrace Road and the existing Lockheed Martin Chalet approved under planning consent

15/00487/FULPP, which is linked by a pedestrian bridge across Top Terrace Road to the Lockheed Martin Pavilion. The proposed site for the ADS Chalet is located immediately to the south of the Lockheed Martin Chalet in Chalet Road D.

## The Proposals

This application is for the erection of a three storey building to be used in connection with the biennial Farnborough International Airshow. The applicant has stated that the ground floor of the building will be permanently used as office accommodation for ADS Group, while the two upper floors will provide business and hospitality accommodation. There will be a viewing terrace at the third floor level, extending the width of the building providing a view of the runway and display area.

This new facility will replace ADS Group's temporary structure that is erected at this location biennially in connection with the Farnborough International Airshow.

The proposals were amended shortly after submission, and comments received relate to these amended plans. The floorspace that would be created by this proposal totals:

Ground Floor GIFA (B1 Office)	524sq.m
First Floor GIFA (D1 Chalet)	524sq.m
Second Floor GIFA (D1 Chalet)	514sq.m

Total B1 = 524sq.m (34%)

Total D1 = 1038sq.m (66%)

The supporting documentation submitted states that ADS staff currently share office accommodation within the existing Showcentre with Farnborough International Ltd staff. It is stated that this is no longer fit for purpose and that the proposed development would allow ADS to relocated approximately 50 staff members within the Farnborough site.

## Relevant Planning History

This site has been used for the siting of temporary exhibition halls in connection with the biennial Farnborough International Airshow for many years.

Supporting information submitted with the application states that the current temporary facilities on site are increasingly uneconomic to erect and fit out and fall short of customer expectations. The Airshow remains a temporary event with some 50,000sqm of exhibition halls and more than 100 business chalets being erected and then dismantled at each show. These facilities require urgent upgrade and this application seeks to replace ADS group's temporary chalet with a higher quality permanent structure.

## Consultee Responses

Environmental Health                      Environmental Health have no objections to this application.

Ecologist Officer                              There was some difficulty, due to the size of the SINC, in ascertaining its boundaries.

Although there is to be no direct impact on the SINC

there is still the risk that the grassland may be damaged within the build, and floristic abundance could decline with time due to the grassland being in shadow permanently. No objection subject to imposition of a condition as follows.

*Before construction commences a Construction Environment Management Plan (CEMP) and a Habitat Creation Management and Monitoring strategy will be submitted to and agreed by Rushmoor Borough Council.*

*The CEMP will contain details regarding how the adjacent Farnborough Airport SINC will be protected from harm due to compaction and pollution due to runoff and fuel and chemical spills.*

*The Habitat Creation Management and Monitoring Strategy will contain details of how Areas 1, 4 and if possible 3 will be managed to ensure the longevity and species richness of the neutral grassland within and adjacent to the SINC*

**Reason:** *To ensure that the Farnborough Airport SINC is not damaged and if possible enhanced due to the proposed development*

TAG No objections

Hampshire Highways Authority No objections

## Neighbour Consultation

In addition to posting a site notice, individual letters of notification were sent to neighbouring properties. No comments were received.

## Policy and Determining Issues

Section 38(6) of the *Town and Country Planning Act 1990* (as amended) requires regard to be had to the provisions of the development plan in the determination of planning applications. The *Rushmoor Local Plan* was formerly adopted by the Council on 21st February 2019. In addition to the *Rushmoor Local Plan*, the *National Planning Policy Framework (NPPF)*, which was revised and came into force on 19th February 2019, is also a material consideration.

The site lies within the defined Farnborough Airport Planning Policy Boundary (APPB). Rushmoor Local Plan policies SP4 (Farnborough Airport), IP1 (Infrastructure and Community Facilities), IP2 (Transport), DE1 (Design in the Built Environment), NE4 (Biodiversity) are of particular relevance in the consideration of this application.

The main determining issues are the principle of development, the design and impact on amenity, the impact on adjoining neighbours, highways considerations, and the impact upon nature conservation and biodiversity.

## **Commentary**

### **The principle of development**

The site falls within the Airport Planning Policy Boundary. The building would be sited on land previously used to house structures in connection with the Biennial Airshow. There is no objection to the principle of development, subject to the proposal being found to be satisfactory in addressing the following matters in the context of the relevant policies of the development plan:

### **Design and Impact on Amenity**

Whilst the proposal relates to a substantial structure on elevated land, the main public views of the site would be from points across the expanse of the airfield and would be seen in this overall context. The closest buildings are the Lockheed Martin buildings, and the nearest residential properties are some distance away on the Queensgate development.

The height of the proposed structure will be approximately 12 metres above existing finished ground level, with a ridge level to match the adjacent Lockheed Martin Chalet.

The design of the building and choice of external finishes is considered consistent and sympathetic with the existing Lockheed Martin buildings and others on the wider airport site. The chalet will comprise a steel framed structure clad with insulated metal wall panels with a contrast in colour at the third floor level. This will match the design and colour of the adjacent Lockheed Martin building.

The proposal is broadly consistent with the footprint of the existing temporary chalets used by ADS Group.

Pedestrian access will be from the existing Top Terrace Road footpath, allowing level access directly into a central reception area within the building. For access by mobility-impaired individuals to the upper levels during the Airshow, a platform lift will be provided in addition to the main central stair.

It is considered that the proposal will be in keeping with surrounding buildings and would have no adverse impact on visual amenity.

### **Highway Considerations:**

The application is supported by a Transport Statement. Hampshire County Council (the Highway Authority) have been consulted. Following clarification on specific matters regarding proposed trip rates, they have concluded that having reviewed the transport statement Highways Development Planning 'are satisfied that there would not be a severe detrimental impact on the local highway network as a result of the proposals'.



## **Car and Cycle Parking**

The applicant has stated that the relocated staff will use the existing parking and cycle provision.

It is considered that the proposal will have an acceptable impact on highway safety.

## **Ecology and Biodiversity**

Initial concerns have been raised in view of the proximity to the Farnborough Airfield SINC. The initial assessment highlighted a concern that the development as proposed may lead to a loss of habitat. For this reason, it was recommended that a biodiversity offsetting Metrix was used to determine if any mitigation and/or a compensation package would be required. Further survey work was undertaken on behalf of the applicant by Lindsay Carrington Ecological Services and an Ecological Survey was submitted.

The conclusion of no direct impact on the Farnborough Airfield SINC is accepted however there remains a risk that the grassland may be damaged within the build, and floristic abundance could decline with time due to the grassland being in shadow permanently rather than just during the Airshow period every two years. For this reason, a condition stating that no development shall take place until a Construction Environment Management Plan (CEMP) and a Habitat Creation Management and Monitoring Strategy has been submitted to and agreed by Rushmoor Borough Council has been requested, to ensure the protection, maintenance and enhancement of the Farnborough Airport SINC.

It is considered that the subject to the above, the proposal would have an acceptable impact upon nature conservation and biodiversity.

## **Conclusion**

The proposal would have an acceptable impact on the character of the area and on adjoining non-residential and residential occupiers, is of an acceptable design, is acceptable in highway terms and subject to the submission of a satisfactory CEMP and Habitat Creation Management and Monitoring Strategy will have an acceptable impact upon nature conservation and biodiversity.

The proposal complies with the relevant Rushmoor Local Plan policies and the National Planning Policy Framework.

## **FULL RECOMMENDATION**

**GRANT** planning permission subject to the following conditions and informatives:

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

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

- 2 The permission hereby granted shall be carried out in accordance with the following approved drawings: Drawing numbers: Site Location Plan ADS Chalet 158901B2–TOR–XX-XX-DR-A-P001 B; Revised Building Sept 19 Site Plan 158901B2–TOR–XX-XX-DR-A-sk004; Revised Building Sept 19 Site Elevation/Section Plan 158901B2–TOR–XX-XX-DR-A-sk006; Proposed Site Plan ADS Chalet 158901B2–TOR–XX-XX-DR-A-P003 B; Proposed Roof Plan ADS Chalet 158901B2–TOR–XX-XX-DR-A-P004 B; Proposed Site Section ADS Chalet 158901B2–TOR–XX-XX-DR-A-P005 C; Ground Floor Plan ADS Chalet 158901B2–TOR–XX-XX-DR-A-P010 B; First Floor Plan ADS Chalet 158901B2–TOR–XX-XX-DR-A-P0011 B; Second Floor Plan ADS Chalet 158901B2–TOR–XX-XX-DR-A-P012 B; Longitudinal Section ADS Chalet 158901B2–TOR–XX-XX-DR-A-P021 C; Elevations 1 ADS Chalet 158901B2–TOR–XX-XX-DR-A-P030 C; Elevations 2 ADS Chalet 158901B2–TOR–XX-XX-DR-A-P031 C; Proposed 3D View ADS Chalet 158901B2–TOR–XX-XX-DR-A-P040 C.

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

- 3 No development shall take place until a Construction Environment Management Plan (CEMP) and a Habitat Creation Management and Monitoring Strategy has been submitted to and agreed by Rushmoor Borough Council.

The CEMP will contain details regarding how the adjacent Farnborough Airport SINC will be protected from harm due to compaction and pollution due to runoff, fuel and chemical spills.

The Habitat Creation Management and Monitoring Strategy will contain details of how Areas 1, 4 and if possible 3 will be managed to ensure the longevity and species richness of the neutral grassland within and adjacent to the SINC.

Reason: To ensure the protection, maintenance and enhancement of the Farnborough Airport SINC.

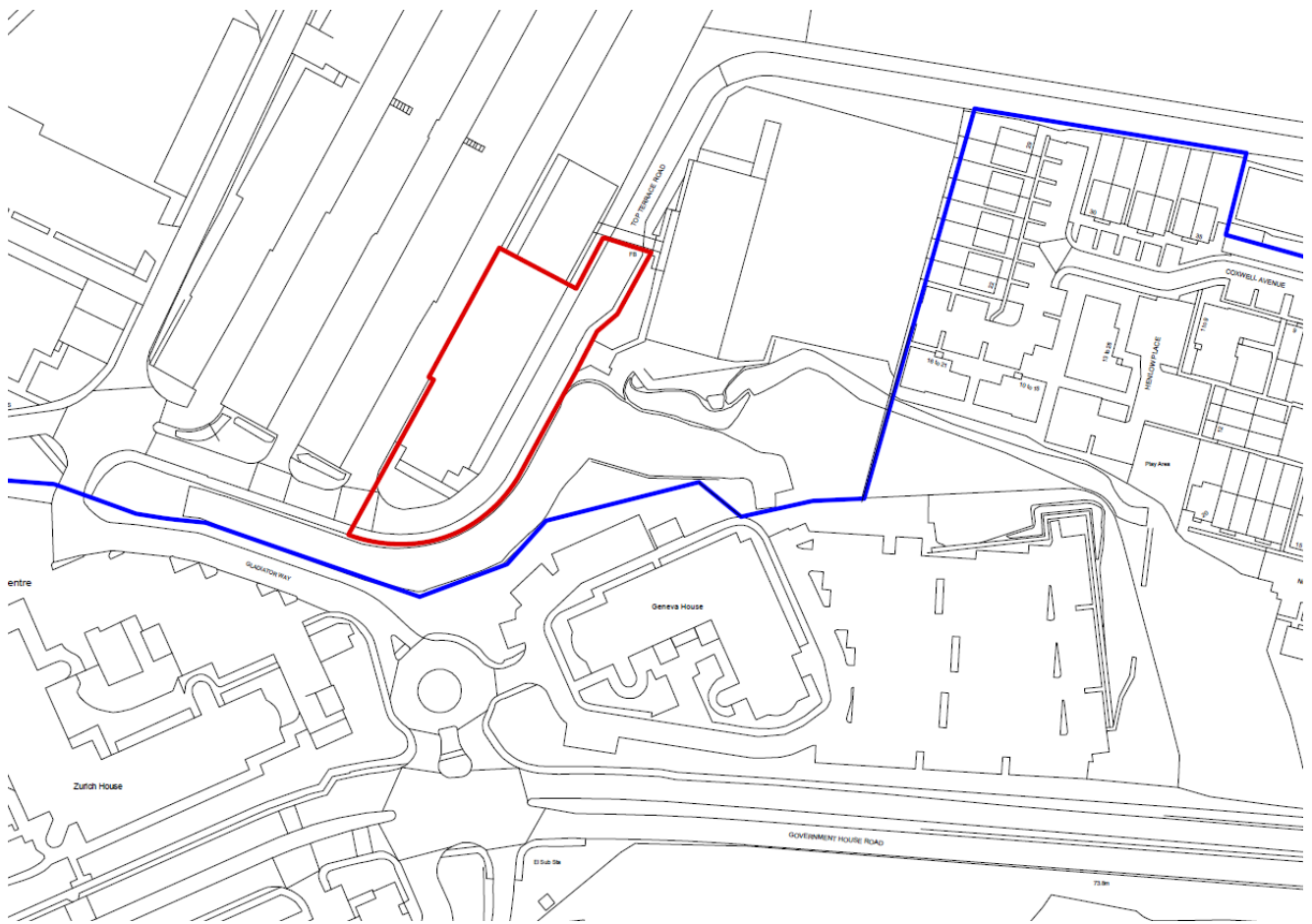
### **Informatives**

- 1 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because the proposal would have an acceptable impact on the character of the area and on adjoining non-residential and residential occupiers, is of an acceptable design, is acceptable in highway terms and subject to the submission of a satisfactory CEMP and Habitat Creation Management and Monitoring Strategy will have an acceptable impact upon nature conservation and biodiversity.

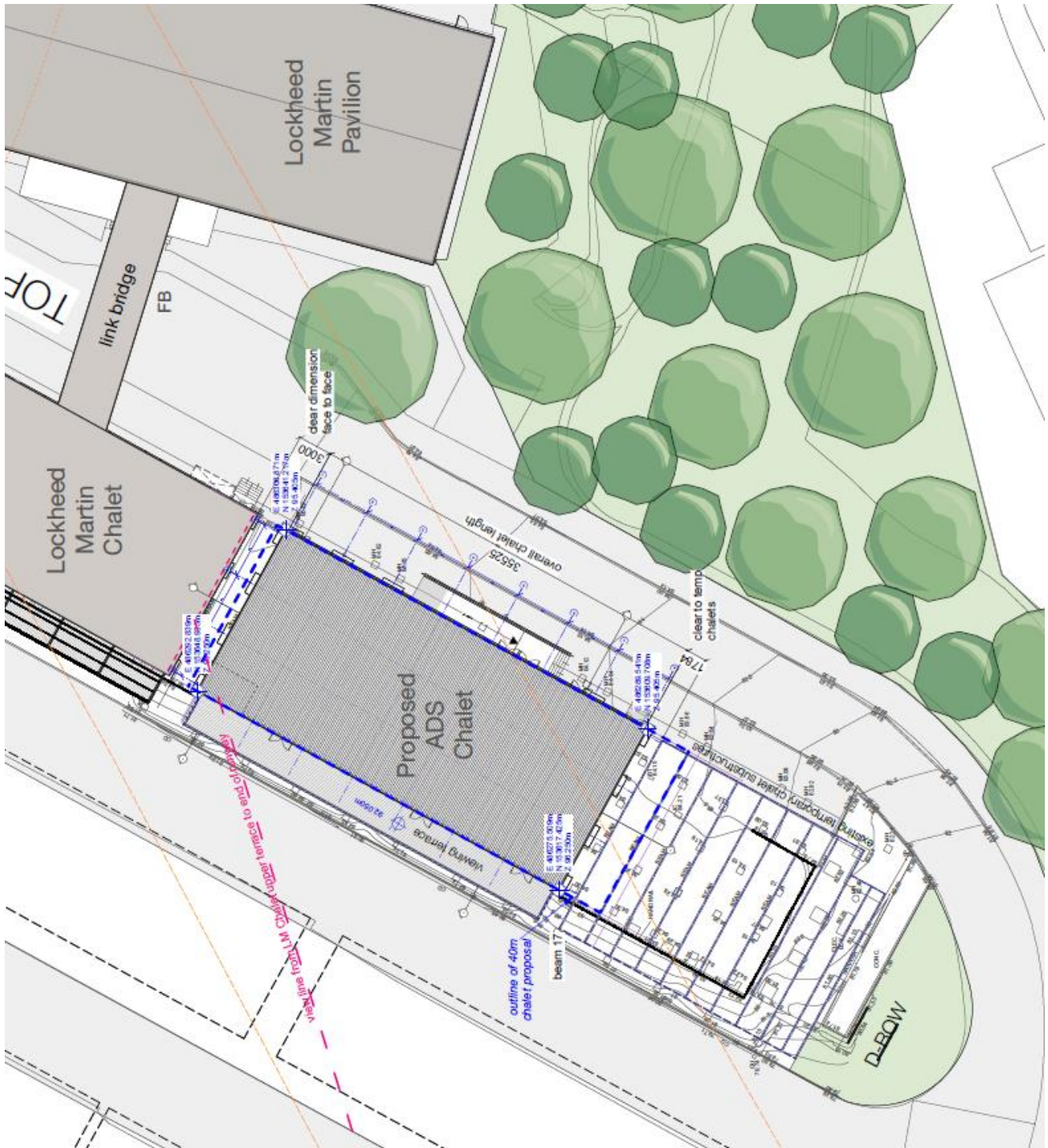
It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant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

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

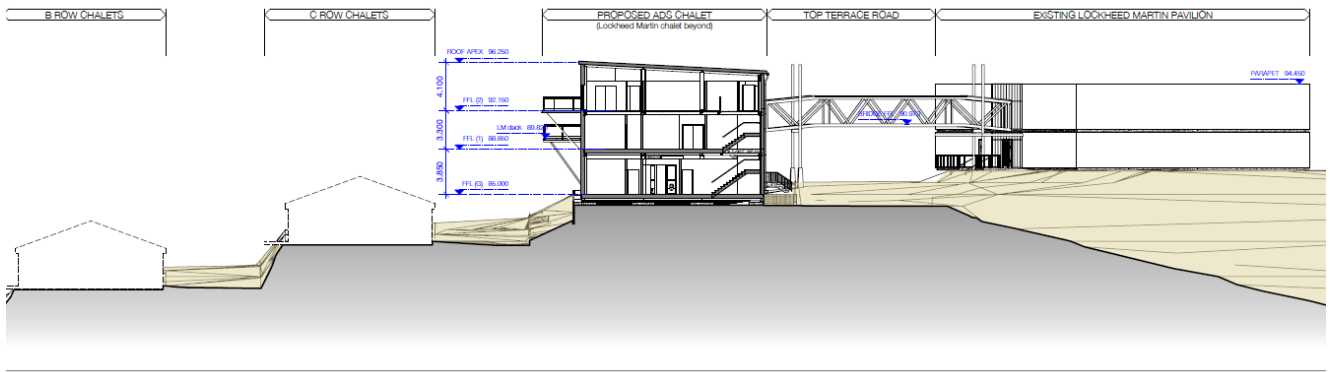
# Site Location Plan



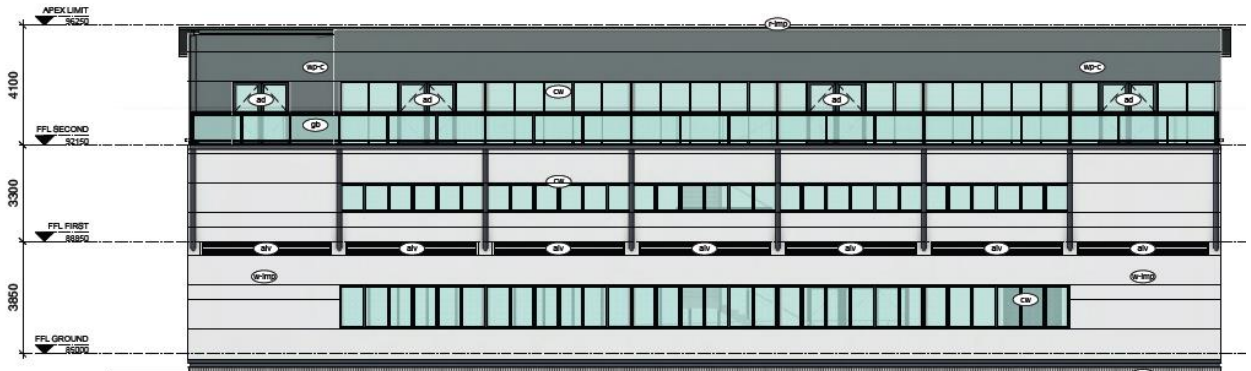
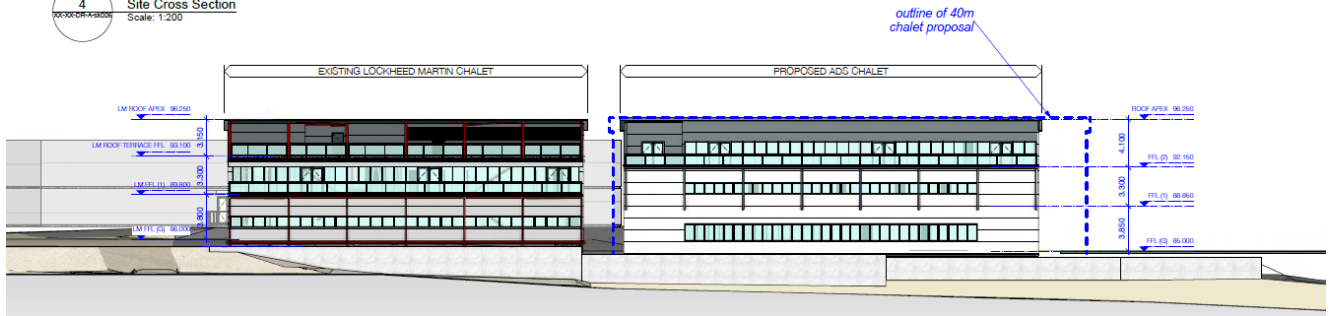
# Block Plan



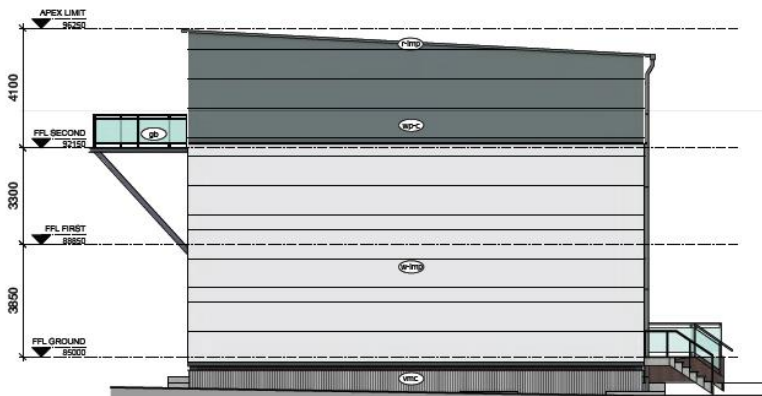
# Proposed Elevation Plans



4 Site Cross Section  
Scale: 1:200



1 Airside Elevation  
Scale: 1:100

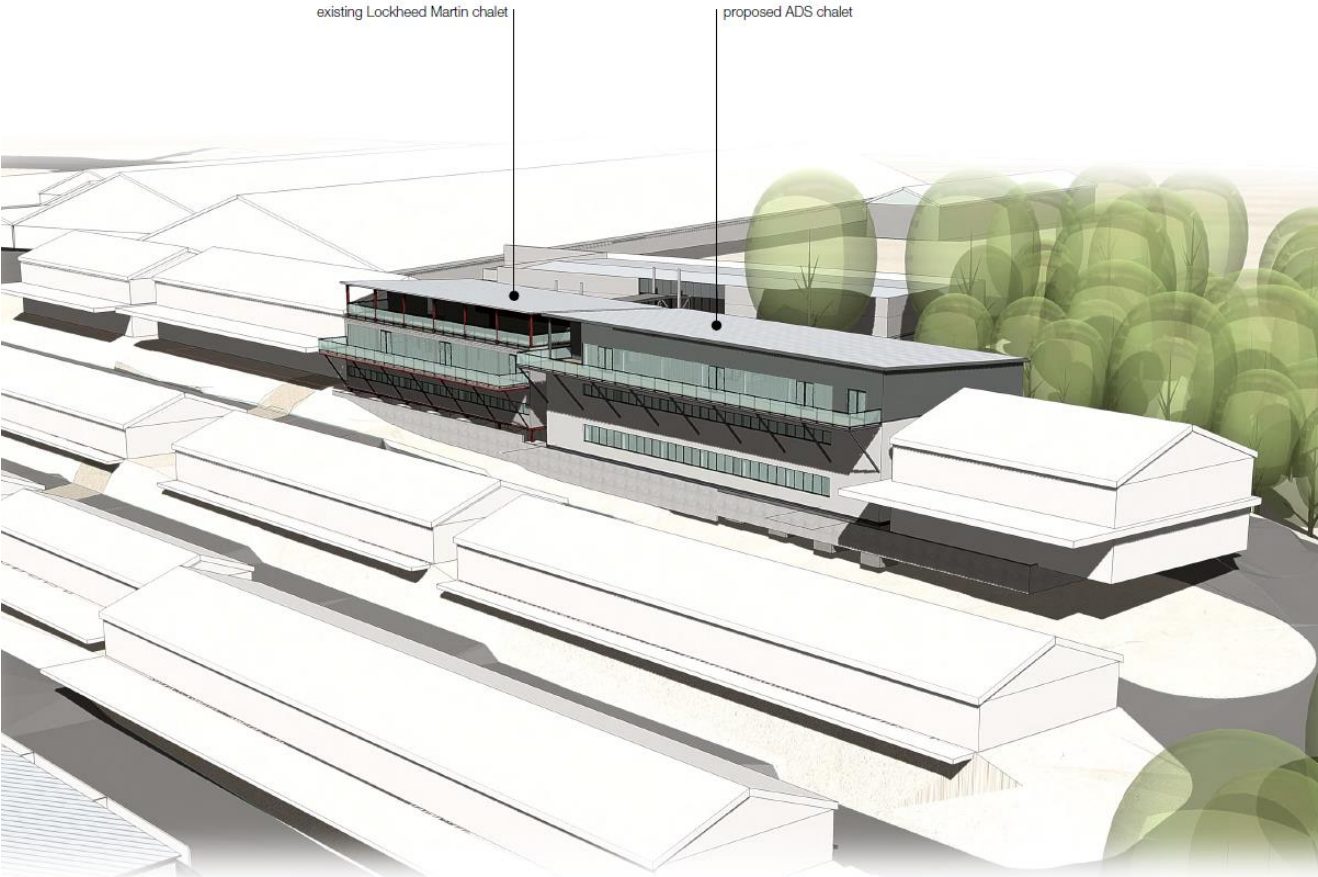


2 Southern Elevation  
Scale: 1:100

**Materials Key:**

- C-IMP** composite treated metal
- MPC** composite treated metal - contrasting colour finish
- CW** aluminum tapered high carbon steel piping with polyester powder coated

**Proposed 3D View**



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	Ian May
Application No.	19/00690/TPOPP
Date Valid	27th September 2019
Expiry date of consultations	21st October 2019
Proposal	One Ash (T5 of TPO 289) crown lift to no more than 6 metres from ground level and remove stem overhanging boundary with 106 Campbell Fields
Address	<b>105 Campbell Fields Aldershot Hampshire GU11 3TZ</b>
Ward	Manor Park
Applicant	Mr Peter Crerar
Recommendation	<b>GRANT</b>

### **Description**

This proposal seeks consent for crown lifting to give no more than 6m ground level clearance, and to remove one stem from a multiple stemmed Ash tree (identified as T5 of TPO289) at the rear of 105 Campbell Fields, Aldershot. The tree overhangs the rear garden of 106 Campbell Fields.

The relevant Tree Preservation Order, TPO289 was served in 1999 on land known as Manor Annex prior to construction of the Campbell Fields development which received planning permission in 2003. The tree has been the subject of two previous TPO applications: (06/00210/TPO) to crown lift the tree to give 6 metres ground level clearance, in May 2006 and (11/00470/TPO) to remove one stem overhanging the rear garden of 106 Campbell Fields, Aldershot, in September 2011.

The Ash tree, presumed to be growing from a common root bole close to ground level, at some 18m high consists of four stems some 20 to 40cm diameter at chest height and has a canopy that hangs to within 2m of ground level. Three of the stems ascend together to form a slender crown of typical form that appears to be sound and healthy. The application stem at some 10m high and 40cm stem diameter previously received consent for removal but instead was pollarded at some 5m high following an agreement between the tree owner and the applicant at 106 Campbell Fields. This sub-dominant truncated stem has subsequently produced prolific

response growth that extends vertically and laterally by some 5m across the full width of the garden at 106 Campbell Fields. This growth has developed from adventitious buds and is therefore poorly attached to the parent wood. In adverse conditions, given sufficient end-loaded stress, these unions can be vulnerable to failure.

The tree dominates the rear gardens of 105 and 106 Campbell Fields. Other rear gardens along the terrace are affected to a lesser extent by Ash trees growing on communal space between the development and Church Lane East to the South west. The application tree is partially obscured from that aspect and from Manor Walk to the South east but is prominent as viewed publicly from within the estate.

### **Neighbours notified**

In addition to posting a site notice and press advertisement, individual letters of notification were sent to 104 and 106 Campbell Fields.

### **Neighbour comments**

There were no letters received from the notified neighbours or as a result of the site notice.

### **Policy and determining issues**

Policy NE3 of The Rushmoor Local Plan is relevant. The determining Issues relate to the health and safety of the tree and its continued amenity contribution.

### **Commentary**

The reason for the proposed canopy lift to give 6m ground level clearance and remove all deadwood is to repeat and update the works carried out under the 2006 TPO consent. The reason for the proposed removal of the truncated stem overhanging the garden of 106 Campbell Fields is to complete the works TPO approved in 2011 but only partially carried out.

#### **Health & Safety**

The stem leans acutely over the neighbour's garden and carries a substantial sub-dominant canopy that will be likely to increase in size and weight if left unchecked. Whilst it is considered that the physiology of the application stem and its extended response growth presumes a greater degree of dynamic stress than might otherwise be expected, there is currently no evidence of defect to suggest that the stem presents any immediate risk of failure. However, it is considered that the potential for failure exacerbated by further growth, will increase in time. Under these circumstances pruning back the overhanging growth might assuage any immediate concerns over safety and loss of light, however such pruning would induce regrowth that by its very nature in species like Ash would also induce weak branch unions at those pruning points with an increased potential for failure into the future. Therefore, it is considered that the need for the cyclical management of the poorly attached response growth is likely to become onerous for the tree owner in order to manage a foreseeable risk. The complete removal of the stem would remove all potential for stem or crown failure and would be a single solution requiring no cyclical management thereafter.

#### **Public Visual Amenity**

The stem is largely obscured from public view behind other trees when viewed from Manor Walk or from Church Lane East but contributes to the wooded backdrop behind the application property as viewed from within the Campbell Fields development. The application stem



ascends for some five metres and terminates in an asymmetric sub-dominant crown that dominates the garden of 106 Campbell Fields. It is considered that the application stem does not conform to the shape and form of the remaining tree and that the removal of the stem would consolidate the appearance of the tree without adversely affecting its visual amenity. Moreover, it is considered that the removal of the application stem would result in the visual enhancement of the tree.

## **FULL RECOMMENDATION**

It is recommended that consent is **GRANTED** subject to the conditions and informatives set out below.

- 1 The works hereby approved shall be carried out and completed within 2 years of the date of this consent unless otherwise first agreed in writing by the Local Planning Authority, shall not exceed those specified in the application and shall be carried out in accordance with good practice as stated in "British Standard: Recommendations for Tree Work", BS3998.

Reason - In the interests of good practice and the health of the tree(s).

### **Informatives**

- 1 **INFORMATIVE** – The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.
- 2 **INFORMATIVE** - The applicant is advised that the prudent removal of deadwood, and works to comply with The Highways Act do not require the consent of this Authority.

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## Section D

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

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

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Application No	19/00479/FULPP	Ward: Manor Park
Applicant:	Mr Assadullah Mir	
Decision:	<b>Permission Granted</b>	
Decision Date:	05 November 2019	
Proposal:	Change of use from hot food take away (Use class A5) with ancillary first floor residential accommodation to Mixed Use building comprising take away (A5) on ground floor and self contained flat (Use Class C3) on the first floor and alterations to shop front	
Address	<b>125 Victoria Road Aldershot Hampshire GU11 1JW</b>	

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Application No	19/00583/FULPP	Ward: Wellington
Applicant:	Grainger (Aldershot) Ltd And Secretary O	
Decision:	<b>Permission Granted</b>	
Decision Date:	28 October 2019	
Proposal:	The construction of a temporary haul road accessed from Thornhill Crescent.	
Address	<b>Accessed From Thornhill Crescent Temporary Road Thornhill Crescent Rushmoor Aldershot Hampshire</b>	

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Application No 19/00606/ADVPP Ward: Aldershot Park  
Applicant: Mrs Preeti Behroozkafshdooz  
Decision: **Permission Refused**  
Decision Date: 31 October 2019  
Proposal: Display of 1 no. advertising billboard measuring 6m x 2m on side wall of 101 Ash Road  
Address **101 Ash Road Aldershot Hampshire GU12 4BZ**

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Application No 19/00615/TPOPP Ward: Cove And Southwood  
Applicant: Mr William James  
Decision: **Permission Granted**  
Decision Date: 31 October 2019  
Proposal: Two Oaks (T2, T3 of TPO 416A) crown lift to no more than 5 metres from ground level and re-pollard back to previous pollarding points  
Address **9 Fox Heath Farnborough Hampshire GU14 0QG**

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Application No 19/00623/FUL Ward: Fernhill  
Applicant: Mr Grantham  
Decision: **Permission Granted**  
Decision Date: 05 November 2019  
Proposal: Erection of a part first floor rear extension and detached garage  
Address **45 Sidlaws Road Farnborough Hampshire GU14 9JN**

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Application No 19/00624/FULPP Ward: Empress  
Applicant: Mr LUKE MARTIN - Hi-Tech Property Ser  
Decision: **Permission Granted**  
Decision Date: 20 November 2019  
Proposal: Structural repairs including removal of existing chimney and construction of new false chimney  
Address **The Ship Inn 162 Ship Lane Farnborough Hampshire GU14 8BE**

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Application No 19/00632/ADVPP Ward: Wellington

Applicant: Mr Jonathan Morris

Decision: **Permission Granted**

Decision Date: 04 November 2019

Proposal: 3no internally illuminated fascia lozenges to be installed to new aluminium fascia panels, 1no internally illuminated projecting sign and 1no internally/halo illuminated ATM surround

Address **140 Victoria Road Aldershot Hampshire GU11 1EH**

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Application No 19/00634/TPO Ward: Fernhill

Applicant: Mr Paul Smith

Decision: **Permission Granted**

Decision Date: 31 October 2019

Proposal: One Alder (part of group G14 TPO 357A) as per submitted plan at 29 The Potteries remove two extra trunks that are overhanging footpath. Three Alders (part of group G15 of TPO 357A) at 18 Blackstone Close re-pollard back to previous pollarding points

Address **Land Affected By TPO 357A - At The Potteries, Blackstone Close And Sandy Lane Farnborough Hampshire**

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Application No 19/00637/CONDPP Ward: Empress

Applicant: Lothbury Property Trust Company Limited

Decision: **Conditions details approved**

Decision Date: 01 November 2019

Proposal: Submission of details pursuant to Condition No.23 (Car Park Management Strategy) of planning permission 17/00866/FULPP dated 11 January 2018

Address **Blackwater Shopping Park Farnborough Gate Farnborough Hampshire**

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Application No 19/00643/TPOPP Ward: West Heath

Applicant: Mrs Hunt

Decision: **Permission Granted**

Decision Date: 08 November 2019

Proposal: T1 Oak - Reduce in height by up to 4 metres and reduce lateral growth to the East by up to 3 metres and North and South by up to 2 metres, T2 Oak - Reduce in height by up to 4 metres and reduce lateral growth to the North and South by up to 2 metres, T3 Oak - Reduce in height by up to 4 metres and reduce lateral growth to the North and South by up to 2 metres (G1 of TPO 347)

Address **24 Whittle Crescent Farnborough Hampshire GU14 9EB**

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Application No 19/00646/FULPP Ward: Manor Park

Applicant: GB Capital Investments Ltd

Decision: **Permission Granted**

Decision Date: 22 November 2019

Proposal: Minor elevational changes and conversion of part ground floor and first floor to provide a total of 6 X 1-bedroom flats, including provision of bin and bike stores

Address **The Triangle 11 - 13 Birchett Road Aldershot Hampshire GU11 1LS**

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Application No 19/00647/FULPP Ward: St Mark's

Applicant: Newmans Ltd

Decision: **Permission Granted**

Decision Date: 18 November 2019

Proposal: Re-positioning of Government Veterinary Inspection Office into first-floor extension above existing changing rooms and WCs (alternative proposal for re-siting of Vets Office from that approved with planning permission 18/00769/FULPP dated 7 May 2019)

Address **48 - 50 Sherborne Road Farnborough Hampshire GU14 6JT**

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Application No 19/00650/FUL Ward: Fernhill  
Applicant: Mr Jeff Reeve  
Decision: **Permission Granted**  
Decision Date: 01 November 2019  
Proposal: Erection of a two storey side extension and single storey garage  
Address **4A Chapel Lane Farnborough Hampshire GU14 9BE**

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Application No 19/00653/COND Ward: Wellington  
Applicant: Mr Jack Riggs  
Decision: **Permission Granted**  
Decision Date: 30 October 2019  
Proposal: Submission of details part pursuant (Cambridge Military Hospital Phase 1b) to condition 8 (demolition method statement) listed building consent 15/00930/LBC2PP dated 18th October 2016.  
Address **Zone C - Cambridge Military Hospital Aldershot Urban Extension  
Alisons Road Aldershot Hampshire**

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Application No 19/00661/TPO Ward: Knellwood  
Applicant: Mr Martin Carty  
Decision: **Permission Granted**  
Decision Date: 08 November 2019  
Proposal: One Sweet Chestnut (T9 of TPO 435A) two Beech trees (group G4 of TPO 435A) and one Beech and one "Oak" (group G5 of TPO 435A) drop-crotch reduction of extended lateral limbs to thin the crowns by no more than 20% volume, particularly to the house and carriageway aspects  
Address **11 Church Avenue Farnborough Hampshire GU14 7AY**

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Application No 19/00666/ADVPP Ward: Empress  
Applicant: Key Property Investments No1  
Decision: **Permission Granted**  
Decision Date: 14 November 2019  
Proposal: Display of 4no. non-illuminated fascia signs to the northwest elevation and 3no. non-illuminated fascia signs to the southeast elevation  
Address **Kingsmead Multi-Storey Car Park Kingsmead Farnborough Hampshire GU14 7SJ**

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Application No 19/00668/FULPP Ward: Rowhill  
Applicant: Mr P Folkes  
Decision: **Permission Granted**  
Decision Date: 20 November 2019  
Proposal: Creation of self-contained 1-bedroom 2-person occupancy duplex dwelling unit at ground-floor and basement levels to rear of multiple-occupancy building to replace existing 2-person occupancy duplex bedsitting unit  
Address **3 The Warren Aldershot Hampshire GU11 3AB**

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Application No 19/00672/FULPP Ward: Knellwood  
Applicant: Mr NIGEL MALLENDER  
Decision: **Permission Granted**  
Decision Date: 30 October 2019  
Proposal: Demoliion of existing bungalow and erection of a four bedroom house  
Address **106 Reading Road Farnborough Hampshire GU14 6NP**

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Application No 19/00678/CONDPP Ward: Cove And Southwood

Applicant: Legal & General Property Partners (Life F

Decision: **Conditions details approved**

Decision Date: 04 November 2019

Proposal: Submission of details pursuant to Condition No.12 (Construction & Traffic Management Plan) of planning permission 16/00837/FULPP dated 19 March 2019

Address **The Crescent Southwood Business Park Summit Avenue  
Farnborough Hampshire**

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Application No 19/00679/COU Ward: Rowhill

Applicant: Mr Anayatullah Mir

Decision: **Permission Granted**

Decision Date: 14 November 2019

Proposal: Erection of side extension to provide external staircase access to first-floor, conversion and change of use of former Care Home to create 1 X 3-bedroom and 1 X 4-bedroom flats (2 flats in total : Use Class C3) with associated works

Address **76 Cambridge Road Aldershot Hampshire GU11 3LD**

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Application No 19/00685/TPOPP Ward: St John's

Applicant: Mr Morrell

Decision: **Permission Granted**

Decision Date: 21 November 2019

Proposal: T1 Oak (T58 of TPO 407) - Remove major deadwood, crown raise by removing heavy limb growing out towards neighbours garage, trim back limbs overhanging neighbours garden by up to 2.5m to growth points, reduce upper crown in line with the middle of the driveway away from houses opposite by upto 2m to appropriate growth points

Address **34 Comfrey Close Farnborough Hampshire GU14 9XX**

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Application No 19/00686/TPOPP Ward: Knellwood

Applicant: Mr James Newman

Decision: **Split decision**

Decision Date: 22 November 2019

Proposal: One Oak (T2 of TPO 397) crown reduction of no more than 5 metres back to appropriate secondary growth points, remove deadwood and thin crown by no more than 15%. Remove one Horse Chestnut (T3 of TPO 397)

Address **88 Cambridge Road East Farnborough Hampshire GU14 6QX**

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Application No 19/00687/TPO Ward: Knellwood

Applicant: Mr Arvind Sahni

Decision: **Permission Granted**

Decision Date: 21 November 2019

Proposal: Removal of 1 roadside declining Pine Tree (T69 of TPO 439A)

Address **Darshna Lodge 64 Albert Road Farnborough Hampshire GU14 6SL**

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Application No 19/00693/FULPP Ward: Empress

Applicant: Lothbury Property Trust Company Limited

Decision: **Permission Granted**

Decision Date: 01 November 2019

Proposal: Removal of Brise Soleil structures from above existing retail unit customer entrances and associated works

Address **Blackwater Shopping Park Farnborough Gate Farnborough Hampshire**

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Application No 19/00698/FUL Ward: Cherrywood

Applicant: Emma-Louise Duncan

Decision: **Permission Granted**

Decision Date: 31 October 2019

Proposal: Retention and completion of playhouse

Address **6 Combe Lane Farnborough Hampshire GU14 8UJ**

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Application No 19/00703/FULPP Ward: Knellwood  
Applicant: Mrs Rachael Barry  
Decision: **Permission Granted**  
Decision Date: 14 November 2019  
Proposal: Erection of a part single and part two storey side extension  
Address **68 Woburn Avenue Farnborough Hampshire GU14 7EQ**

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Application No 19/00705/FULPP Ward: Knellwood  
Applicant: Mr & Mrs Barette  
Decision: **Permission Granted**  
Decision Date: 07 November 2019  
Proposal: Erection of a first floor rear extension  
Address **34 The Grove Farnborough Hampshire GU14 6QS**

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Application No 19/00707/FULPP Ward: St Mark's  
Applicant: Caroline Johnson  
Decision: **Permission Granted**  
Decision Date: 05 November 2019  
Proposal: Installation of replica WW2 assault course play area, construction of timber picnic shelter and creation of community garden  
Address **Aldershot Military Historical Trust And Museum Evelyn Woods Road Aldershot Hampshire GU11 2LG**

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Application No 19/00708/LBCPP Ward: St Mark's  
Applicant: Caroline Johnson  
Decision: **Permission Granted**  
Decision Date: 05 November 2019  
Proposal: LISTED BUILDING CONSENT: Installation of replica WW2 assault course play area, construction of timber picnic shelter and creation of community garden  
Address **Aldershot Military Historical Trust And Museum Evelyn Woods Road Aldershot Hampshire GU11 2LG**

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Application No 19/00710/PDCPP Ward: Cove And Southwood

Applicant: Mr Habib Rahman

Decision: **Development is Lawful**

Decision Date: 07 November 2019

Proposal: Certificate of Lawfulness For Proposed Development: Formation of a hipped to gable roof extension, formation of a dormer window within rear facing roof slope and two roof lights within front facing roof slope to facilitate a loft conversion

Address **13 Goodden Crescent Farnborough Hampshire GU14 0DQ**

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Application No 19/00711/REXPD Ward: Cove And Southwood

Applicant: Mr Habib Rahman

Decision: **Prior approval is NOT required**

Decision Date: 07 November 2019

Proposal: Notification of a prior approval for a Proposed Larger Home Extension: Erection of a single storey rear extension measuring 5 metres in depth, 2.5 metres to eaves and 3.66m metres in overall height

Address **13 Goodden Crescent Farnborough Hampshire GU14 0DQ**

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Application No 19/00714/FULPP Ward: Cove And Southwood

Applicant: Mr Fatos Nika

Decision: **Permission Granted**

Decision Date: 21 November 2019

Proposal: Erection of a part single and part two storey rear extension

Address **60 Hazel Avenue Farnborough Hampshire GU14 0DW**

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Application No 19/00715/FUL Ward: Rowhill

Applicant: Mr Dave Jenkins

Decision: **Permission Granted**

Decision Date: 05 November 2019

Proposal: Erection of timber frame garage

Address **35 Ayling Lane Aldershot Hampshire GU11 3LZ**

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Application No 19/00717/FULPP Ward: West Heath

Applicant: Mr Neil Oliver

Decision: **Permission Granted**

Decision Date: 05 November 2019

Proposal: Erection of a single storey rear extension

Address **70 Horn Road Farnborough Hampshire GU14 8RL**

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Application No 19/00718/FULPP Ward: Knellwood

Applicant: Mr Kovacs

Decision: **Permission Granted**

Decision Date: 05 November 2019

Proposal: Erection of a conservatory to the rear

Address **2 Marwood Place 141 Alexandra Road Farnborough Hampshire  
GU14 6RR**

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Application No 19/00719/FULPP Ward: St Mark's

Applicant: Mr Lea

Decision: **Permission Granted**

Decision Date: 07 November 2019

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

Address **21 Sherborne Road Farnborough Hampshire GU14 6JS**

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Application No 19/00721/FUL Ward: St Mark's

Applicant: Miss Kathryn Ayre

Decision: **Permission Granted**

Decision Date: 08 November 2019

Proposal: Installation of Uvpc windows

Address **Flat 5 Grazley Lodge Osborne Road Farnborough Hampshire GU14  
6PT**

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Application No 19/00722/COND Ward: St Mark's

Applicant: Mr Roger Walker

Decision: **Conditions details approved**

Decision Date: 05 November 2019

Proposal: Submission of details pursuant to Conditions 10 (Details of Gatehouse) attached to Planning Permission 18/00657/FULPP dated 8th November 2018

Address **Farnborough Airport Farnborough Road Farnborough Hampshire GU14 6XA**

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Application No 19/00723/ADVPP Ward: Empress

Applicant: Lothbury Property Trust Company Limited

Decision: **Permission Granted**

Decision Date: 01 November 2019

Proposal: Display of two internally-illuminated 5-metre high totem signs to replace existing totem signs; an internally-illuminated freestanding low-level sign on entrance roundabout; and a non-illuminated board sign mounted on railings to side of pedestrian walkway entrance to site

Address **Blackwater Shopping Park Farnborough Gate Farnborough Hampshire**

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Application No 19/00726/FULPP Ward: St John's

Applicant: Mr And Mrs Brown

Decision: **Permission Granted**

Decision Date: 14 November 2019

Proposal: Erection of a single storey side and rear extension with raised patio to rear

Address **23 Chiltern Avenue Farnborough Hampshire GU14 9SG**

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Application No 19/00728/FULPP Ward: Manor Park  
Applicant: Mr And Mrs Alex Bayman  
Decision: **Permission Granted**  
Decision Date: 07 November 2019  
Proposal: Erection of a single storey rear extension following removal of existing outbuilding  
Address **63 Jubilee Road Aldershot Hampshire GU11 3QD**

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Application No 19/00733/COND Ward: Empress  
Applicant: Mrs Anne Mayhew  
Decision: **Permission Granted**  
Decision Date: 06 November 2019  
Proposal: Submission of details to comply with condition 2 (Trees) attached to planning permission 19/00397/FUL dated 7 August 2019  
Address **Empress Cottage Highgate Lane Farnborough Hampshire GU14 8AF**

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Application No 19/00737/FUL Ward: St Mark's  
Applicant: Mr And Mrs Dodkin  
Decision: **Permission Granted**  
Decision Date: 21 November 2019  
Proposal: Erection of a 'L shaped' conservatory to rear  
Address **37A Somerset Road Farnborough Hampshire GU14 6DW**

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Application No 19/00740/FULPP Ward: Fernhill  
Applicant: Mr And Mrs Burkin  
Decision: **Permission Granted**  
Decision Date: 19 November 2019  
Proposal: Erection of a single storey front and two storey side extension following removal of existing front porch  
Address **11 Cold Harbour Lane Farnborough Hampshire GU14 9AH**

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Application No 19/00741/FULPP Ward: Manor Park  
Applicant: Mr P Ruddick  
Decision: **Permission Granted**  
Decision Date: 14 November 2019  
Proposal: Relief of Condition 12 attached to planning permission 93/00627/FUL dated 20 January 1994 (Erection of 58 Dwellings) to allow conversion of the existing garage to a habitable room  
Address **13 Laurel Gardens Aldershot Hampshire GU11 3TQ**

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Application No 19/00742/COND Ward: Empress  
Applicant: Mr Bradley Sandys  
Decision: **Conditions details approved**  
Decision Date: 12 November 2019  
Proposal: Submission of details pursuant to condition 2 (Control of Noise) attached to planning permission 19/00490/FULPP dated 8th October 2019  
Address **40 - 50 Kingsmead Farnborough Hampshire**

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Application No 19/00768/NMAPP Ward: Knellwood  
Applicant: Mr Stephen Gibbons  
Decision: **Permission Granted**  
Decision Date: 05 November 2019  
Proposal: Non Material Amendment to planning permission 19/00497/FUL dated 30/8/19 (Erection of two storey side and rear extension and single storey side extension) to allow change from two sets of French doors to one bi-fold door at rear of extension  
Address **134 Farnborough Road Farnborough Hampshire GU14 7JH**

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**Development Management Committee**  
**4<sup>th</sup> December 2019**

**Planning Report No. PLN1962**

## **Esso Pipeline Project**

### **1. Introduction**

The Head of Economy, Planning and Strategic Housing will give a verbal update on the current position with regard to the application (Our Ref.19/00432/PINS) submitted to the Planning Inspectorate for a Development Consent Order in respect of a Major Infrastructure Project to permit the renewal and partial realignment of an existing Southampton to London fuel pipeline which crosses Rushmoor Borough. This follows the recent accompanied site visit and procedural hearings.

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Development Management Committee  
4th December 2019

Head of Economy, Planning and  
Strategic Housing  
Report No.PLN1961

**Planning ref: 19/00337/FULPP**

**Meudon House, Meudon Avenue, Farnborough, Hampshire, GU14 7NB**

## **1. INTRODUCTION**

- 1.1 Demolition of existing structures and erection of 197 dwellings comprising 86 one bedroom flats; 77 two bedroom flats and 34 three bedroom houses with associated access, parking and landscape arrangements.**

This planning application was reported to the Development Management Committee on 18<sup>th</sup> September 2019 when it was resolved to grant conditional planning permission subject to completion of a S.106 agreement. It was accepted that no affordable housing would be provided on site following an independent review of the Applicants' viability assessment submission. It was however resolved to include an outturn viability review mechanism in the associated S.106 agreement in accordance with the Council's newly adopted SPD.

- 1.2 The Applicant, Bellway Homes, acquired the site with the benefit of an extant planning permission ref: 18/00140/FULPP dated 8<sup>th</sup> March 2019. This permission, for the demolition of the existing building and the erection of 205 open market dwellings in the form of one substantial 6 storey apartment building (93 one bedroom flats and 80 two bedroom flats) and 32 three bedroom townhouses, has not been implemented.
- 1.3 The application the subject of this report, submitted by Bellway Homes, sought permission for material amendments to the scheme. The layout and massing of the proposed development remained largely unchanged and there is a small reduction on the number of units proposed.

## **2. DECISION TAKEN**

- 2.1 The decision taken by this Committee on the 18th September 2019 was to grant planning permission subject to conditions and a s106 legal agreement which would secure SAMM contributions, open space contributions, an affordable housing review mechanism, transport contributions, a travel plan and monitoring fees and require the transfer of SANG mitigation secured in respect of the previous scheme to the new proposal.

## **3. BACKGROUND**

- 3.1 Following the committee resolution Bellway Homes considered the requirement for a 'late stage review' of viability, which would be triggered prior to occupation of 75% of the residential units. Subject to market conditions at the time this could potentially result in a deferred contribution to affordable housing.

- 3.2 The Council sought the obligation in order to ensure that viability is re-tested based on figures arising from the actual cost and values of the development in progress, which by then would be substantially complete. However, Bellway Homes consider that the review would introduce uncertainty, particularly when considering the fall-back position of the extant permission, which secured a review solely triggered by delayed completion of the development of over three years.
- 3.3 Since the extant permission was granted, the Council adopted a new Affordable Housing Supplementary Planning Document on the 17<sup>th</sup> September 2019. This sets out the Council's requirements for viability review mechanisms, secured through s106 agreements. However, as noted by the Applicant, the SPD was adopted the day before the current planning application was considered by this Committee on the 18<sup>th</sup> September 2019.
- 3.4 Bellway Homes have therefore presented alternative offers to the Council, which would require changes to the heads of terms of the legal agreement set out in the resolution of 18<sup>th</sup> September. The following report sets out and discusses the offers and a consequent amended recommendation.

#### **4. THE APPLICANTS' OFFERS**

- 4.1 The Bellway Homes offers have arisen from concern that the current iteration of the late stage review mechanism would introduce a level of uncertainty from a commercial perspective, which would not occur were they to adopt the fallback position of implementing the extant planning permission, which secures a review solely triggered by delayed completion of the development (over three years).
- 4.2 If the extant permission were implemented, no affordable housing would be provided on site and providing the scheme were completed in three years, there would be no re-assessment of viability and no likelihood of any contribution in-lieu of off-site affordable housing provision.

#### *Affordable Housing Options Discussed*

- 4.3 Given the particular circumstances of this case, the following possible options, the first three of which are offered by Bellway in lieu of the late-stage review mechanism, have been discussed:
1. *An off-site Affordable Housing Contribution of £1,000,000 on the basis that 50% is payable prior to commencement and 50% is payable prior to the occupation of the 98<sup>th</sup> dwelling (50% of dwellings) (Bellway Homes Offer).*
  2. *On-site provision of 10% Affordable Housing (20 units) based on a policy compliant tenure mix: 70% affordable rented (14 units) / 30% shared ownership (6 units). The 20 units would all be provided within floors 1 and 2 of the north western core of the apartment block. A higher percentage of affordable rented units could not be achieved without additional grant funding. (Bellway Homes Offer).*
  3. *On-site provision of 15% Affordable Housing (30 units) on a 100% shared ownership basis. The 30 units could be provided within floors 1, 2 and 3 of the north western core of the apartment block. (Bellway Homes Offer).*

4. *Late-stage review at a pre-determined stage in the development in order to ensure viability is re-tested on figures arising from the actual cost of the development and any arising deferred contribution to affordable housing paid prior to occupation of a specified percentage of the private residential units. (This is the unchanged mechanism as accepted on 18<sup>th</sup> September).*
- 4.4 Bellway Homes have confirmed that the options 1 to 3 do not rely on additional grant funding from the Council. Radian Homes RP have confirmed that acquiring affordable units on a leasehold basis within a split affordable and private core would be acceptable in this instance.
- 4.5 Following discussions with Radian HA and the Council's Housing Strategy & Enabling Manager, Bellway Homes have made the following two further offers which would rely on grant funding of £500,000:
- (I) On-site provision of 10% Affordable Housing (20 units) on a 100% affordable rent basis. The 20 units can all be provided within floors 1 and 2 of the NW core of the apartment block.*
- (II) On-site provision of 15% Affordable Housing (30 units) on the following tenure: 20% affordable rent (6 units) / 80% shared ownership (24 units). The 30 units can all be provided within floors 1, 2 and 3 of the NW core of the apartment block.*
- 4.6 In summary, this offer is predicated on the availability of £500,000 grant funding from the Council to enable the tenure of 6 affordable units to be changed from shared ownership to affordable rent tenure.

## **5. COMMENTARY**

- 5.1 Having considered the options, the payment of a cash sum (option 1) would give the certainty of a contribution towards affordable housing, but at the present time presents the difficulty of finding a suitable site in which the Council could invest it. At current grant levels, the offered sum of £1,000,000 would on a suitable site deliver approximately 20 housing units. Consequently there is considered to be no significant advantage in accepting a cash sum rather than securing the offered provision of 20 units on the site.
- 5.2 The second option is more attractive because it provides the certainty and the site to deliver on-site affordable housing (20 units) of which 14 would be affordable rented and would address and immediate identified housing need.
- 5.3 The 3rd option is less attractive at the demonstrated housing need in the borough is for affordable rented accommodation rather than shared ownership.
- 5.4 The remaining option of continuing with the existing recommendation would deliver no affordable housing immediately and would be dependent on the state of the market at the time of a re-test and could of course ultimately result in no affordable housing, either on-site or by way of a financial contribution.
- 5.5 Further discussion is continuing around the possibility of augmenting the number of

affordable rented units offered by option 2 with a subsidy using contributions for off-site provision secured from other sites.

- 5.6 The alternatives to the original recommendation and resolution provide the possibility and actual delivery of on-site affordable rented accommodation.
- 5.7 The level of subsidy required to secure additional affordable housing (over and above that offered in 'Option 2') implied in the current offer set out at 4.5 - 4.6 above is not considered to represent value for money. At the time of writing further negotiations are in progress with a view to securing an improved offer. The prospect of additional provision as a result is not therefore precluded by the recommendation.

## 6. CONCLUSION

- 6.1 Whilst the Bellway proposals all represent a departure from the newly adopted Affordable Housing SPD because they do not include an outturn retest mechanism, they all represent an improvement in terms of the prospects of securing affordable housing when compared to the extant planning permission. Considerable weight must be given to the 'fallback' of implementing the extant planning permission because it remains valid and requires only the discharge of conditions before work can commence.
- 6.2 The new scheme is more attractive in terms of design and connectivity, and hence it can be seen as disadvantageous if the fallback position were followed. Especially as it would be highly unlikely to result in any contribution to affordable housing.
- 6.3 The particular circumstances of this case (Particularly the status of the extant permission) therefore mean that the proposed arrangement would not compromise the Council's ability to require future applications and S.106 agreements to provide the retest mechanism in accordance with the Affordable Housing SPD.

## 7. FULL RECOMMENDATION

It is recommended that subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure the measures set out in (but not restricted to) the Heads of Terms of the Agreement below, the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to **GRANT** planning permission subject to the conditions and informatives set out below. (The detailed terms of the S106 agreement to be agreed by the Corporate Manager – Legal Services):-

### HEADS OF TERMS – S.106 AGREEMENT

- 1) **Affordable Housing** – no fewer than 20 affordable residential units without external subsidy (including a minimum of 14 affordable rented units) to be provided within the scheme in accordance with details and a timescale to be agreed prior to implementation of the planning permission.
- 2) **SANG Payment** – Mechanism to ensure the transfer of existing SANG allocation from the previously approved scheme to the new proposal prior to implementation.

- 3) **SAMM Contributions** – Developer to pay **£98,990** contribution towards Strategic Access management and Monitoring measures in accordance with the Council’s TMH SPA Avoidance and Mitigation Strategy.
- 4) **Open Space Contribution - £399,000** payable to the Council towards the provision of open space more specifically for the renewal of skatepark provision in Farnborough Town Centre, playground refurbishment at Elles Close and improvements to changing facilities at Queens Road Recreation Ground all within Farnborough.
- 5) **Transport Contribution - £115,000** payable to the County Council towards the provision of the pedestrian and cycle crossing point at Meudon Avenue and minor improvement to the pedestrian route to Tower Hill School in the form of finalising the link from Pinehurst Avenue to Sulzers roundabout underpass.
- 6) **Travel Plan** – the submission and implementation of a full Travel Plan to the County Council.
- 7) **Travel plan Approval Fee - £1,500** payable to the County Council.
- 8) **Travel Plan Bond** - provision of a surety mechanism to ensure implementation of the full Travel Plan with a bond value of **£34,600**.

However, in the event that a satisfactory s106 planning obligation is not completed by 4<sup>th</sup> February 2020 the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman, be authorised to **REFUSE** planning permission on the grounds that the proposal fails to make appropriate provision for affordable housing, open space, nor mitigate its impact on the highway and the Thames Basin Heaths Special Protection Area, contrary to the relevant policies of the Council’s Development Plan and associated supplementary planning guidance:

*Time limit*

- 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 2019 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

*Approved Plans*

- 2 The permission hereby granted shall be carried out in accordance with the following approved drawings and details:

091814-BEL-TV-LOC01; 091814-BEL-TV-LOC02 A; 091814-BEL-TV-01;  
 091814-BEL-TV-02 A; 091814-BEL-TV-03 A; 091814-BEL-TV-04 A; 091814-PER01;  
 091814-PER02; 091814-PER03; 091814-BEL-TV-SEC01; 091814-BEL-TV-SEC02;  
 091814-BEL-TV-SEC03; 091814-BEL-TV-SS01; 091814-BEL-TV-SS02;

091814-T01-E1; 091814-T01-E2; 091814-T01-E3; 091814-T01-P1; 091814-T02-E1; 091814-T02-P1 ;091814-T03-E1; 091814-T03-E2; 091814-T03-E3; 091814-T03-P1; 091814-T04-E1; 091814-T04-E2; 091814-T04-E3; 091814-T04-P1; 091814-BS01; 091814-BEL-TV-E1; 091814-BEL-TV-E2; 091814-BEL-TV-E3; 091814-BEL-TV-E4; 091814-BEL-TV-E5; 091814-BEL-TV-E6; 091814-BEL-TV-E7; 091814-BEL-TV-E8; 091814-BEL-TV-E9; 091814-BEL-TV-P1; 091814-BEL-TV-P2; 091814-BEL-TV-P3; 091814-BEL-TV-P4; 091814-BEL-TV-P5; 091814-BEL-TV-P6; 091814-BEL-TV-ATLP; 091814-50A; 091814-50B; 091814-50C; 091814-50D; 091814-50E; 091814-61A; 091814-62A; 091814-62B; 091814-70A; 091814-70B; 091814-70C; 091814-70D; 091814-78A and 091814-78B.

Transport Statement Version 2 ref: 70054052 (WSP, June 2019); Transport Note (WSP, 18<sup>th</sup> June 2019); Travel Plan Revision 2 ref: 70020462-TP (WSP, June 2019); Utilities Statement Revision 3 ref: 70054052 (WSP, May 2019); Arboricultural Impact Assessment ref: 10140\_AIA.001 (Aspect, June 2019); Tree Schedule ref: 10140 TS 01 (Aspect, March 2019); ( Energy Statement ref: 70054052 Revision 1 (WSP, May 2019); Daylight and Sunlight Report Revision 2 ref: 70054052-DS1 (WSP, May 2019); Ground Investigation Report ref: 70024052\_Meudon houseGIR\_V2 (WSP, May 2019); Air Quality Assessment ref: 70054052-AC1 001 (WSP, May 2019); Acoustics Report ref: 70054052-AC1 001 (WSP, May 2019); Habitats Regulations Assessment ref: 70054052 Rev 2.0 (WSP, May 2019); Preliminary Geo-Environmental Risk Assessment ref: 70054052-PRAR04 (WSP, May 2019); Preliminary Ecological Appraisal ref: 70020462 Rev 3 (WSP, May 2019); Bat Preliminary Roost Assessment ref: CRM.1265.003.EC.R.001 (Enzygo, January 2019); Construction Environmental Management Plan Issue 3 (Stuart Michael Associates, May 2019); Contamination Assessment and Remedial Methodology ref: CRM.1265.009. GE.R.001.A (Enzygo, May 2019); Flood Risk Assessment ref: 54052-FRA-005 Rev 7 (WSP, August 2019) and WSP Flood Risk Assessment cover letter ref: 70054052/AG/DH/01 dated 16<sup>th</sup> August 2019.

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

#### *Demolition strategy*

- 3 In the event that demolition works are not to take place concurrently as part of the construction of the proposed development, a demolition strategy shall be submitted to the Local Planning Authority for approval. Once approved, demolition and associated mitigation measures shall be undertaken in accordance with the approved strategy.

Reason - In the interests of the visual and residential amenities of the area and highway safety

#### *Tree Protection*

- 4 Prior to the demolition of the existing building(s) on site and the removal of any trees identified for removal on drawing numbers 10140 TPP 01 (1/3), (2/3) and (3/3), the tree protection measures as shown at Appendix C of the submitted Arboricultural Impact Assessment (drawing numbers 10140 TPP 01 (1/3), (2/3) and (3/3)) shall be implemented in full and approved by a suitably qualified Arboriculturalist before any demolition, its associated preparation and tree removal commences. The approved tree



protection measures shall remain in situ until all development has ceased on site. Prior to first occupation of the development, a completion report shall be submitted to and agreed in writing by the local planning authority, to demonstrate satisfactory compliance with the tree protection measures outlined in the Arboricultural Impact Assessment as approved.\*

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

*Arboricultural Method Statement*

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

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

*Levels*

- 6 Notwithstanding any details submitted with the application no works of construction of the buildings hereby approved shall start until plans showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives and parking areas and the height of any retaining walls within the application site 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 a satisfactory form of development in relation to neighbouring property and the character of the area.\*

*Materials*

- 7 Prior to the construction of external walls, and installation of roofs and window frames, and notwithstanding the details submitted with the application, a schedule and/or samples of the materials to be used in these parts of the development 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.\*

*Traffic Island*

- 8 Prior to the first occupation of the development, a traffic island shall be provided at the Meudon Avenue entrance to separate physically traffic entering and leaving the site in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The island shall be provided in accordance with these details and thereafter maintained and retained.

Reason - In the interests of pedestrian and cyclist safety.\*

*Hard landscaping proposals including pedestrian and cycle connectivity*

- 9 Prior to the installation of any paving, footpaths and roadways within the development hereby approved, and notwithstanding the details submitted with the application, details of the surfaces of all road, paths and hard landscaping, together with a scheme for pedestrian and cycle connectivity, shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

- (i) Pedestrian and cycle access to and routes within the site;
- (ii) Location and details of raised tables on key crossings within the site to prioritise cycle/pedestrian movements;
- (iii) Provision of a path suitable to cater for cyclists along the south east corner of the Site (path aligned as shown on Figure 4 of the Transport Statement hereby approved);
- (iv) Scheme to implement 20mph speed limit on all internal roads;
- (v) Detailed drawings/sections where appropriate; and
- (vi) Schedule of materials/samples where appropriate.

The hard landscaping scheme shall be completed and retained in accordance with the details so approved prior to the first occupation of the development. At least one formal cycle connection to the site shall be operational prior to first occupation of the development.

Reason - To ensure satisfactory external appearance, drainage arrangements, site accessibility and to promote alternative modes of transport.\*

*Soft landscaping proposals and biodiversity enhancements*

- 10 Notwithstanding the details submitted with the application, details of a landscaping scheme for the site, including measures for biodiversity enhancement including those outlined in section 6.4 of the Preliminary Ecological Appraisal ref: 70020462 Rev 3 (WSP, May 2019) hereby approved, shall be submitted to, and approved in writing by the Local Planning Authority. The scheme and enhancements so approved shall be implemented in full, prior to the first occupation of any part of the development or the first available planting season whichever is the sooner. Any tree/shrub removed, dying or becoming seriously diseased within five years of planting shall be replaced by trees/shrubs of similar size and species to those originally required to be planted.

Reason – In the interests of the appearance of the site and to secure a net gain for biodiversity in accordance with the National Planning Policy Framework.\*

*Boundary Treatment*

- 11 The development shall not be occupied 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 design of garden fences shall have regard to the recommendations in section 6.4 of the Preliminary Ecological Appraisal ref: 70020462 Rev 3 (WSP, May 2019) hereby approved. The development shall be completed and retained in accordance with the details so approved prior to first occupation.

Reason - To safeguard the appearance of the site and the amenities of neighbouring properties.\*

#### *Parking*

- 12 Notwithstanding the details submitted with the application, prior to first occupation of the development hereby approved, a detailed plan confirming the layout, allocation and marking out of the proposed parking spaces, including visitors' parking spaces, shall be submitted to and approved in writing by the local planning authority. The development hereby approved shall not be occupied until the car parking facilities shown on the approved plans associated with that part of the development they would serve are completed and ready for use. The parking spaces shall be thereafter retained solely for parking purposes (to be used by the occupiers of, and visitors to, the development).

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

#### *Cycle Parking*

- 13 Notwithstanding the details submitted with the application, prior to first occupation of the development hereby approved, details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. Such details shall include sheltered cycle parking where the provision is proposed outdoors. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the part of the development to which they relate and shall thereafter be retained for use at all times.

Reason - To serve the functional needs of the site and promote alternative modes of transport.\*

#### *Street Lighting*

- 14 Prior to first occupation of the part of the development to which it relates, details of a street lighting strategy including all parking areas shall be submitted to the Local Planning Authority for approval. Once approved the lighting shall be installed and made available for use prior to the first occupation of the development to which it relates and thereafter retained in operation.

Reason - In the interests of amenity and security.\*

#### *Noise Mitigation*

- 15 Notwithstanding any details submitted in the application no dwelling shall be occupied until measures to protect buildings and garden areas from traffic or other external noise

(including the dog kennels within the Rushmoor Borough Council site) have been implemented in accordance with a scheme to include, for example, bunds, acoustic barriers and double glazing, which has been first submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented as approved and retained for the life of the development.

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

*Aerial/satellite/fibre facilities*

- 16 Notwithstanding any details submitted in the application no dwelling shall be occupied until details of the location and appearance of the communal aerial/satellite/fibre facilities to that part of the development to which they relate have been submitted to and approved in writing by the Local Planning Authority. The approved system shall then be installed and made operational before the relevant dwellings are occupied.

Reason - In the interests of the visual amenity of the area.\*

*Delivery of communal amenity spaces*

- 17 Prior to the first occupation of any part of the development, details of the timetable for the provision of communal amenity spaces within the development and a maintenance strategy for the ongoing maintenance of these amenity spaces, shall be submitted to the Local Planning Authority for approval. Once approved, the communal amenity spaces shall be provided and managed in accordance with these details and thereafter retained/maintained.

Reason – To meet the recreational needs of future residents and to safeguard the appearance of the site.\*

*Arboricultural Management*

- 18 Prior to the first occupation of any part of the houses hereby approved an arboricultural management strategy for trees within the site shall be submitted to the Local Planning Authority for approval, to include as a minimum annual inspections and remedial tree works as necessary to demonstrate good arboricultural management and to ensure appropriate relationships between trees, buildings and amenity space/gardens are retained both within and beyond the site.

Reason - In the interests of the visual amenities of the area and to safeguard the amenities of proposed and adjoining occupiers.\*

*Remediation Verification Reports*

- 19 No occupation shall take place until a verification report demonstrating completion of works set out in the approved Contamination Assessment and Remedial Methodology and the effectiveness of the remediation shall be submitted to and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

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

*Vehicular Access*

- 20 No part of the development hereby approved shall be used or occupied until the proposed means of vehicular access has been completed and made available for vehicular use.

Reason - To ensure adequate means of access is available to the development.\*

*Refuse and Recycling Storage*

- 21 The refuse and recycling bin storage facilities as shown on the approved plans shall be provided and made available for use prior to first occupation of the relevant part of the development to which they relate, and thereafter retained for their designated purpose for the life of the development.

Reason - To serve the functional needs of the site and safeguard the amenities of the area.\*

*Electric Vehicle Charging Facilities*

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

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

*Construction Environmental Management Plan*

- 23 The development shall be carried out strictly in accordance with the Construction Environmental Management Plan Issue 3 (Stuart Michael Associates, May 2019) hereby approved.

Reason - In the interests of highway safety, the amenity of neighbouring occupiers and local environmental conditions.

*Contamination Remediation*

- 24 The development shall be carried out strictly in accordance with the Contamination Assessment and Remedial Methodology ref: CRM.1265.009. GE.R.001.A (Enzygo, May 2019) hereby approved.

Reason - In the interests of highway safety, the amenity of neighbouring occupiers and local environmental conditions.

*Permitted Development*

- 25 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England), Order 2015 (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C, E and G of Part 1 and Class A of Part 2 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 the character of the area, including having regard to trees of amenity value and to prevent adverse impact on traffic and parking conditions in the vicinity.

*Hours of Construction*

- 26 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.

*Surface Water Drainage*

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

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

**Informatives**

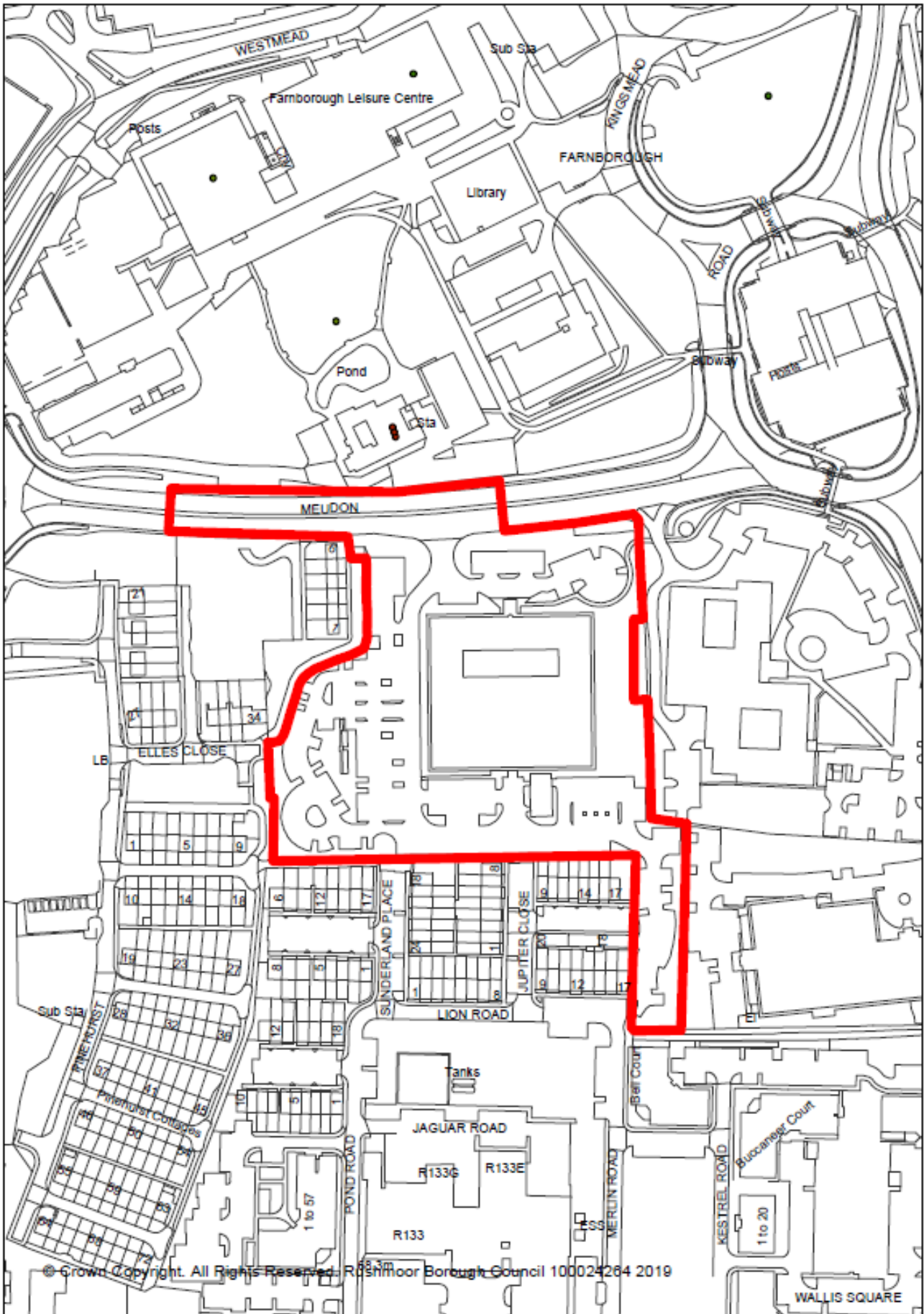
- 1 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because the proposal would have an acceptable impact on the character of the area, it would create a satisfactory living environment for future occupiers, have an acceptable impact on adjoining non-residential and residential occupiers and meet the functional requirements of the development. The proposal is acceptable in highway terms, it makes satisfactory provision for affordable housing and public open space, addresses its impact on the SPA. It complies with the Council’s Rushmoor Local Plan policies, the Council's adopted Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and the National Planning Policy Framework/Planning Practice Guidance. 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 – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.
- 3 INFORMATIVE - Your attention is specifically drawn to the conditions marked \*. These condition(s) require either the submission and approval of details, information, drawings etc.by the Local Planning Authority BEFORE WORKS START ON SITE, BEFORE SPECIFIC ELEMENTS OF THE PROPOSAL ARE CARRIED OUT or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING. Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out WITHOUT PLANNING PERMISSION. The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 5 INFORMATIVE - The applicant is advised to follow good practice in the demolition of the existing buildings on site including the re-use of all material arising from demolition as part of the redevelopment wherever practicable.
- 6 INFORMATIVE - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
  - 1) provided prior to the occupation of the properties;
  - 2) compatible with the Council's collection vehicles, colour scheme and specifications;
  - 3) appropriate for the number of occupants they serve;
  - 4) fit into the development's bin storage facilities.
- 7 INFORMATIVE - Measures should be taken to prevent mud from vehicles leaving the site during construction works being deposited on the public highway throughout the construction period.
- 8 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Head of Operational Services for advice.
- 9 INFORMATIVE - The applicant is advised that during the demolition and construction phases of the development measures should be employed to contain and minimise dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Head of Operational Services.

- 10 INFORMATIVE - Future occupiers of the development should be made aware that aircraft approaching and departing TAG Farnborough Airport could be seen, and (dependent on weather conditions and ambient noise from other sources) heard from the application site.
- 11 INFORMATIVE - The applicant is advised that there may be a need to comply with the requirements of the Party Wall (etc.) Act 1996 before starting works on site. The Party Wall (etc.) Act is not enforced or administered by the Council but further information can be found on the Planning Portal website <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance> and you are able to download The party Wall Act 1996 explanatory booklet.
- 12 INFORMATIVE - It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0800 316 9800.
- 13 INFORMATIVE - In the UK all species of bats are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and under Schedule 2 of the conservation (Natural Habitats & c) Regulations 2004. The grant of planning permission does not supersede the requirements of this legislation and any unauthorised works would constitute an offence. If bats or signs of bats are encountered at any point during development then all works must stop immediately and you should contact Natural England.
- 14 INFORMATIVE - All wild birds and their nests are protected under the Wildlife and Countryside Act 1981 (as amended). If any trees are to be removed or buildings demolished during the bird breeding season (March-September inclusive) they should first be inspected by an experienced ecologist to ensure that no active nests are present. If an active nest is discovered it should be left in situ until the young have fledged.







**Development Management Committee**  
**4th December 2019**

**Head of Economy, Planning and  
 Strategic Housing**  
**Report No. PLN1959**

## **Enforcement and possible unauthorised development**

### **1. Introduction**

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

It is not an offence to carry out works without planning permission and the National Planning Policy Framework (NPPF) states that enforcement action is discretionary and that local planning authorities should act proportionately in responding to suspected breaches of planning control. Local authorities are also advised to take action only where it is appropriate to do so. The purpose of this report is 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 Approach to Planning Enforcement is set out in the adopted Local Enforcement Plan. The essential thrust of the Plan is that we will not condone wilful breaches of planning law but we will exercise our discretion about taking enforcement action if it is considered expedient to do so. The priorities with regard to enforcement are:

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

### **3. Items**

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

This report relates to:

Item 1 Delegated decisions on enforcement action

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.

Tim Mills  
Head of Economy, Planning and Strategic Housing

#### **BACKGROUND PAPERS**

*Rushmoor Local Plan (Adopted Feb 2019)*

*Rushmoor Local Enforcement Plan (2016)*

*National Planning Policy Framework (NPPF)*

## Item 1

**Delegated decision by the Corporate Planning Manager to issue an Enforcement Notice in respect of alleged breaches of planning control.**

**The following decision is reported for INFORMATION purposes only. It relates to a breach of planning control where a decision to issue an enforcement notice has been taken in accordance with the Council's Scheme of Delegation.**

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

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Address	59 Field Way, Aldershot
Ward	North Town
Decision	Instruct the Corporate Manager, Legal services to issue an enforcement notice
Decision Date	05/11/2019
Reasons	An investigation following a complaint has indicated unauthorised internal works have taken place which are not in accordance with planning permission 14/00585/FUL dated 3 September 2014 for the conversion of an existing garage to form habitable room, erection of a single storey front extension, first floor side extension and part two and single storey rear extension. As a result the extension has been configured and is in use as a separate dwelling. Undertakings to remedy the breach of planning control given by the owner in June 2015 in response to a Planning Contravention Notice have not been honoured. Occupiers have recently attempted to deny access to Council officers to carry out inspections of the property.
Alternatives	In the absence of enforcement action, the unauthorised use of a separate dwelling which fails to comply with the policies of the development plan would become established with inadequate off street car parking, with no mitigation provided to address the consequent impact on the Thames Basin Heaths SPA.
Case Officer	Katie Ingram
Associated Documents	Enforcement Reference 14/00169/XPLANS

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**Development Management Committee    Planning Report No. PLN1960**  
**4th December 2019**

**Appeals Progress Report**

**1. New Appeals**

- 1.1 Two new appeals have been received and 'started' by the Planning Inspectorate since the last Committee meeting on 6 November 2019.
- 1.2 **91 Cranmore Lane, Aldershot** : Against the refusal of planning permission for: Erection of single storey side extension and alterations to detached garage to form store. This appeal is being dealt with by means of the written procedure.
- 1.3 **182 Lower Farnham Road, Aldershot** : Against the refusal of planning permission for: Erection of a two storey rear extension. This appeal is being dealt with by means of the written procedure.

**2. Appeal decisions**

**2.1 Willow House, 23 Grosvenor Road Aldershot**

In August 2018 planning permission was refused (18/00251/FULPP) for: Demolition of existing building and erection of part 3, part 4 and part 5-storey building containing 23 flats (2 x studios, 13 x one bedroom and 8 x two bedroom) and 2 retail units, with associated bin and cycle storage on the following grounds:

- 1 *By virtue of its height, massing and design the proposed building does not respect the character and appearance of the local area and is also considered to adversely affect the setting of Wesley Chambers, a Grade II \* listed building located within the Aldershot West conservation area. As such the proposal is considered to conflict with policies CP1 and CP2 of the Rushmoor Core Strategy, "saved" local plan policies ENV16, ENV26, ENV34, ENV35 and ENV37 and paragraphs 127, 130, 192, 194, 195, 196 and 200 of the National Planning Policy Framework. Regard has also been had to policies HE1, HE3 and D1 of the Rushmoor Local Plan Draft Submission June 2017 as proposed to be amended.*
- 2 *By virtue of the proximity, footprint and height of the building the proposal is considered to result in an unacceptable loss of light and outlook and create an unacceptable sense of enclosure to residents of St Katherine Court. As such the proposal conflicts with policy CP2 of the Rushmoor Core Strategy and "saved" local plan policy ENV16.*

- 3 *It has not been satisfactorily demonstrated that the proposed dwellings would provide an acceptable internal residential environment or appropriate external amenity space for future residents. As such the proposal conflicts with policy CP2 of the Rushmoor Core Strategy and "saved" local plan policies ENV16 and H14. Regard has also been had to policies DE2 and DE3 of the Rushmoor Local Plan Draft Submission June 2017.*
- 4 *The development is unacceptable in highway terms in that no car parking has been provided. Moreover it has not been satisfactorily demonstrated that acceptable refuse collection arrangements and cycle storage facilities can be provided. The proposal conflicts with the objectives of policy CP16 of the Rushmoor Core Strategy and the Council's adopted Car and Cycle Parking Standards 2017. Regard has also been had to policy IN2 of the Rushmoor Local Plan Draft Submission June 2017.*
- 5 *Given the existing hardsurfacing within the site and the proposed footprint of building it has not been satisfactorily demonstrated that the proposal would make acceptable arrangements for the disposal surface water drainage and the provision of SUDs. As such the proposal conflicts with the objectives of policy CP4 of the Rushmoor Core Strategy and paragraph 165 of the National Planning Policy Framework. Regard has also been had to policy NE6 of the Rushmoor Local Plan Draft Submission 2017 as proposed to be amended.*
- 6 *The proposal fails to address the impact of the development on the Thames Basin Heaths Special Protection Area as required by the habitats Regulations in accordance with the Council's Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and is therefore contrary to Policy CP13 of the Rushmoor Core Strategy, NRM6 of the South East Plan and paragraph 175 of the National Planning Policy Framework. Regard has been had to policies NE1 and NE4 of the Rushmoor Local Plan Draft Submission 2017 as proposed to be amended.*
- 7 *The proposed development would fail 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. Regard has also been had to policy DE6 of the Rushmoor Local Plan Draft Submission 2017.*

The Inspector considered the main issues are the effects of the proposed development on:

- a) the character and appearance of the area, including on the setting of the Grade II\* listed Wesley Chambers and other Grade II listed buildings and on the Aldershot West conservation area and its setting;
- b) the living conditions of residents of the adjoining property, St Katherine Court, regarding their light, outlook and sense of enclosure;



- c) the living conditions of future residents of the proposed flats, regarding the room sizes of the units and their external amenity space;
- d) parking and servicing of the site, in particular whether this would be satisfactory; and
- e) the integrity of the SPA.

The Inspector noted the requirement regarding the desirability of preserving LBs or their settings and the desirability of preserving or enhancing the character or appearance of conservation areas.

He considered the proposed design would fail to incorporate enough variation or rhythm in its elevations and to appear bland and pedestrian by comparison with its neighbours.

He felt that little consideration has been given in the building's design to the surrounding LBs within the CA.

He concluded that the design of the proposed building is of insufficient quality and would fail to respect the character and appearance of the area. It would fail to respect the prominent corner settings of the LBs around it, as described above, and the character, appearance of the CA and its immediate setting.

In terms of the impact of the living conditions of residents of the adjoining property, St Katherine Court, he did not agree with the Council that the proposal would have an unacceptable impact of the amenity of adjoining residents in terms of its impact on bedroom windows in the adjacent light well.

He commented that the redevelopment of the appeal site is necessary in the interests of the efficient use of urban land and currently mars the character and appearance of the area and the settings of the nearby LBs.

In terms of the amenity of the residents of the proposed flats, the Inspector did not agree that the proposed balconies would be too noisy to provide useable amenity space as there were other such balconies in the vicinity.

He agreed that the proposed floor areas of the flats, substantially below the requirements of Policy DE2, would not result in a satisfactory living environment.

He did not agree with the Council's conclusions that suitable servicing was not available, nor did he accept the Council's position regarding the on-site shortfall in parking.

In terms of the impact upon the Thames Basin Heaths Special Protection Area, the Inspector noted the Appellants' proposal to provide mitigation by means of SANG land at the Queen Elizabeth Barracks site at Church Crookham, which is less than 5km from the site, to be secured by means of a suitably worded Grampian-style condition, and a SAMM contribution, to be secured by a

Unilateral Undertaking. He indicated that if permission were being granted, it would be necessary for him to carry out an Appropriate Assessment (AA) under the Habitats Regulations to determine whether the proposal would compromise the integrity of the SPA and that the above measures would be taken into account when making the AA. However, as he intended to dismiss the appeal for other reasons, it was not necessary for him to conduct an AA in this case.

In terms of the provision of public open space, the Inspector commented that the Unilateral Undertaking submitted with the appeal also provides for an open space contribution of £44,600 prior to commencement of development towards the provision or improvement of relevant local open space necessitated by the occupiers of the flats in the proposed scheme, in compliance with LP Policy DE6.

The Inspector concluded that whilst he disagreed with some of the Council's refusal reasons, for the reasons set out above I conclude that the appeal should be dismissed.

Following the receipt of the Appeal Decision letter, the Corporate Planning Manager wrote to the Planning Inspectorate raising concerns over the reasoning and lack of justification in the Inspectors decision letter for reaching the conclusion that zero parking would be appropriate for this location, given the substantial shortfall in parking provision, and that the proposal would accord with the thrust of Policy IN2 and the NPPF. The letter requested a response to several detailed points and indicated he Council's view at present is that the conclusion on parking grounds is flawed and should be afforded very little weight in the consideration of a further application to develop this, or any other site in the vicinity.

## **DECISION : APPEAL DISMISSED**

### **2.2 206 Sycamore Road, Farnborough**

The site comprises a detached house at the western end of Sycamore Road, adjoining the car park of Farnborough College of Technology. In July 2019, planning permission 19/00213/FULPP was refused for: Demolition of existing buildings and erection of a new building part 3 part 4 storey with a mix of 11 dwellings with associated parking, access, cycle and bin provision for the following grounds:

- 1 The proposed development, by reason of the scale and design of the building and its position within the plot, would result in an incongruous building that would be over dominant in the street scene, would be out-of-scale with the adjoining dwellings and which does not reflect the prevailing character of the area, to its detriment. The proposal also makes inadequate provision for the storage and removal of refuse. The proposal would therefore constitute an unacceptable overdevelopment of the site, contrary to Policies DE1 and DE11 of the Rushmoor Local Plan and the National Planning Policy Framework/Practice Guidance.*

- 2 *Having regard to the lack of private amenity space, the proposal would fail to meet the minimum Gross Internal Area for all of the flats and would not therefore provide a satisfactory living environment, contrary to Policies DE2 and DE3 of the adopted Rushmoor Local Plan. The proposal also fails to include details of a scheme to protect residents from aircraft noise in association with Farnborough Airport and is considered to be contrary to Policy DE10 of the adopted Rushmoor Local Plan.*
- 3 *The proposal fails to provide adequate car parking for residents and visitors in accordance with the requirements of the Council's adopted parking standards. The substantial shortfall in parking provision would be likely to result in indiscriminate car parking within the site, on the access road and on landscaped areas, to the detriment of residential amenity. The Proposal is contrary to Policy IN2 of the adopted Rushmoor Local Plan and Principles 6, 21 and 22 of the Car & Cycle Parking Standards Supplementary Planning Document.*
- 4 *The proposal would result in a significant increase in the number of vehicles exiting the site onto Sycamore Road and would fail to make adequate provision for visibility splays at the new exit point. The proposal would therefore be detrimental to the safety of motorists, pedestrians and cyclists, contrary to Policy IN2 of the adopted Rushmoor Local Plan.*
- 5 *The proposed development makes no provision to address the likely significant impact of the additional residential unit on the objectives and nature conservation interests of the Thames Basin Heaths Special Protection Area. The proposal does not include any information to demonstrate how the development will enhance biodiversity within the site to produce a net gain in biodiversity. The proposals are thereby contrary to the requirements of retained South East Plan Policy NRM6 and Policies NE1 and NE4 of the Rushmoor Local Plan.*
- 6 *The proposals fail to provide details of appropriate surface water drainage for the development as required by adopted Rushmoor Local Plan Policy NE8.*
- 7 *The proposed development would fail to make provision for public open space contrary to the provisions of adopted Rushmoor Local Plan Policies DE6 and DE7.*
- 8 *The proposed development would fail to make provision for affordable housing, contrary to the provisions of adopted Rushmoor Local Plan Policies LN2.*

The Appeal was determined following a hearing on the 12<sup>th</sup> of November 2019. The Hearing was attended by representatives of the Council, Hampshire

Highways, the Appellant and a number of residents. The Inspector's decision letter was received 18<sup>th</sup> November.

The Inspector considered that the main issues were:

- (a) The effect of the development on the character and appearance of the area;
- (b) Whether the development would prejudice highway safety;
- (c) Whether the development would be served by adequate car parking;
- (d) Whether the development would result in adequate living conditions for future occupiers with regard to amenity space provision; and
- (e) The effect of the development on the Thames Basin Heaths Special Protection Area (SPA)

The Inspector agreed that the development would significantly harm the character and appearance of the area. It would therefore be contrary to Policies DE1 and DE11 of the Rushmoor Local Plan (2019)

The Inspector concluded that the development would be prejudicial to highway safety, contrary to the relevant sections of Policy IN2 of the Rushmoor Local Plan (2019), which requires new development to provide safe, suitable, and convenient access.

The Inspector concluded that whilst that the site is in a highly accessible location, the proposed parking arrangement was not justified in this case, The development would not be served by adequate car parking contrary to the relevant sections of Policy IN2 of the Rushmoor Local Plan (2019), and the Car and Cycle Parking Standards SPD (2017).

The Inspector agreed with the Council that insufficient usable amenity space would be provided. He noted that Policy DE3 of the Rushmoor Local Plan states that the minimum requirement for private outdoor space is a 5 square metre balcony within flat developments.

In terms of the impact upon the Thames Basin Heaths Special Protection Area (SPA), the Inspector noted that the appeal site is located within 5 km of the Thames Basin Heaths SPA, and that it was common ground that the impact of the development upon the SPA requires mitigation. In this regard, he noted that a draft Unilateral Undertaking (UU) had been submitted that would make a contribution towards a Suitable Alternative Natural Greenspace (SANG). However, he noted that this SANG is within the neighbouring District of Hart. Whilst the Council had stated that SANG capacity in Hart has been allocated to developments in Rushmoor, it had clarified that any contribution would need to be paid directly to that District. The Inspector noted that there was no mechanism before him to deliver this, nor any indication that such a contribution would be accepted by Hart District Council.

In respect of the Council's other reasons for refusal, the Inspector noted that, following the receipt of notice of the Appeal, the Council had undertaken its own independent review of the appellant's Financial Viability Appraisal. This review concluded that the development could not support an affordable housing contribution. In light of this, the Council had indicated that it no longer wishes to defend its eighth reason for refusal and he did not need to consider this issue further.

In terms of the provision of Public Open Space, the draft Unilateral Undertaking submitted by the appellant included the necessary financial contribution to comply with Policy DE6 of the Rushmoor Local Plan (2019). The s106 agreement would overcome the Council's seventh reason for refusal and the Inspector did not consider this matter in any further detail.

He noted that the Council's sixth reason for refusal refers to a failure to provide details relating to surface water drainage. However, this is a matter which could be addressed by a planning condition had the Council been minded to approve the development. At the hearing, it was confirmed that this remains the Council's position, and he saw no reason to take a different view.

In summary, the Inspector concluded that the development would significantly harm the character and appearance of the area, would prejudice highway safety, and would result in inadequate parking and living conditions for future occupiers. Whilst it would provide new housing within the existing urban area, in an accessible location, and would generate some modest economic benefits, that did not alter his view that the appeal should be dismissed.

## **DECISION : APPEAL DISMISSED**

### **2.3 28 Randolph Drive, Farnborough**

The appeal was in respect of refusal of consent to fell a preserved oak tree at the rear of nos. 26 and 28 Randolph Drive.

The Inspector found the tree to be well formed, in good health and contributing high amenity value to the character and appearance of the locality. Given that the Council had agreed a scheme of works to reduce the canopy she concluded that the reasons put forward by the appellants relating to its health, impact on the amenity of gardens or on the health of surrounding woodland did not amount to a justification for its felling.

## **DECISION : APPEAL DISMISSED**

### **3. Recommendation**

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

Tim Mills  
Head of Economy, Planning and Strategic Housing

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