



## RUSHMOOR BOROUGH COUNCIL

# DEVELOPMENT MANAGEMENT COMMITTEE

*to be held as a Virtual Meeting on  
Wednesday, 24th June, 2020 at 7.00 pm*

**To:**

### **VOTING MEMBERS**

Cllr J.H. Marsh (Chairman)  
Cllr C.J. Stewart (Vice-Chairman)

Cllr Mrs. D.B. Bedford  
Cllr J.B. Canty  
Cllr R.M. Cooper

Cllr P.I.C. Crerar  
Cllr P.J. Cullum  
Cllr K. Dibble

Cllr C.P. Grattan  
Cllr Nadia Martin  
Cllr B.A. Thomas

### **NON-VOTING MEMBER**

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

### **STANDING DEPUTIES**

Cllr Sophie Porter  
Cllr M.D. Smith

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 - 12)**

To confirm the Minutes of the meeting held on 27th May, 2020 (copy attached).

## 3. **PLANNING APPLICATIONS – (Pages 13 - 132)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2020 on planning applications recently submitted to the Council (copy attached).

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

Item	Reference Number	Address	Recommendation
1	18/00367/OUTPP	Former Police Station, Pinehurst Avenue, Farnborough	For information
2	20/00149/FULPP	Units 2A & 3, Blackwater Shopping Park, 12 Farnborough Gate, Farnborough	For information
3	20/00301/FULPP	Farnborough College of Technology, Boundary Road, Farnborough	For information

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

Item	Pages	Reference Number	Address	Recommendation
4	21-89	20/00171/FULPP	Development at Union Street, Aldershot	Grant
5	91-119	20/00287/FULPP	Land at Solartron Retail Park, Solartron Road, Farnborough	Grant

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

4. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT – (Pages 133 - 136)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2021 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

5. **DEED OF VARIATION - THE CRESCENT, SOUTHWOOD BUSINESS PARK, SUMMIT AVENUE, FARNBOROUGH – (Pages 137 - 138)**

To receive the Head of Economy, Planning and Strategic Housing's Report No. EPSH2022 (copy attached) which reports on a Deed of Variation in respect of The Crescent, Southwood Business Park, Summit Avenue, Farnborough.

**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  
24th June 2020

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, 27th May, 2020 at 7.00 pm  
via Microsoft Teams and streamed live.

## **Voting Members**

Cllr J.H. Marsh (Chairman)  
Cllr C.J. Stewart (Vice-Chairman)

Cllr Mrs. D.B. Bedford  
Cllr J.B. Canty  
Cllr R.M. Cooper  
Cllr P.I.C. Crerar  
Cllr P.J. Cullum  
Cllr K. Dibble  
Cllr C.P. Grattan  
Cllr Nadia Martin  
Cllr B.A. Thomas

## **Non-Voting Member**

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

### **1. DECLARATIONS OF INTEREST**

There were no declarations of interest.

### **2. MINUTES**

The Minutes of the meeting held on 11th March, 2020 were approved and signed by the Chairman.

### **3. PLANNING APPLICATIONS**

**RESOLVED:** That

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

20/00213/FULPP      (Kings Moat Car Park, Westmead, Farnborough);

- (ii) 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. EPSH2013, be noted;

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

- \* 19/00873/FULPP (Nos. 2-4 Mount Pleasant Road, Aldershot);
- \* 20/00229/FULPP (Woodcot Court, No. 2A Woodcot Gardens, Farnborough);
- 20/00248/FULPP (No. 29 Whites Road, Farnborough);

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

- 18/00367/OUTPP (Former Police Station, Pinehurst Avenue, Farnborough);
- 20/00149/FULPP (Units 2A & 3, Blackwater Shopping Park, 12 Farnborough Gate, Farnborough);
- 20/00171/FULPP (Development at Union Street, Aldershot);
- 20/00287/FULPP (Land at Solartron Retail Park, Solartron Road, Farnborough);
- 20/00301/FULPP (Farnborough College of Technology, Boundary Road, Farnborough).

- \* The Head of Economy, Planning and Strategic Housing's Report No. EPSH2013 in respect of these applications was amended at the meeting

#### 4. 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
19/00873/FULPP	Nos. 2-4 Mount Pleasant Road, Aldershot	Ms. E. Wicks	Against

**5. APPLICATION NO. 19/00873/FULPP - NOS. 2-4 MOUNT PLEASANT ROAD, ALDERSHOT**

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. EPSH2013 (as amended at the meeting) regarding the erection of 17 dwellings (11x3 beds, 4x2 beds and 2x1 bed) with associated parking and landscaping, following the demolition of the existing industrial buildings.

In discussion, the concern over parking was raised a number of times. The Committee was advised that denying planning permission on highways grounds was only justified and appropriate where the safety or convenience of highway users would be subject to 'severe' harm. The parking stress and availability survey did not indicate such a detrimental impact and any refusal on the grounds of parking congestion would not be sustainable were the applicant to submit such an appeal.

**RESOLVED:** That:

- (i) subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 30th June, 2020 to secure Special Protection Area and Public Open Space financial contributions and on-site provision of six affordable housing units as set out in the Report (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. EPSH2013 (as amended at the meeting);
- (ii) in the event that a satisfactory S106 Agreement was not received by 30th June, 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 does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and adopted New Rushmoor Local Plan Policy NE1; and appropriate financial contribution in respect of Public Open Space in accordance with Policy DE6 of the adopted New Rushmoor Local Plan (2014-2032); and appropriate provision of on-site affordable housing in accordance with Policy LN2 of the adopted New Rushmoor Local Plan (2014-2032).

**6. APPLICATION NO. 20/00229/FULPP - WOODCOT COURT, NO. 2A WOODCOT GARDENS, FARNBOROUGH**

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. EPSH2013 (as amended at the meeting) regarding the proposed change of use from general industrial (Use Class B2) to residential (Use Class C3), including the demolition of the existing buildings and the erection of seven two-storey houses

(comprising 5 x 3-bedroom 4-person occupancy and 2 x 4-bedroom 5-person units), landscaping and associated works.

**RESOLVED:** That:

- (i) subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 7th August, 2020 to secure the SAMMs Special Protection Area contribution as set out in the Report, 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. EPSH2013 (as amended at the meeting);
- (ii) in the event that a satisfactory S106 Agreement was not received by 7th August, 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 does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and adopted New Rushmoor Local Plan Policy NE1.

**7. APPLICATION NO. 20/00248/FULPP - NO. 29 WHITES ROAD, FARNBOROUGH**

The Committee considered the Head of Economy, Planning and Strategic Housing's Report No. EPSH2013 regarding the proposed new attached 3-bedroom 4-person occupancy dwelling house following demolition of existing garage; and provision of a pair of forecourt parking spaces to both the existing dwelling (No. 29) and the proposed new house (amended scheme following withdrawal of 2-bedroom new house scheme 20/00138/FULPP).

**RESOLVED:** That:

- (i) subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 17th June, 2020 to secure the Special Protection Area contributions as set out in the Report, 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. EPSH2013;
- (ii) in the event that a satisfactory S106 Agreement was not received by 17th June, 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 does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special

**8. ESSO PIPELINE PROJECT**

The Head of Economy, Planning and Strategic Housing gave an 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 crossed the Borough.

The Committee was advised that the Examination had concluded on 9th April, 2020, with the Council submitting final documents to the Examination Panel on 2nd April, 2020, and, with the Examination Panel's permission, further documents were submitted during the following week. ESSO submitted a case on 9th April, 2020. The Council was concerned that ESSO had questioned the Council's open-mindedness with regard to the method of construction in Queen Elizabeth Park. The Council had sought throughout to ensure that ESSO properly and fully considered the alternative options to minimise impact on the trees and park, and had been clear that it was not close-minded. The Examination Panel had three months to make a recommendation to the Secretary of State, who then had a further three months to make a decision.

It was noted that the Council was having ongoing discussions with ESSO in relation land agreements as Compulsory Acquisition of Rights was part of National Infrastructure Enquiries. The Council would ensure that, in negotiating these, it did not prejudice its position on Queen Elizabeth Park.

**RESOLVED:** That the report be noted.

**9. URGENT ACTION - BLANDFORD HOUSE AND MALTA BARRACKS, SHOE LANE, ALDERSHOT**

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. EPSH2018, regarding urgent decisions, made in consultation with the Chairman on 30th April, 2020, and the Vice-Chairman on 5th May, 2020, to extend the deadline for the completion of the legal agreement in respect of 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).

Members were reminded that the Committee had resolved to grant planning permission on 6th November, 2019 for the above development, subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by 28th February, 2020. At its meeting on 11th March, 2020, the Committee approved an amendment to allow for additional flexibility in the timescale beyond the then completion deadline date of 27th March, 2020, to be

agreed by the Head of Economy, Planning and Strategic Housing in consultation with the Chairman, should it prove necessary.

The Committee noted that the legal agreement was completed on 15th May, 2020, and noted the changes to the conditions necessary to provide consistency with the negotiated terms of the s106 legal agreement. The key changes to conditions 20, 24 and 25 were set out in the Report.

**RESOLVED:** That the Report be noted.

## 10. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT**

### (i) **No. 148 Marrowbrook Lane, Farnborough –**

The Committee was advised that the overlooking issues in respect of a playhouse erected in the rear garden of the above property had been rectified and, were an application to be submitted to regularise the breach of planning control, it would be granted.

**RESOLVED:** That the decision taken in accordance with the Council's Scheme of Delegation and outlined in the Head of Economy, Planning and Strategic Housing's Report No. EPSH2014 (as amended at the meeting in respect of this item) that no further action be taken in respect of this property, be noted.

### (ii) **'Briarwood', Sorrel Close, Farnborough –**

The Committee noted that the property had been vacant and unused for some years and had been shuttered-up due to persistent problems with vandalism and unauthorised access. Following a fire in autumn 2019, the roof of the building was largely missing and open to the weather. It was considered that the amenity of the surrounding area was adversely affected by the continued presence of the building in its current state. Given the reluctance of the property owner to demolish the building and the lack of planning proposals forthcoming, the Council intended to serve an 'Untidy Site Notice' on the property.

**RESOLVED:** That the decision to instruct the Council's Corporate Manager – Legal Services to prepare and serve an 'Untidy Site Notice' under Section 215 of the Town & Country Planning Act 1990 to require the demolition of the buildings at the site and the removal of the demolition materials from the site within an appropriate time period to be considered in consultation with the Council's Building Control Manager, more particularly specified in the Head of Economy, Planning and Strategic Housing's Report No. EPSH2014, be noted.



## 11. **APPEALS PROGRESS REPORT**

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. EPSH2015 concerning the following appeal decisions:

<b>Application / Enforcement Case No.</b>	<b>Description</b>	<b>Decision</b>
19/00367/FULPP	Against the refusal of planning permission for the erection of a two-storey side extension at No. 145 Alexandra Road, Farnborough.	Dismissed
19/00606/ADVPP	Against the refusal for the display of one advertising billboard measuring 6m x 2m on side wall of No. 101 Ash Road, Aldershot	Dismissed

**RESOLVED:** That the Head of Economy, Planning and Strategic Housing's Report No. EPSH2015 be noted.

## 12. **PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER JANUARY - MARCH 2020 AND FOR THE FINANCIAL YEAR 2019-2020**

The Committee received the Head of Economy, Planning and Strategic Housing's Report No. EPSH2016 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 January to 31st March, 2020. The Report also provided summary figures for the financial year 2019-2020.

**RESOLVED:** That the Head of Economy, Planning and Strategic Housing's Report No. EPSH2016 be noted.

## 13. **APPOINTMENTS TO STANDING CONSULTATION GROUP**

**RESOLVED:** That the Chairman and Vice-Chairman and Cllrs D.B. Bedford and C.P. Grattan be appointed to the Standing Consultation Group for the 2020/21 Municipal Year.

## 14. **APPOINTMENTS TO DEVELOPMENT MONITORING GROUPS**

### **(1) Farnborough Town Centre -**

**RESOLVED:** That the Vice-Chairman and the three Empress Ward Councillors be appointed to the Farnborough Town Centre Development Monitoring Group for the 2020/21 Municipal Year.

(2) **North Town, Aldershot -**

**RESOLVED:** That the Chairman and the two North Town Ward Councillors be appointed to the North Town Development Monitoring Group for the 2020/21 Municipal Year.

(3) **Wellesley – Aldershot Urban Extension -**

**RESOLVED:** That the Vice-Chairman and the three Wellington Ward Councillors be appointed to the Wellesley Development Monitoring Group for the 2020/21 Municipal Year.

The meeting closed at 9.10 pm.

CLLR J.H. MARSH (CHAIRMAN)

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## Development Management Committee

### Appendix "A"

**Application No. & Date Valid:**      **20/00213/FULPP**      **7th April 2020**

**Proposal:**      Continued use of leisure land as a hard surfaced pay and display car park. Operation as a car park 24 hours a day, 7 days per week at **Kings Moat Car Park, Westmead Farnborough**

**Applicant:**      Mrs Kirsty Hosey, Rushmoor Borough Council

**Conditions:**      1      The use hereby permitted shall be discontinued and the land restored to its former condition on or before 3 years from the date of this permission unless the Local Planning Authority shall have previously permitted the use for a further period.

Reason - To ensure that the long-term objectives for the redevelopment of Farnborough town centre are not prejudiced by the permanent use of this land as car parking.

2      Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings - KMoatCP\_17 1:1250 and 1:500

Reason - To ensure the development is implemented in accordance with the permission grantedThe permission hereby granted shall be carried out in accordance with the following approved drawings Drawing numbers:

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

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Development Management Committee  
24th June 2020

Head of Economy, Planning and  
Strategic Housing  
Report No. EPSH2020

## **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</b></p> <p>The future of this application is under review by the applicant. It may be superseded by a new proposal.</p>
2	20/00149/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 cafe/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 (re-submission of withdrawn application 19/00517/FULPP)</p> <p><b>Units 2A &amp; 3 Blackwater Shopping Park, 12 Farnborough Gate, Farnborough</b></p> <p>Additional information has been received and re-consultation with Hampshire County Council is underway. It is too early to present this application to Committee.</p>

3	20/00301/FULPP	<p>Erection of replacement part single storey, part two storey building for aerospace research and development ancillary to existing educational use</p> <p><b>Farnborough College Of Technology, Boundary Road, Farnborough</b></p> <p>This application has only recently been received and consultations and neighbour notifications are underway. It is too early to present this application to Committee.</p>
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## **Section B**

### **Petitions**

There are no petitions to report.

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

Case Officer	Katie Herrington
Application No.	20/00171/FULPP
Date Valid	5th March 2020
Expiry date of consultations	30th March 2020
Proposal	Demolition of the existing buildings and construction of 100 residential units (Use Class C3) and 128 student units (Sui Generis) together with 2,237sqm (GEA) of flexible retail/commercial/business/community floor space (Use Class A1-A5/B1/D1), public realm enhancements including hard and soft landscaping and associated access, servicing, car parking and cycle parking ("the Proposed Development").
Address	<b>Development at Union Street, Aldershot</b>
Ward	Wellington
Applicant	Rushmoor Development Partnership (RDP) <sup>1</sup>
Agent	Mr Greg Pitt, Barton Willmore
Recommendation	<b>GRANT</b> subject to completion of S.106 Planning Obligation or alternative suitable alternative legal mechanism.  Delegate to the Head of Economy, Planning and Strategic Housing in consultation with the Chairman of Development Management Committee, authority to add, delete or vary conditions as necessary to secure identified obligations.

## Description

The application site is located between Union Street to the south, High Street to the north, and Short Street to the west.

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<sup>1</sup> The RDP are the application to which the Council is a partner of and the Council is the landowner.

The site comprises commercial buildings with frontages on High Street, Wellington Street and Union Street. These units are vacant but had contained commercial uses to the ground floor with ancillary offices and residential above. The Rushmoor Development Partnership (RDP), which includes the Council is the applicant. The Council is also the landowner. The heights of the buildings range from 3 to 4 storeys and comprise a mixture of modern and Victorian architecture. The shopfronts are C20th, with a mixture of modern and Victorian facades above. Number 38 Union Street, the former M&S building, has a modern C20th façade, and number 57 and 58 have Victorian façades to the upper floors. Number 48 and 48a Union Street is a 1930's art deco building and is a Building of Local Importance. There is also a public house, number 51 High Street. 53-55 Union Street has been demolished.

The site forms an important gateway into the Town Centre from the Wellesley development to the north, and addresses a 'key view' from Wellington Street looking north to the Gala Bingo Hall building, as identified by the Aldershot Prospectus SPD. To the north of the site is the High Street with the prominent Empire Cinema and Bingo Hall buildings. To the south of the site is Union Street, a pedestrianised street comprising retail/commercial units to the ground floor, with residential/ ancillary uses and offices above. To the north east is the Wellington Street car park, and the location of the Allocated site 'The Galleries'<sup>2</sup>. To the west of the site is the Building of Local Interest 'The Trafalgar' public house, and the backs of buildings on Union Street and High Street. Adjacent to the site and The Trafalgar is Lower Nelson Street, and to the west of the site is the Aldershot West Conservation Area. Land levels rise steeply towards the west – with the ground levels being higher towards Short Street and lower towards Wellington Street/ High Street.

This proposal is for the demolition of the existing buildings and the construction of 100 residential units (Use Class C3) and 128 student units (Sui Generis) together with 2,237sqm (GEA) of flexible retail/commercial/business/community floor space (Use Class A1-A5/B1/D1).

### *Urban form*

The proposal would follow the prevailing building lines established within Union Street and High Street, but would also open up the site to create a new public realm that links with the surrounding streets. The new public realm area - Union Gardens and Makers Yard – would feature non-residential units with areas for seating and recreation – such as cafés and table and chairs and other street furniture. This would create a formal pedestrian route between Union Street and High Street where the former Marks and Spencer's Building is located. The facades of the buildings have been designed to respond to the Victoria heritage of the Town Centre, and does this through the use narrow frontages, detailing to the upper floors, and material and texture variations.

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<sup>2</sup> See Policy SP1.4 – The Galleries of the Local Plan.



Figure 1: plan showing the public realm and new route between Union Street and High Street, and block letters demonstrating the C3 residential [E, D, C] and Student accommodation [S] elements of the proposal.

### *Habitable accommodation*

The 100 residential units (C3) would be located within the upper floors of Blocks E, D, and C, (See Figure 1) and these buildings would be between 5 and 7 storeys tall. The accommodation would comprise a mix of 51 x 1 bed and 46 x 2 bed units, and includes 20 on site affordable homes. Each C3 residential unit would have their own car parking space, split between the lower ground floor of the application site and provision off site. All the residential units either have their own balcony or have been provided with additional internal space. All C3 residential occupiers would have access to the proposed private communal amenity area, Union Gardens.

Block S (See Figure 1), fronting the High Street at a height of 5 to 6 storeys would comprise student accommodation. The University of Creative Arts (UCA) has worked closely with the RDP (Rushmoor Development Partnership) to develop specialist accommodation for the needs of their students, and is to secure such accommodation by a long-term lease.

The proposed student accommodation, being purpose built, does not fall within a Use Class and is therefore Sui-Generis. Block S would provide 128 student units. A 'student unit' is essentially a bedroom - comprising a bed, desk, and a bathroom – and groups of between 6 and 8 of these 'student units' would share a kitchen/living/dining area. Aside from the 4 disabled parking spaces to the lower ground floor, the student accommodation is proposed to be 'car free'.

### *Commercial*

The proposal would provide 237sqm (GEA) of flexible retail/commercial/business/

community floor space (Use Class A1-A5/B1/D1). These units would face Union Street, High Street, and the new public realm area within the site (See Figure 1). Within the public realm would be container-based units and other commercial units addressing the new public realm. The container units would provide flexible space for commercial uses, and would be finished to add vitality to the public area.

Taking advantage of the change in land levels, the Union Street frontage would comprise commercial units at ground floor level facing Short Street, and would include an upper floor mezzanine level as the land falls towards the High Street and Wellington Street. The High Street elevation will include a double height commercial unit within block S, along with ground floor retail units. The position of such commercial frontages are indicated in Figure 2.

It is proposed that commercial uses can be occupied by any occupiers falling with Use Classes A1-A5, B1 and D1. Some changes of Use between these classes would normally require Planning Permission, however, a 'flexible permission' would allow any of the commercial units to be occupied by A1-A5, B1 and D1 uses and change between them without the need to apply for planning permission.

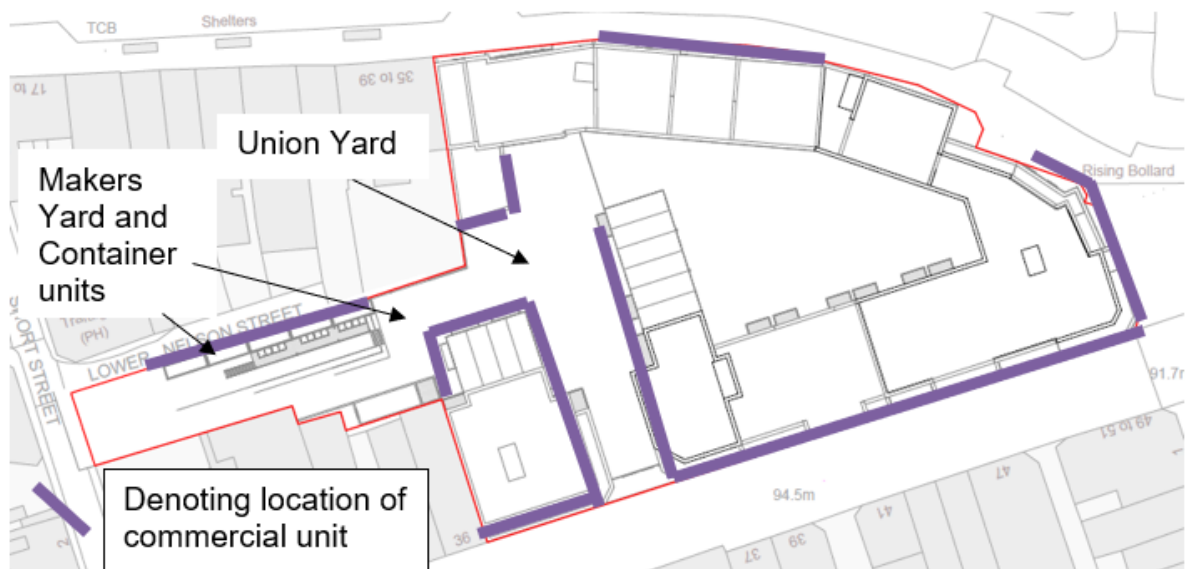


Figure 2: Location of commercial frontages

The site has an extensive planning history. Of relevance to this application is a screening opinion (20/00055/SCREEN) dated 31<sup>st</sup> January 2020 confirming that the proposed development would not constitute EIA development within the meaning of the 2017 regulations. Submission of the application was preceded by extensive pre-application discussion.

This planning application is supported by the following documents; Floor, elevation, site and section plans; landscaping plans; Design And Access Statement; Planning Statement; Flood Risk Assessment and Suds report; Statement of Community



Involvement; Transport assessment and framework Travel Plan; Vent And Extraction Statement; Daylight and Sunlight Assessment; Air Quality Assessment; Noise Impact Assessment; Fire Assessment; Energy and Sustainability Assessment; Heritage And Conservation Statement; Stage 1 Habitat Survey; Construction Logistics Plan; Contamination Report; Archaeological Statement.

Additional submissions since validation of the application are: Union Street East Daylight, Sunlight and Overshadowing May 2020<sup>3</sup>, Noise Impact Statement<sup>4</sup>, and High Street elevation plan<sup>5</sup>, and Phase 2 Ecology Report.

## Consultee Responses

Environment Agency	No comment.
Highways Agency	No comments received.
Natural England	No objection subject to securing mitigation and avoidance measures.
Southern Gas Network	No comments received.
Scottish & Southern Energy	No comments received.
Thames Water	No objection to the proposals.
HCC Lead Local (LLFA)	No objection subject to condition ( <b>Condition 0</b> ). The LLFA suggested a condition that required, prior the commencement of the development, written agreement in principle from surface water sewer asset owner (Thames Water), to be submitted to and approved in writing by the Local Planning Authority for both the principle of connection and discharge rate. Such a condition would not meet the tests in the NPPF of relevance to planning or enforceability and pertains to requirements subject to other legislation..
HCC Archaeologist	No objection. The application was accompanied by a Desk-Based Assessment that has assessed the archaeological potential of the area. The proposed development includes the construction of an under-croft car park and commercial space, however, due to the site's limited archaeological potential and widespread below ground impact of previous phases of development, it is considered unlikely that this new development will have an impact on any archaeology. The County Council's Archaeologist has reviewed the report and given such circumstance advises that no further archaeological mitigation measures are required in this instance.

<sup>3</sup> Provided greater detail about the proposals impact upon number 41, 41a and 49-51 Union Street.

<sup>4</sup> Report amended to correct a typing error.

<sup>5</sup> Annotated plan to make it clear where the entrance to the car park is proposed.

HCC Highways Development Planning	No objection subject to conditions ( <b>Conditions 0, 0, 0, and 0</b> ). For clarity, a section 278 agreement (secured outside of the planning system), is required prior to works on the access beginning.
Hampshire Fire & Rescue Service	Provides a list of recommendations including access for high-reach appliances, water supplies and fire protection.
RBC Housing	No objection.
RBC Contract Management	No objection.
RBC Building Control	No comments received.
RBC Parks Development Officer	No objection, subject to securing contributions towards Open Space.
RBC Employment and Skills	Details can be secured by way of <b>condition 0</b> .
RBC Environmental Health	No objection, subject to conditions <b>0</b> , Error! Reference source not found., Error! Reference source not found., Error! Reference source not found., Error! Reference source not found..
RBC Planning Policy	The site is an allocation in the Local Plan and forms a core component of the regeneration strategy for Aldershot Town Centre. The proposal will result in the reuse of a brownfield site for social and economic uses, which is supported by the NPPF. The proposal is in general conformity with the Local Plan policies, and the merits of the proposal should be considered in the planning balance.
RBC Ecologist	No objection, subject to the imposition of <b>condition 0</b> . <i>Officer comment: It is noted that the suggested conditions are pre-commencement. Given the nature of the mitigation and enhancement measures proposed, the recommendation is that the requirement should be pre-occupation.</i>
Aboricultural Officer Conservation Team	No objection. No objection subject to <b>condition 11</b> .
Aldershot Civic Society	Provides comments: <ul style="list-style-type: none"> <li>• Supports link with the University for Creative Arts, public space and High Street and Union Street connection</li> <li>• care should be had with bin storage, landscaping and street furniture</li> <li>• a management plan and budget should be in place for the maintenance and improvement of public spaces</li> <li>• the design should be such to discourage antisocial behaviour</li> <li>• reflections should be had to the failure of the Guildford project with regards to the containers to ensure their</li> </ul>

success

- coordination with the galleries/arcade/car park development is important
- concerns regarding student free parking, and with the overall reduction in Town Centre car parking and a knock-on effect this would have for casual shopping, events.
- bike parking needs to be secure
- Sad that buildings with heritage value are to be demolished, but understand that this is necessary to make the project viable.
- Design quality of the buildings is key, sensitive detailing of the façades, choice of materials. The lack of balconies or other meaningful articulation on façade to the High Street makes building element flat
- corner building / key gateway building must not feel like arriving at a wall of buildings.
- We would expect policy compliance with regard to the provision of affordable housing and for these to be genuinely affordable

Farnborough Airport  
Hampshire Bat Group  
Designing Out Crime  
Officer

No comments received

No comments received

Provides guidance: Access to car park is unrestricted – issues of security to units – opportunities for crime and anti-social behaviour. CCTV should be installed in the car park as there is limited surveillance. Advises 2.4m high boundary between Podium Gardens and Union Yard, and 1.2m high boundary to doors and windows to ground/first floor. Advises smaller cycle stores and CCTV to deter crime. Street furniture should be designed to not facilitate anti-social behaviour. Advises enclosed staircase for ‘makers units’ to deter crime.

The Victorian Society

No comments received.

## Neighbours notified

In addition to posting a site notice and press advertisement, individual letters of notification were sent to 1301 neighbouring properties.

## Neighbour comments

24 representations from separate properties have been received. 12 letters in support<sup>6</sup> have been received from the occupants of Eastdene, Cargate Terrace, 12 Clarence Close, 6 Burchett Road, 1 Heath Close, 300 Woodland Walk, 20 Grosvenor Road, 41

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<sup>6</sup> 3 support letters were from properties outside of Aldershot, and 9 were from properties from within Aldershot.

Highfield Avenue, 6 Churchlands, 1 Rhine Way, 21 Nelson House Aldershot, 27 Wood Lane, Farnborough, and 19 Beech Road, Clanfield. Two additional support letters were received which did not give addresses.

9 objections<sup>7</sup> have been received from the occupants of the Wellington Centre, 14 Sheridan Close, 68 Jubilee Road, 62 Lysons Road, 12a St Michael's Road, 252 Lower Farnham Road Aldershot, and 5 York Road Farnborough, and 6 the Stour Centre Canterbury. Two letters were submitted by Councillor Alex Crawford, comprising an objection and a comment.

5 comments have been received from Farnborough Airport, and 62 Coronation Road, Greenway and 17 Eland Road Aldershot. Councillor Mike Roberts has also submitted comments.

These submissions are summarised below;

#### Support –

Impact upon Town Centre viability and vitality (**Addressed in section 3 Impact upon the vitality and viability of the Town Centre**).

- Positive for the town/Aldershot – investment/beneficial economic development/regeneration
- More people living centrally, shops, and services will help Town Centre.
- Student accommodation and pop-up shops brings diversity and activity to Town Centre/ younger generation
- Alleviates existing problems
- Employment benefits

Design (**Addressed in section - 4 Loss of Heritage Assets and Impact upon character**)

- Design – takes cues from local area, not directly replicating or competing with other Town Centre/ good development
- Environmental improvements/ buildings are run down
- Loss of historic buildings outweighed by long term benefits to the town

#### Object -

Impact upon character and heritage (**Addressed in section – 4 Loss of Heritage Assets and Impact upon character**)

- Will wipe out historic value and look of the town/ development fails to understand importance of Aldershot and British Army connection. No regard to buildings

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<sup>7</sup> 6 objection letters were received from were received from properties in Aldershot (including one commercial property), 1 from Farnborough, and 1 from Canterbury, and 6 from Aldershot)

quality construction voting public want to see the Town Centre retained in 2011 census. Not possible to replace it. Salvage and embedding of individual building elements are 'cheap tokenism'. Buildings should be adapted/ convert existing historic buildings.

- Design looks like any other manufactured town in the UK. Development will not be fine grain like historic buildings, and detailing will be crude.
- Design does not replicate materials and architecture of Town Centre – only in tenuous and superficial ways.
- Union Street would appear oppressive in character, and High Street would appear bleak given height of buildings and orientations. Courtyard is unlikely to be as light and spacious as presented.
- Unacceptable design and appearance; unacceptable size, layout or density; heights of proposed development exceed those of existing buildings
- Conditions are required to secure the integration, reuse or donation of features of 48-48a Union Street.
- Development is below standards in regard to Daylight and Sunlight; the student accommodation occupants do not have access to 'podium gardens'
- Inadequate materials/ hodgepodge of bricks
- Proposal impacts upon character of Conservation Area
- Does not constitute social sustainability – due to demolition of historic buildings.

**Impact upon Town Centre viability and vitality (Addressed in section 3 Impact upon the vitality and viability of the Town Centre)**

- Proposal should not be allowed to impact upon the viability of the Wellington Centre/ concerned that it will draw retailers out of the Wellington Centre. Advise conditions to avoid this. Concerns that the proposal does not address root political and economic causes of the Town Centre downfall.
- M&S Aldershot store needs to be put back into operation for the Town Centre to survive. Wellington Centre is subsidised by parking. Need to demonstrate track record before more changes to iconic military based Town Centre.
- Reduction of retail by 60% does not make sense, given population growth via Wellesley – should be encouraging retail/ concern of harming Town Centre.
- Building must be flexible for future uses

*Officer comment: The site is located within the Town Centre and as such no retail impact assessment is required. In this context, issues of competition between retail unit providers is not a consideration material to this application. The choice of occupiers, other than the Use Class of individual units, is also not a matter material to the consideration of this planning application.*

**Highways and parking (See section - 8 Highways considerations)**

- Inadequate car parking – off-site parking, but multi-storey is to be demolished. 1:1 parking is not enough and ignores current parking stress and that other developments are coming forward.
- Refuse arrangements are complex and likely to breakdown in practice/ container refuse store must accommodate proposed uses

- Concerned about suitability of High Street car park to accommodate parking for this development
- Questions whether it is reasonable to cycle to Farnham from Aldershot.

**Sustainability (see section - 10 Public Open Space with regards to the contributions towards play space, and section - 13 Sustainability regarding sustainability).**

- No details of how PBSA and containers will meet BREAM 'Very Good' Standards.
- Life of shipping containers may not comply with NPPF sustainability policies – concerned about building obsolescence.
- No evidence of the provision of play space
- Building must be environmentally conscious now and in the future given climate emergency

**Affordable Housing (see section - 2 Affordable Housing)**

- Misleading to state that affordable housing meets local housing needs

**Other**

- Private sector wins over residents again. (Officer comment: *Planning applications are determined in accordance with the development plan and any other material planning considerations, regardless of whether the developer is from the public or private sector*).
- Does not constitute environmental sustainability – demolition of buildings is wasteful. (Officer comment: *There is no policy basis to object to the principle of demolishing buildings on environmental sustainability grounds*)
- Viability of student accommodation in the long term is dubious. (Officer comment: *There is no policy basis to determine whether the PBSA is viable in the longer term or not*)
- No support facilities for the Student Accommodation. (Officer comment: *It is not a policy requirement for the student accommodation to have support facilities*)
- Raises that corner unit image in DAS does not match the submitted plans. (Officer comment: *The determination of this application is based on the submitted plans and not illustrative views*).
- Contrary to government advice and local plan policies. (Officer Comment: *the relevant policies have been addressed within this report*).
- Requests deferring / need to consider timing of application given COVID-19 and economic climate. (Officer Comment: *it is the statutory duty of the LPA to determine planning applications which have been submitted to them within the recommended timescales regardless of non-planning matters such as economic circumstances*).
- Community Engagement Report does not include comments of Aldershot Civic Society, Rushmoor Labour Party or other stake holders. (Officer Comment: *The LPA has complied with its statutory and local duties with regards to consultation which have been taken into account in the determination of this application*).

## Comments

Vitality and viability of Town Centre (**Addressed in section - 3 Impact upon the vitality and viability of the Town Centre**).

- Large shops and online shopping have made Aldershot a fast food outlet and charity centre
- Unless bring good stores on the Town Centre will die
- Wellington Phase 2 had good stores but that has faded.
- Would like a civic-hub for Aldershot
- Always issues with lifts and now 2 car parks are being removed.

*Officer comment: The choice of occupiers, other than the Use Class of individual units, is also not a matter material to the consideration of this planning application. The issues with the operation of car parks is not material to the determination of this application.*

Highways and parking (**See section - 8 Highways considerations**)

- Is there enough parking? - If congestion gets worse than value would be lost in the investment
- Shortfall of parking available to residents/ retail and their visitors made worse by demolition of the multi-story car park. (*Officer comment: this proposal does not involve the demolition of the multi-storey car park*).

Design and character (**Addressed in section - 4 Loss of Heritage Assets and Impact upon character**)

- Student flats – think carefully so that this does not become an eyesore
- Don't leave out trees and greenery

Other

- Would like more public value for this investment
- Hope COVID-19 does not affect it
- Underfunded.
- Is the design fit for purpose for a 1.5-degree global warming scenario/ is it fossil fuel free/ renewable energy built in/ will it meet net zero by 2020 govt ambitions – BREEAM is not fit for purpose.

*Officer comment: It is for the LPA to determine the planning application in accordance with the provisions of development plan and other material planning considerations. As such, issues arising regarding funding, and public value are not material to the determination of this application. Please see section 13 of this report with regards to sustainability.*

## **Policy and determining issues**

The following policies are relevant in the determination of this application: Policies SS1

(Presumption in Favour of Sustainable Development), SS2 (Spatial Strategy), SP1 (Aldershot Town Centre), SP1.1 (Primary Frontages in Aldershot Town Centre), SP1.2 (Secondary Frontages in Aldershot Town Centre), SP1.5 (Union Street East), IN2 (Transport), HE1 (Heritage), HE2 (Demolition of a Heritage Asset), HE3 (Development within or Adjoining a Conservation Area), HE4 (Archaeology), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards), DE3 (Residential Amenity Space Standards), DE4 (Sustainable Water Use), DE5 (Proposals Affecting Existing Residential (C3) Uses), DE6 (Open Space, Sport and Recreation), DE10 (Pollution), (Housing Mix), LN2 (Affordable Housing), PC8 (Skills, Training and Employment), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE3 (Trees and Landscaping), NE4 (Biodiversity), NE6 (Managing Fluvial Flood Risk), NE8 (Sustainable Drainage Systems) are relevant to the consideration of this application.

Also relevant is the Council's adopted Car and Cycle Standards Supplementary Planning Document (SPD) adopted in 2017, Aldershot Town Centre Prospectus SPD (2016), and Buildings of Local Importance SPD. The advice contained in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) are also relevant.

The main planning considerations in the determination of this application are;

1. The principle of development
2. Affordable Housing
3. Impact upon the vitality and viability of the Town Centre
4. Impact upon Heritage Assets.
5. Impact upon character
6. Impact upon neighbours
7. The Living Environment Created
8. Highways considerations
9. Environmental Health
10. Public Open Space
11. The water environment
12. Ecological considerations
13. Sustainability

## **Commentary**

### **1. The principle of development**

The objective of Policy SP1 (Aldershot Town Centre) of the Local Plan is to maintain or enhance the vitality and viability of Aldershot Town Centre and to contribute to the



strategy of regeneration. Amongst other things, Policy SP1 supports ‘the development of good-quality urban homes that contribute to the vitality of the Town Centre...’, including the need ‘to prioritise the redevelopment of... Union street East to support Town Centre regeneration and to provide a mix of floor space comprising retail uses...’. The proposed development, in providing residential accommodation on the upper floors and modern flexible retail/commercial/business/community floor space (Use Class A1-A5/B1/D1) at the ground floor level, would accord with this policy.

Policy SP1.5 of the Local Plan sets out in greater detail the housing delivery expectations of the site allocation, requiring at least 140 residential units on the upper floors of the development as part of the Council’s housing supply strategy. The proposal would provide 100 C3 residential units - 40 less than that prescribed by policy SP1.5 - but this is not considered to be harmful, as it needs to be considered in the context of the overall delivery of accommodation in the Town Centre and across the borough as a whole. It is expected that housing supply is likely to exceed that allowed for within the Local Plan, and the proposals would still make a significant contribution towards housing supply in the borough. As a result, there is no objection to the proposal in this respect.

#### Principle of Student accommodation -

The proposal would provide 128 student accommodation units. As the Local Plan does not contain a specific Policy relating to the provision of student accommodation, the ‘presumption in favour of sustainable development<sup>8</sup>’ applies.

Planning Practice Guidance is a material consideration in the determination of this application. It encourages engagement with universities and other higher educational establishments. The UCA (University for the Creative Arts) have identified the site as a good location, and has worked closely with the RDP (Rushmoor Development Partnership) to develop specialist student accommodation in that location. It is also a material consideration that such accommodation may take pressure off the private rented sector and increase the overall housing stock. There is no policy objection to the principle of student accommodation in this location.

#### Housing mix

The Strategic Housing Market Assessment (SHMA) jointly commissioned by Hart, Rushmoor and Surrey Heath estimates the main demand for market housing across the three authorities is for two and three bedroom homes, however the document acknowledges that a range of factors at the local level that will impact the need and ability to provide a mix of market and affordable homes (including site location and type). Local Plan Policy LN1 (Housing Mix) states that the mix of housing types and sizes will have regard to the size of the site and site-specific viability. In light of the nature of the proposal - a mixed-use Town Centre regeneration scheme delivering apartments on upper floors - it is considered that the housing mix (51x 1 bed and 46 x 2 bed units) is appropriate and in general conformity with Local Plan Policy LN1.

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<sup>8</sup> See paragraph 11 of the NPPF, and Policy SS1 of the Local Plan.

## 2. Affordable Housing

Policy LN2 of the Local Plan requires developments of 11 or more dwellings<sup>9</sup> to provide 20% of the proposed residential units as on-site affordable housing. The policy also advises a mix of 70% for rent and 30% for intermediate accommodation. The proposal would provide 20% of the residential units as affordable housing, 14 of them provided as affordable rent and the remaining 6 as shared ownership homes, resulting in a 70/30 mix as required by policy LN2 (see *Figure 2*).

	1 bed	2 bed	% Affordable mix
<b>Affordable Rent</b>	6	8	70%
<b>Shared Ownership</b>	3	3	30%

*Figure 2: Affordable Housing breakdown*

Subject to securing such affordable housing via a s106 agreement or other suitable legal mechanism, the proposal would be acceptable in this respect.

## 3. Impact upon the vitality and viability of the Town Centre

### Loss of retail floorspace

The proposal is located with the Town Centre of Aldershot. Policy SP1 of the Local Plan requires that development should maintain or enhance, and/or accommodate future retail growth which improves the health, vitality and viability of the Town Centre and contributes to the strategy of regeneration. Concerns have been raised by neighbours that the reduction of retail floorspace could harm the Town Centre.

The proposal would provide 2,237sqm of flexible retail/ commercial/ business/ community floor space (Use Class A1-A5/B1/D1). However, it would result in a loss of around 4063sq. m of existing retail floor space on the site.

Whilst the proposal results in a reduction in retail floor space from that which is existing, the proposal is designed to reflect the current and future demands for retail. The Local Plan was informed by a Retail, Leisure and Town Centres Study (2015), but since then there have been significant changes to retail demand for bricks and mortar accommodation nationally. The Council has commissioned a Town Centre Uses Study to provide an up to date position of demand for retail and other commercial floorspace in Aldershot Town Centre, that indicates significantly reduced demand for retail floorspace over the long term compared to the 2015 study.

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<sup>9</sup> This does not include the student accommodation.

Whilst there would be a loss of retail floor space, this takes into account the changing retail context, and would result in the regeneration of this part of the High Street that would help improve the health, vitality and viability of the Town Centre. As a result, the proposal would not conflict with the principles of Policy SP1 of the Local Plan.

### Primary and Secondary Frontages

The site addresses the Primary Frontage towards Union Street, and the Secondary frontage towards the High Street. Policy SP1.5 requires that active ground floor uses of the Union Street East scheme reflect the Local Plan Primary and Secondary frontage designations.

Policies SP1.1 requires that ground-floor uses within Primary Frontages should fall within Use Classes A1-A5 and retain active frontage. In addition, it states that in each frontage, a change of use from A1 should not result in the number of non-A1 units exceeding 30% unless an A1 use is considered to be no longer viable, and would not result in the loss of an A1 unit frontage on a visually prominent site.

Policy SP1.2 requires that ground floor uses within the Secondary Frontage maintain an active frontage and fall within Use Classes A (A1-A5), Class D (D1 or D2), or a similar Sui-Generis use which attracts visiting members of the public.

It is proposed to provide flexible retail/commercial/business/community floorspace (Use Class A1-A5/B1/D1) at ground floor level along the Union Street Primary Frontage and The High Street Secondary Frontage. The proposal for a 'flexible use' in this instance means that express planning permission would not be required for any subsequent changes between those uses<sup>10</sup>.

The proposal, in providing flexibility in the use of the commercial units could result in more than 30% of non-A1 uses in the primary frontage or B1 uses in the Secondary Frontage. However, the application must be considered against changes to retail demand and the overall objective of regeneration and enhancement of the vitality and viability of the Town Centre.

The Rushmoor Local Plan retail evidence base in relation to Town Centre uses was finalised in 2015 and since this time there have been substantial shifts in the demand for retail floor space and therefore the need for Town Centres to adapt. This is reflected in the National Planning Policy Framework (2019) which states that (emphasis added): *'planning policies and decisions should support the role that Town Centre play at the heart of local communities, by taking a positive approach to their growth, management and adaptation...'*

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<sup>10</sup> In accordance with Schedule V of the GPDO.

The use of planning permission to accommodate flexible uses is a positive and adaptive mechanism to aid the growth and revival of the Town Centre, smoothing the route to occupation and providing the manoeuvrability required to adapt to changes in the retail climate. Subject to a condition requiring the creation of active frontages (**Condition** Error! Reference source not found.), the proposal would achieve the objective of enhancing the viability and vitality of the Town Centre, as sought by Policy SP1.1 and SP1.2 of the Local Plan.

As a result, the proposal would not conflict with the general objectives of Policy SP1.1 and SP1.2 of the Local Plan and the NPPF in this regard.

#### **4. Impact upon Heritage Assets.**

##### Loss of Heritage Assets -

The proposal would result in the demolition of the buildings within the application site. The Aldershot Prospectus SPD sets out that numbers 54-56, 58, and 60-62 Union Street, and number 57, 55 and 53 High Street are of some heritage interest. Number 48-48a Union Street is a Building of Local Interest<sup>11</sup>. Concerns have been raised by neighbours that the loss of such buildings would have an impact on the heritage of the Town Centre.

The Planning (Listed Buildings and Conservation Areas) Act 1990 establishes a statutory duty to consider the effect on heritage assets. This is enforced by Policy HE2 of the Local Plan, which sets out that the demolition of a Heritage Asset<sup>12</sup> will not be permitted unless every practical effort has been made to retain it; the loss of the Asset is necessary to achieve public benefits, those public benefits outweigh the loss, and it is demonstrated that the new development will proceed within a reasonable and agreed timescale.

It is also noted that there is a preference for the buildings with heritage interest to be refurbished. The Aldershot Prospectus SPD advises that the Union Street block contains several attractive historic buildings, and that retaining and refurbishing these to bring them back into active use is an important part of the Council's preferred strategy for Aldershot. In addition, Policy SP1.5 states that proposals would be granted planning permission where they retain and reconfigure existing buildings of architectural value on the site and enhance the visual heritage value of the upper floors.

The submission was accompanied by a Heritage Impact Assessment for number 48 – 48a, the Building of Local Interest. 48-48a Union Street is a 3 storey 1931 Art-Deco building of the style typical of a 'Burton House'. The shop front is of no special local interest as it has been modified with late C20th replacements, but the upper floor is of

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<sup>11</sup> Buildings of Local Interest are not classified as Designated Heritage Assets – Designated Heritage Assets comprise A World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

<sup>12</sup> Heritage Asset: A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. It includes designated heritage assets and assets identified by the local planning authority (including local listing).

interest comprising a richly embellished Art-Deco design. There are also two foundation stones set into the shop front bearing the names of members of the Burton Family.

Number 55-53 High Street has been demolished. Number 57 High Street and 58 Union Street have Victorian facades to the upper floor which whilst of Victorian origin, make a limited contribution to the area's character having been altered at street level by insertion of C20th shopfronts. As a whole, the buildings appear in need of significant restoration, and are considered to have little significance as heritage assets.

Paragraph 199 of the NPPF states that Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and impact. The submission was accompanied by a Heritage Impact Assessment that detailed the significance of the heritage assets proportionally to their significance.

The loss of the Heritage Assets must be balanced against the public benefits of the proposal. It has been assessed that the refurbishment of the existing buildings would result in a proposal that would not be viable and therefore would not be deliverable, undermining the overarching objectives within the Aldershot SPD and of Policy SP1.5 of the Local Plan. The proposed development is necessary in order to achieve significant public benefits, including the regeneration of this part of the Town Centre delivering new homes, commercial units and a new public realm. Such benefits outweigh the harm resulting from the loss of this Building of Local Interest and those buildings with some heritage interest. A condition has been imposed requiring the development to proceed within a reasonable timescale (**Condition** Error! Reference source not found.). As a result, the proposal would accord with Policy HE5 and would not conflict with the objectives of Policy SP1.5.

#### Impact upon the setting of Heritage Assets

To the west of the application site is The Trafalgar Inn, and to the South is 49-51 Union Street, both Buildings of Local Interest. The Aldershot West Conservation Area boundary is around 6.5m metres from the western boundary of the application site.

Policy HE1 of the Local Plan sets out that proposals for development that affect Heritage Assets (designated and non-designated) should conserve and enhance the significance, special interest and character and appearance of the heritage asset and its setting, particularly those that are recognised as having an intrinsic link to the military or aviation history of the Borough.

Paragraph 197 of the NPPF states that in weighing applications that directly or indirectly affect the non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The closest part of the proposal to the Conservation Area and The Trafalgar Inn would be the Makers Yard and its container based retail units. This site currently comprises the

backs of buildings and does not provide any significant interface with the Conservation area. The proposal would improve the character of this part of the site by opening it up and enhancing the public realm in this location. The container units would not detract from, or affect the significance of any Heritage Asset.

The proposal would also be close to another Building of Local Interest at 49-51 Union Street. This is on the corner of Union Street and Wellington Street where the proposed development would be at its tallest and most prominent. However, most of the surrounding buildings are taller than this Heritage Asset, and any resulting harm is considered to be outweighed by the benefits of the proposal to the character of this part of the Town Centre, the provision of new homes, and a new public realm and pedestrian linkages.

As a result, the proposal would accord policy HE1 of the Development Plan in this respect.

## **5. Impact upon character**

Policy SP1 requires that development proposals support development that demonstrates good design and creates a more attractive Town Centre environment reinforcing the town's historic built heritage and local character.

Policy DE1 requires new development to make a positive contribution towards improving the quality of the built environment, including: high-quality design that respects the character and appearance of the local area; respect the established building lines; takes account of adjacent building heights, fenestration, roof and cornice lines, uses materials sympathetic to local character, and includes a level of architectural detail that gives the building visual interest for views both near and far; and makes a positive contribution to the public realm – facing the street; and has a positive relationship between public and private spaces.

### Design approach

The agents, in response to the initiatives set out in the Aldershot Town Centre Prospectus, undertook a character analysis of the Town Centre, and such analysis has informed the development proposals. The proposal seeks to address these varying characters, creating varying architectural language and ground level experiences on each facade to respond to its immediate context – including the rhythm and language of the Victorian buildings.

Aldershot Town Centre's Victorian Heritage is expressed through the treatment and rhythm of its buildings. Particularly evident along Union Street and South Street, the streets comprise terraces with varied plot widths and roof lines, and in terms of proportions, the ground floors are pronounced whilst the upper floors are more ornate. Generally, the upper floors feature a strong vertical arrangement and regular rhythm of windows. This includes stonework above and around the windows and other such detailing.

In terms of materials, an emphasis on lighter materials above shopfronts and within the centre of the blocks exists, with heavier red brick at the end of terraces, marking the end of blocks and creating an anchor to views along the street contributes to this effect.

Concerns have been raised by neighbours that the proposal would remove the historic value and look of the Town Centre, resulting in the loss of the Victorian aesthetic and the British Army Connection.

The Union Street and High Street elevations have been carefully designed to emulate the plot widths and clear horizontal emphasis prevailing in Union Street. It does this through the use of projecting facades and varied roof heights, with each 'unit' the width of individual flats, breaking up the bulk of the buildings and providing a dynamic and ornate frontage for the street scene. The scheme has been designed to address the pedestrianised street with a series of active and pronounced shop fronts that are varied in their form, providing interest and vibrancy at the level of the street. Such use of plot width rhythm and façade treatment is considered to provide a contemporary reimagining of Aldershot's Victorian Heritage.

The shopfronts would follow this strategy with traditional detailing in a style that suits the architectural language of the host units. The shopfronts are designed to appear as individual plots, and not as a homogenous stretch of entranceways, and would be framed by different materials and colours, highlighting the varying uses to the residential units above and creating interest in the street scene. To ensure the required level of quality in details and materials, conditions requiring detailed plans of the facades (**Condition** Error! Reference source not found.), and samples of materials (**Condition 10**) are recommended.



Figure 3: Union Street Elevation: demonstrating the vertical emphasis, individual units, and varying building heights.

### Provision of a 'Gateway' building

Policy SP1.5 Union Street East requires that proposals enhance an important Gateway into the Town Centre from the Wellesley development in the north. It also addresses a 'key view' from Wellington Street looking north to the Gala Bingo Hall building, as identified by the Aldershot Prospectus SPD.

The Wellington Street/ High Street elevation (Figure 4) would comprise the most prominent building of the site. Between 6-7 storeys tall, the bulk of the façade has been

Architectural elevation drawing showing building heights and elevations. The drawing includes a central building facade with a red brick section and a yellow section, flanked by white line drawings of existing buildings. A vertical list of elevations is provided on the left side of the building facade.

Elevation	Height
FFL 111.960 m	03
FFL 108.575 m	04
FFL 105.600 m	02
FFL 102.725 m	02
FFL 99.650 m	01
FFL 96.425 m	00

On the right side of the building facade, the following elevations are listed:

- FFL 101.600 m
- FFL 108.575 m
- FFL 105.600 m
- FFL 102.725 m
- FFL 99.650 m
- FFL 96.425 m

Provision of a new public realm.

The proposal provides a formal connection between Union Street, High Street, and Short Street, enhancing movements through and around the Town Centre. Forming part of such connection, the proposal provides a new public realm (*Figure 5*). The public realm comprises two parts, the first are the maker units based on prefabricated containers, and the second is Union Yard that includes the passage between Union Street and the High Street. The Makers Yard is intended to be an animated space with a more flexible approach to commercial use. Union Yard is intended to be the focal point of the scheme and will be surrounded by non-residential uses (and their frontages) on all sides at ground floor level. It is intended that such public realm would have a sense of intimacy and a place to sit and stay - providing an area for retail, cafes and restaurants as it will be relatively quiet, away from traffic. Details of street furniture, and hard and soft landscaping is key to achieving the right sense of space and the details would be secured by way of recommended **conditions** Error! Reference source not found., and **0**.



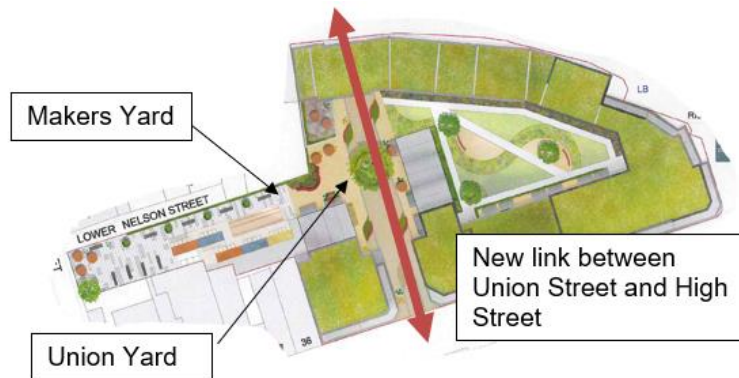


Figure 5: New public realm and new link between Union Street and High Street

The entrance into the public realm from Union Street and Short Street is level and not enclosed, and signage would create a sense of arrival. However, an entrance through the building is proposed from the High Street. This opening from the High Street comprises a tall and wide opening. In order to accommodate the parking area and changes in land levels, steps along with a lift are proposed to take all users from the High Street into Union Yard. The success of this entrance to create a sense of arrival will in part depend on details such as materials and design, and these would be required by **conditions** Error! Reference source not found. **and** Error! Reference source not found.. Large signs would emphasise the entrances from both Union Street, High Street and Short Street. The details of these, including their form, materials, size and location, would be secured by way of **condition 0**.

#### Relationship with the prevailing urban context

The proposal has been designed to respect the prevailing building patterns, lines and forms in the street scene whilst developing a complementary character of its own.

#### *Union Street*

The buildings along Union Street typically range between 2-4 storeys with a rhythm of narrow plot widths and varied roof heights. The relatively narrow width, along with street furniture and the pedestrianised layout, creates a feeling of intimacy.

The proposal would result in a development taller than the adjacent buildings. This is not considered to be harmful. The heights of the proposed blocks step up from the adjacent buildings, increasing in the number of stories as the ground levels drop towards the High Street whilst maintaining a relatively level roof line. The taller buildings here create visual interest to the street scene and build on the useful sense of enclosure and intimacy that is a characteristic of this part of the Town Centre, focusing activities at ground level. The proposal would otherwise accord with the prevailing building line and pattern of development in the area, complementing and enhancing the character of the street scene and area in this location.

## High Street Elevation

The High Street contains a broken rather than continuous frontage with larger stand-alone buildings and no consistent architectural style. The plot widths become narrower towards Short Street. On the corner with Wellington Street / High Street would be the proposal's 'gateway building' where the scheme manages a relatively sharp corner. The bulk and dramatic change in building line direction at the corner are addressed by breaking up and staggering the elevations, use of different materials, and the use of inset balconies as a feature. The proposal complements and enhances the character of the street scene and area in this location. It is also where the proposals are their tallest, matching the height of the Empire Cinema and Gala Bingo Hall on the High Street. The relative height of the buildings in terms of storeys decreases linking with the rising land height and building pattern of the High Street towards Short Street.

## Lower Nelson Street/ Short Street

Lower Nelson Street is entered via Short Street from either Union Street or High Street. Short Street has its own character, with a narrow cobbled carriageway. The Trafalgar Public House sits between sections of inactive frontage.

The development would create a link between Lower Nelson Street and the proposed square - Union Yard, and opening views of the public space and commercial/retail activity beyond. The bulk of the new buildings are set away from Short Street, helping to create a sense of arrival. Details of the treatment of the facades of the container-based units (including materials, colour and fenestration), along with access routes and associated plant, will be controlled by way of proposed **condition 0**. The proposals are considered to complement and enhance the character of the street scene and area in this location.

## Summary

The proposals demonstrate a high-quality architectural and urban design approach which would create a more attractive Town Centre environment whilst reinforcing the town's built heritage and local character. It takes into account the pattern and rhythm of the existing buildings and their architectural detail and makes a positive contribution to the public realm. The proposal is therefore considered consistent with Local Plan Policies SP1 and DE1.

## **6. Impact upon neighbours**

### Daylight and sunlight

The submitted Daylight and Sunlight reports include an assessment of the impact of the proposal on surrounding properties. It sets out that residential units most likely to be affected by the development are 41a, 43-45 and 49-51 Union Street.

### *49-51 Union Street*

49-51 Union Street is a corner property with flats on the first and second floors. The submitted Daylight and Sunlight assessment sets out that the proposal would result in a reduction of the spread of daylight into the Union Street facing windows so that the area lit by the window would be gloomier. The affected windows would serve bedrooms and kitchens. The report sets out that the kitchen and living spaces would receive daylight that would fall within the BRE recommendations. However, three of the bedrooms would experience a reduction that would not meet the BRE's Guidelines. Whilst bedrooms are habitable rooms, given that their primary function is for sleeping that loss of daylight spread is not considered to result in adverse harm to residential amenity to the extent that a refusal of planning permission on that ground would be sustainable.

#### *41 Union Street*

41 Union Street is a corner property with a 6 bed HMO spanning the first and second floors. The proposal would result in a reduction in the spread of daylight into the Union Street facing windows of the HMO, comprising of bedrooms and a living room, below the level recommended by the BRE. As a result, there would be a noticeable reduction in the spread of daylight into these rooms from existing and artificial light would need to be used to supplement the natural light.

It is not considered that such reduction in daylight spread would be harmful in this instance. The living room area and one bedroom, as existing, do not achieve the BRE's recommendations in terms of the spread of daylight and as a result, are already relying on artificial light to supplement the spread of natural daylight. Whilst the proposal would further reduce the spread of daylight into the rooms, this would be accommodated through the existing use of artificial light, and as such this is not considered to be harmful. The remaining two bedrooms will have a noticeable reduction in daylight, but as these areas are used mainly for sleeping, the use of artificial light to supplement daylight is not considered to be harmful.

The NPPF requires LPAs to take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site, as long as the resulting scheme would provide acceptable living standards. It is not considered that the proposal would result in adverse harm to the amenities of the occupants, the proposed development would make efficient use of land and would still result in acceptable living standards. As a result, the proposal would be acceptable in this respect.

#### *43-45 Union Street*

There appears to be a dwelling unit which does not benefit from planning permission on the second floor of 43-45 Union Street and is currently subject to a planning enforcement investigation. The submitted Daylight and Sunlight assessment sets out that the proposal

would result in a reduction of the spread of daylight within a room<sup>13</sup> so that the area lit by the window is likely to appear more gloomy and electric lighting will be required more of the time. However, as it is not lawfully a dwelling unit it should not be considered as such.

### Privacy and outlook

#### *Distance between Block E, D and C and the adjoining streets.*

The distance between the habitable windows of blocks E, D and C and the residential units of Union Street, and High Street are in excess of 10m and at this distance it is considered that the proposal would not result in a loss of privacy or outlook to the surrounding residential occupiers.

As a result, the proposal would not result in adverse harm to the surrounding residential occupiers and would accord with Policy DE1 of the Local Plan in this respect.

## **7. The Living Environment Created**

### Room size standards:

Policy DE2 of the Local Plan sets out that new residential (Class C3) units will ensure that the internal layout and size are suitable to serve the amenity requirements of future occupiers. Notwithstanding the need to provide additional internal space where flats do not have a private balcony<sup>14</sup>, 99 of the 100 residential units would meet or exceed the Council's internal room size standards. One unit, D31, would fall 0.21 sq.m below this requirement. The shortfall is minimal, and the layout and arrangement is otherwise suitable, the shortfall is not therefore considered to result in a dwelling which fails to offer a satisfactory residential environment to potential occupiers. The proposal is considered satisfactory in relation to Local Plan policy DE2 in this respect.

### *Student accommodation*

The Local Plan and the Nationally Described Space Standards do set out space requirements for student accommodation. The configuration of the accommodation consists of groups of 6 – 8 student bedrooms sharing a kitchen. The area of these rooms and kitchen would meet the space standards if the units were considered as individual dwellings.

### Amenity space

Policy DE3 of the Local Plan states that residential development will be required to provide good-quality usable private outdoor space. The minimum requirement for private balconies for flats is 5sq m, and that in exceptional circumstances, where site conditions make it impossible to provide private open space for dwellings, additional internal living

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<sup>13</sup> VSC – Vertical Sky Component

<sup>14</sup> Policy DE3 refers

space equivalent to the private open space requirement may be added to the minimum GIA of the dwelling.

73 of the 100 residential (C3) units have access to a private balcony or area of garden<sup>15</sup>. Each balcony or garden area is at least 5sq m in area and subject to a condition requiring screening to their sides (**Condition** Error! Reference source not found.) would be sufficiently private.

Given the Town Centre location, it is not possible for all units to have private balcony space. In this instance an exceptional circumstance exists for such balcony space (5sqm) to be provided internally. 27 units require an additional 5sqm to their internal floor to make up for the lack of a private balcony, as set out by policy DE3 of the Local Plan. However, 5 of the 27 provide less than the 5sq m of additional space above that required for internal space standards (DE2). This shortfall is relatively small, and occupiers would have access to a shared amenity area. Given these considerations, it is considered that the proposal would not conflict with the objectives of policy DE2 and DE3 and would not result in a substandard form of accommodation in this respect.

#### *Shared amenity space: Union Gardens*

The proposal provides shared amenity space area for the occupants of the C3 residential development. It is not a policy requirement for the scheme to provide a shared amenity space in addition to the balconies, in what is a constrained site within the Town Centre location. The space would, due to the massing of the southern side of the site, have more than half of its area shadowed during the spring equinox, but like most urban open space it would receive greater sunlight during the summer months when the area is more likely to be utilised. The space is of benefit for the occupiers of the development. As a result, the proposal is considered to provide amenity space of a suitable size in accordance with the principles of Local Plan Policy DE3.

#### *Student accommodation*

The student accommodation does not provide private amenity space for the occupiers and it is understood that such students would not have access to the shared amenity area. The Local Plan and the NPPF do not specify amenity space requirements for student accommodation, and it is not unusual for student accommodation to be without private or shared amenity spaces for occupants. Such accommodation is used in a way which is different from residential C3 uses. Each student room is single occupancy<sup>16</sup> and occupation is linked to enrolment at the University for part of the year. There are other opportunities around the site, and at the University for the Creative Arts, for recreation. It is not considered that the absence of specific amenity provision for the student occupants would result in an unsatisfactory form of accommodation and this aspect of the scheme is considered acceptable in this respect.

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<sup>15</sup> Units D01, D02, C04 have access to a small garden area on the ground floor.

<sup>16</sup> The rooms are occupied by a single student

## Daylight and Sunlight

Policy DE1 requires new development to make a positive contribution towards improving the quality of the built environment and to ensure the proposed users are not adversely affected by limited light, privacy, outlook, or noise. A daylight and sunlight report has been submitted with this application that examines the lighting to the proposed habitable rooms.

### *Proposed residential (C3) units*

92/100 of the residential units meet or exceed the BRE's recommended minimum level of daylight inside a building<sup>17</sup>. The remaining 8 units would each have a kitchen/living/dining room that would fall below this recommended standard, but this is not considered to be harmful or unusual in a Town Centre Location. This is in part due to the layout of the rooms, being open plan and relatively deep, which would require the area furthest from the window – the kitchen – to rely on support from artificial light<sup>18</sup>. However, the living area of these rooms would otherwise meet the required standard, and this arrangement is not unusual for flat development, particularly in an urban location.

The distribution of daylight within habitable rooms was also assessed<sup>19</sup>. 16/ 100 units have at least one habitable room with less than 80% of the room receiving direct daylight, meaning that for these rooms, less than 80% of the room would receive direct daylight and would appear gloomy and supplementary electric lighting would be required. The BRE recognises this and advises that their guidelines need to be applied flexibly and sensibly. The constraints and complexity of the shape of the site means that not all the units can be dual aspect and would result in some rooms being relatively deep and narrow. The prospective occupiers will be aware of the situation, and it is not considered that the distribution of daylight within any of the habitable rooms would be such that it would result in a substandard form of accommodation.

### *Purpose Built Student Accommodation (PBSA) units*

All of the student units (en-suite bedroom and study areas) and shared kitchen/ living room and dining areas would meet the minimum level of daylight within such rooms as advised by the BRE<sup>20</sup>. With regard to the distribution of daylight within habitable rooms<sup>21</sup>, 7/128 student units (en-suite bedroom and study areas) and 2 of the shared kitchen/living/ dining units did not meet the recommendations of the BRE. However, this is not considered to result in a substandard form of accommodation. The affected shared kitchen/ living/dining areas are located on the ground floor of the development, and they have been arranged so that the 'living' areas and 'kitchen' areas are located closer to the windows to achieve natural daylight – the areas requiring most light. The affected student

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<sup>17</sup> Average Daylight Factor (ADF)

<sup>18</sup> Recommended standard is 2% for kitchens, - but it is advised that living rooms should meet 1.5% as per the BRE.

<sup>19</sup> No Sky Line (NSL)' test

<sup>20</sup> ADF – Average Daylight Factor

<sup>21</sup> No Sky Line (NSL)' test

units are arranged to make best use of light, with the desks and beds located nearer the window and the bathroom to the back. Artificial light would be needed to supplement the natural light to the rear of the rooms, but this is not considered to be harmful or unusual in a Town Centre location. It is not considered that this would result in a substandard form of accommodation.

### Privacy

Policy DE1 requires that new development does not cause harm to the prospective occupiers by reason of privacy. To demonstrate this, the scheme is broken down into 4 separate blocks E, D, C and S which are demonstrated in Figure 6.



*Figure 6: Unit breakdown*

### *Between E and D blocks*

The distance between the habitable windows of Block E and D (as shown on Figure 6) on the first to third floors is around 7.5m, and would result in living/kitchen/dining areas would face towards bedrooms. Whilst it is noted that the expectation of privacy is not as great in a Town Centre location, the particular relationship between the rooms would result in the perception of being overlooked. The utilisation of 'one-way glazing' would reduce views between the units whilst still allowing for suitable outlook. The fourth floor would have a distance separation of around 9m and at this distance it is considered that there would not be a loss of privacy in this regard. It is noted that such 'one-way view' glazing can appear reflective or shiny in the street scene. However, views of these windows from the street scene will be oblique and attention is likely to be drawn to ground level where the street is most active and dynamic. As a result, subject to **condition** Error! Reference source not found., the proposal would be acceptable in this respect.

### *Block C.*

Block C is irregularly shaped to fit the prevailing building line of the plot. This has given rise to a 'right angle' relationship between pairs of units – from ground to fifth floor<sup>22</sup>. The units contain a bedroom with a window. It is considered the angle and distance between the windows could result in the perception of being overlooked. **Condition** Error! Reference source not found. has been imposed for 'one-way glazing' to avoid such impact.

#### *Between block S and C*

Block S, at ground to fifth floors, would have a window serving a habitable room at a right angle to the balcony and kitchen/living/dining room of Block C<sup>23</sup>. Given the size and proximity of the windows and balconies it is considered that it is necessary to require the side facing window of Block S to have one way glazing or similar. This can be secured by **condition 30**.

#### *Between Block S, E, C and D.*

There would be a distance of between 10 and 25m between the habitable room windows and balconies blocks S, and E, C and D which is considered to be of a distance that would avoid a loss of privacy to the habitable windows and balconies.

#### Outlook

Policy DE1 requires new development to avoid harm to the proposed occupiers by reason of poor outlook. All of the habitable rooms within the proposal (including C3 residential and Sui-Generis Student accommodation) are considered to have an acceptable level of outlook given the Town Centre location of the site.

#### Noise impacts

Policy DE1 requires new development to avoid harm to the proposed occupiers by reason of noise pollution. The application site is in a Town Centre where noise from vehicles and activities (such as entertainment, leisure, bars and public houses) and other uses within the site (commercial units) can be expected. The application was submitted with a Noise Report which assesses the impact upon the living conditions within the proposed units and amenity spaces.

The Noise Impact Assessment Confirms that a suitable internal noise environment for all habitable rooms is achievable subject to appropriate mitigation such as glazing, and this can be secured by proposed **condition** Error! Reference source not found.. A mechanical

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<sup>22</sup> E.g., C13 - C13 B, C22 – C14, C23 – C31, C40 – C32, C47 – C41,

<sup>23</sup> E.g., S03 – C01, S16 – C13b, S41 – C14, S75 – C23, KLD next to S110 – C32, S143 – C41.



ventilation system is to be provided to all the proposed residential spaces, and the Noise Impact Assessment has set out internal noise levels this should achieve in order to avoid disturbance (see **condition** Error! Reference source not found.).

With regard to the private and shared amenity areas, the Noise Impact Assessment reports that balconies in the elevations to High Street and Wellington Street are likely to exceed the upper guideline level of 55db as set out by BS 8233:2014. The affected elevations lined below for clarity in Figure 7. These balconies would achieve a noise level of 59 – 66 LAeq16Hour.



*Figure 7: blue box demonstrating noise affected balconies*

BS 8233 recognises that these guideline values are not achievable in all circumstances where development may be desirable. In higher noise areas, such as Town Centres, compromise is necessary in order to make efficient use of land. Higher noise levels on balconies are not unusual in Town Centre locations and the units in question would also have access to a shared amenity area where noise levels fall within recommended levels. The Council's Environmental Health Officer has raised no objections on this basis.

The proposal is considered to result in a suitable living environment in accordance with policy DE2 of the Local Plan.

## **8. Highways considerations**

### Impact upon the local strategic highway network:

Policy IN2 requires that proposals do not have a severe impact on the operation of, safety of, or accessibility to the local or strategic road networks, as a result of itself and/or the cumulative effects of such development.

The proposal would result in a reduction in retail floor space and an increase of 100

residential units, which would have an impact on trip rates. The submitted Transport Statement demonstrates that the trip generation for the whole development would not result in a severe impact on the operation of the local highway network. The County Highways Officer has reviewed the application and has raised no objection in this regard.

#### Vehicle movements and highway safety

Policy IN2 requires that development integrates into the existing movement networks, providing safe, suitable and convenient access for all potential users.

The County Highways Officer is satisfied that there is not an existing highway safety concern which would be exacerbated by the development. The proposal would create a new entrance from the High Street, and make alterations to the existing highway, including the extension of the raised table and the widening of the footway adjacent to the entrance. As proposed the visibility splay to the west of the vehicular entrance is short, measuring 30m rather than the 33m set out in Hampshire County Council's Technical Guidance. Resolving would requires removing one car club space, but this is not considered to be harmful. The proposal would still provide a car club space, a disabled bay and loading bay in this location. Recommended **conditions 0 and 0<sup>24</sup>** can secure this amendment.

#### Highways Impact upon other development

Policy IN2 of the Local Plan requires developments to be co-ordinated so that they do not prejudice the future development or design of suitable adjoining sites. The application site is adjacent to the site allocated for development known as the 'Galleries', by policy SP1.4 of the Local Plan. It is considered that the proposal would not prejudice the future development or design of this adjacent site.

#### Servicing

With regards to servicing and deliveries, the commercial units to the High-Street and the units within the public realm area would be serviced using existing loading bays on the High Street. Servicing and deliveries to Union Street would be carried out in the usual way. **Condition 28** is recommended to limit the hours when deliveries can be made in order to safeguard residential amenity.

#### Transport accessibility

Policy IN2 of the Local Plan requires development to promote opportunities for sustainable transport modes and improve accessibility to local facilities and linkages with the surrounding pedestrian and cycle network. Principle 17 of the 'Car and Cycle Parking Standards' SPD requires the submission of a Travel Plan. A Framework Travel Plan has been submitted with this application which sets out how the scheme intends to achieve

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<sup>24</sup> The visibility splay, car club, disabled bay and loading bay are outside of the application site. A Grampian condition is therefore proposed to require such changes.

these objectives. **Condition 0** is recommended to secure this.

### Parking standards

#### *PBSA-*

The student accommodation is proposed to be car free, apart from 4 disabled parking spaces within the lower ground floor parking area for use by disabled students. Concerns have been raised by residents that the students would bring their cars to the site and surrounding area.

Policy IN2 of the Local Plan requires that development provides an appropriate level of parking provision in accordance with the adopted 'Car and Cycle Parking Standards' SPD. The Council's Car and Cycle Parking Standards SPD does not specify parking requirements for Sui-Generis uses such as student accommodation, and it is therefore for the applicant to demonstrate that the parking provision proposed would not result in harm in terms of parking stress or issues of highway safety.

The agents have submitted a Transport Statement and a Planning Statement that sets out how a car-free student accommodation scheme would be appropriate and workable in this location. It is considered that the proposal, subject to securing the arrangement by way of conditions/legal agreement, would not result in harm as a result.

There are a number of factors that would deter students from bringing vehicles to Aldershot. As part of the agreement to occupy the student accommodation, students would need to agree to abide by a Code of Conduct including a clause precluding bringing vehicles to the site and surrounding area. To incentivise the use of public transport, the student accommodation lease would include a free bus pass providing travel to and from the University. The bus stops for this service are located close to the application site. There are also secure bike stores for the students and cycle routes to and from Farnham. There is limited opportunity for students to park vehicles in the surrounding area and the student accommodation units would not be eligible for parking permits.

Travel to the surrounding areas is achievable without use of the private car. The public transport accessibility at Aldershot to the surrounding areas is good. The site is well served by buses including 1 Gold, 4, 5, 7, 17, 18 and 19, along with access to the Aldershot mainline train station within walking distance. There is a car club space provided by the scheme, which can be booked out by the students should the journey call for use of a vehicle. In the Town Centre, students will also have access to shops and other facilities within walking distance. There are no parking spaces available for students on the Farnham College campus, and whilst there are parking spaces located close to the campus, these are chargeable.

Taking these material factors into account, it is considered that subject to securing such provisions by way of **condition 0**, and S106 or other suitable legal mechanism, that the proposal is unlikely to result in issues of parking stress or highway safety as a result of

the car-free student accommodation. As a result, the proposal would be acceptable in this respect.

#### Residential parking standards -

Policy IN2 of the Local Plan requires proposals to provide appropriate parking provision, in terms of amount, design and layout, in accordance with the adopted 'Car and Cycle Parking Standards' Supplementary Planning Document. Principle 11b allows, in exceptional circumstances, the off-site provision of residential parking where it is within a walking distance of 200 m and the capacity is spare.

The application site is located within the designated Town Centre and in accordance with Principle 11a of the SPD the proposal would provide a ratio of 1 parking space per one residential C3 unit. The proposal would provide 57 parking spaces within the lower ground floor of the proposal, and 43 spaces provided off site. It is proposed that these 43 off-site spaces will be provided at the adjacent High Street multi-storey car park, which is within walking distance and has the capacity to accommodate this number.

For the proposal to be acceptable, this off-site provision will need to be secured in perpetuity with individual specified parking spaces assigned to and available for the use of residential occupiers of the corresponding flat.

The High Street multi-storey car park forms part of an allocated site known as the 'Galleries'. Should this application come forward and result in redevelopment of the car park, alternative parking to replace those spaces must be made. This can be secured by way of **Condition** Error! Reference source not found. and a S106 or suitable other legal mechanism. Subject to this the proposal would accord with the development plan in this respect.

#### Commercial parking -

Policy IN2 of the Local Plan states that proposals shall provide appropriate parking provision, in terms of amount, design and layout, in accordance with the adopted 'Car and Cycle Parking Standards' Supplementary Planning Document. The proposal would provide 2,237sqm of flexible retail/ commercial/ business/ community floor space (Use Class A1-A5/B1/D1). The Council's Car & Cycle Parking SPD sets out requirements for both car and bike parking for commercial, retail and other establishments. The existing retail uses on the site rely on the public car parks which serve the Town Centre. Given that the proposal would provide a reduced commercial floor space over that of the existing provision, it is considered that the existing public parking provision within the Town Centre will be sufficient to accommodate the parking associated with the commercial element of the proposal in this regard. Cycle parking would be secured by **condition 0**.

#### Waste and refuse

Policy IN2 Local Plan requires that development provide appropriate waste and recycling

storage areas and accessible collection points for refuse vehicles.

Residential units- The 100 residential units are served by three bin stores on the lower Ground floor towards High Street - 1 serving block D, one serving block C, and one serving block E. These bin stores are for the use of the Use Class C3 residential properties only. The Council's Contracts team have reviewed the submission and are satisfied that the bin stores would accommodate the number of bins required for waste and recycling. This is secured by **condition 0**.

PBSA - The refuse resulting from the PBSA would be collected by a commercial operator who would have their own requirements with regard to rubbish and recycling facilities. It is understood that the number of bins proposed would meet the operator's requirements. A condition is proposed to require confirmation of the refuse arrangements (**Condition Error! Reference source not found.**).

Commercial units - The commercial units fronting Union Street and High Street, or within Union Yard do not have a designated bin store, and instead will need to store refuse within their demise (based on that particular use's needs and the requirements) before collection by a commercial operator. The container units, would have their own designated bin store. However, further details are required with regard to their design, this is the subject of proposed **condition 12**.

## **9. Environmental Health**

Policy DE10 (Pollution) of the Local Plan states that development will be permitted provided that it does not give rise to, or would be subject to, unacceptable levels of pollution (including air, water, soils, noise, light, dust, odour) and that it is satisfactorily demonstrated that any adverse impacts of pollution will be adequately mitigated or otherwise minimised to an acceptable level.

Contamination: - The application was submitted with a Ground Contamination Desk Study Report that recommends that an intrusive site investigation is to be undertaken, for geotechnical and environmental purposes. The Council's Environmental Health Officer has requested that this should also include an asbestos survey. This has been addressed by way of **conditions Error! Reference source not found. and Error! Reference source not found.**

Air quality: The application was submitted with an Air Quality Assessment. The council's Environmental Health Officer has reviewed the document and is satisfied with its findings.

Pollution and disturbance during construction: - The demolition and construction phases of the development have the potential to cause significant air quality, dust and noise pollution and to manage and mitigate this details of a Construction Environmental Method Statement would be secured by **condition 0**.

Odour: - Planning permission is sought for flexible uses to the ground floor retail units that may result in odour pollution. The submission does not include details of extraction, but the scheme has been designed to enable air extract to be discharged vertically at height. A condition is recommended requiring details of ventilation to be submitted and approved if any A3/A4/A5 uses are proposed within the commercial units (**Condition 4**).

## **10. Public Open Space**

The Rushmoor Local Plan (2019) seeks to ensure that adequate open space provision is made to cater for future residents in connection with new residential developments. Policy DE6 states that it will permit new residential development which makes appropriate on-site provision for open space in accordance with the council standards, unless the development is of a size and – or in a location where a financial contribution, for the enhancement and management or creation of open space, for part or all of the open space requirement is considered more appropriate. Due to its size and location within the designated Town Centre, it is considered to be more appropriate to address this via a financial contribution. The financial contributions are as follows;

- Public Open Space Improvements: £100,000
- Playground Improvements: £98,400
- Pitches & Sports Facilities: £59,392

Subject to a S106 or other legal mechanism to secure such financial contribution, the proposal would accord with the development plan in this respect.

## **11. The water environment**

Policy NE8 (Sustainable Drainage Systems) of the Rushmoor Local Plan (2019) requires the implementation of integrated and maintainable SUDS, and that the peak run off rate/volume from the development to any drain, sewer or surface water body for the one-in-one year and one-in-100 year rainfall event must not exceed the greenfield run-off rate for the same event. The site is located within Flood Zone 1; i.e. land at least risk of fluvial flooding.

The submitted Flood Risk Assessment and Suds report states that the surface water runoff from the development will be managed through tanked permeable paving and an underground cellar tank, and will be discharged to the public surface water sewer network at the High Street at discharge rates of 2.19 l/s (1 in 1) and 8.23 l/s (1 in 100). This is a brownfield site with underlying geology which is mostly impermeable, making infiltration unfeasible at the site. There is also the absence of a nearby watercourse. The proposed permeable paving and cellular tank will result in a betterment on the existing drainage. Subject to **condition 0**, the proposal would accord with the development plan in this respect.

## **12. Ecological considerations**

### Special Protection Area.

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

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

### HRA Screening Assessment under Regulation 63(1)(a) of the Habitats Regulations.

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

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

The bird populations and nests are very prone to recreational disturbance, with birds vacating the nests if disturbed by members of the public. This leaves the young unprotected and increases the risk of predation. Dogs not only disturb the adults, but can directly predate the young.

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

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

population and contributions to Strategic Access Management and Monitoring Measures (SAMM) dependant on the number of bedrooms.

It is considered that there is sufficient information available with the planning application provided by the applicants with which the Council can undertake the HRA process. In this case the proposed development involves the creation of 100 new residential units and 128 purpose-built student accommodation units (PBSA) within the Aldershot urban area. The proposed development is located within the 5km zone of influence of the SPA but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

All new housing development within 5 km of any part of the Thames Basin Heaths SPA, of which the current proposals would make a contribution, is considered to contribute towards an impact on the integrity and nature conservation interests of the SPA.

This is as a result of increased recreation disturbance in combination with other housing development in the vicinity of the Thames Basin Heaths SPA. This includes the student accommodation (PBSA), which whilst not C3 dwelling houses, involve a form of habitation that may give rise to pressure on the Thames Basin Heath.

Current and emerging future Development Plan documents for the area set out the scale and distribution of new housebuilding in the area up to 2032. A significant quantity of new housing development also results from 'windfall' sites, i.e. sites that are not identified and allocated within Development Plans. There are, therefore, clearly other plans or projects for new residential development that would, together with the proposals the subject of the current planning application, have an 'in-combination' effect on the SPA. On this basis it is clear that the proposals would be likely to lead to a significant effect on European site (i.e. the Thames Basin Heaths SPA) integrity.

#### Appropriate Assessment under Regulation 63(1) of the Habitats Regulations.

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

The project the subject of the current planning application being assessed would result in a net increase of habitable units – dwellings and student accommodation units - within 5 km of a boundary of part of the Thames Basin Heaths SPA. In line with Natural England guidance and adopted New Rushmoor Local Plan Policy NE1 and the Thames Basin Heaths Avoidance & Mitigation Strategy (2019), a permanent significant effect on the SPA due to an increase in recreational disturbance as a result of the proposed new development is likely. As such, in order to be lawfully permitted, the proposed development will need to secure a package of avoidance and mitigation measures.

Rushmoor Borough Council formally adopted the latest version of the Thames Basin Heaths SPA Avoidance & Mitigation Strategy (AMS) in May 2019. The AMS provides a



strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

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

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

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

In this instance, the contributions amount to £1,044,529.12 towards SPA avoidance and mitigation and access management at Southwood Country Park SANG Mitigation scheme (comprising £962,525.80 SANG contribution & £82,003 SAMM contribution).

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

In this case the applicants have received an allocation of SANGS capacity from the Council's Southwood Country Park SANGS scheme sufficient for the new C3 residential and student accommodation units proposed.

Such contribution shall be secured by a S106 agreement or through an alternative suitable mechanism. As such, the proposal would accord with Policy NE1 in this regard.

#### Conclusions of Appropriate Assessment.

On this basis, the Council are satisfied that the applicants have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths SPA in perpetuity in compliance with the requirements of Local Plan Policy NE1 and the AMS. Accordingly, it is considered that planning permission can be granted for the proposed development on SPA grounds.

#### Site Specific Protected Species.

This planning application was submitted with a Phase 1 Ecology Survey and during the

processing of the application a Phase 2 Ecology Survey was provided. These reports advise that the proposal would not result in harm to protected species, such as Bats and sets out recommendations for bio-diversity enhancements. Such requirements have been secured by **condition 0 and 15**.

### **13. Sustainability**

Policy DE4 of the Local Plan expects new non-residential development of 1,00sq m gross external area (GEA) or more to provide evidence on completion, through the submission of BREEAM certificate, of achievement of the BREEAM 'excellent' standard for water consumption (or any national equivalent). The proposal would provide more than 1,000sq m of non-residential floor space and provision of the certificate would be secured by **condition 0**.

### **14. Securing Obligations**

The Council is promoting this scheme in partnership and is the current landowner of the site. Accordingly the usual route of securing planning obligations through a s106 agreement would not be available as the Council could not enter into a legally binding agreement with itself. In this circumstance alternative legal mechanisms are necessary to ensure the planning obligations necessary for this development are enforceable. It is possible that the Council will use a development mechanism where the land does not remain in its ownership throughout the implementation, occupation and lifetime of the scheme. Therefore any alternative mechanisms used to secure the planning obligations need to be robust to ensure that these obligations transfer with the land and are enforceable in a timely and robust manner against any party with title or interest in it. Legal advice on the best approach to securing obligations is being sought. It may be determined that obligations are more appropriately contained within conditions. To ensure that the eventual arrangement has this result, delegated authority to the Head of Economy, Planning and Strategic Housing is sought to:

- i) add, delete or vary conditions as is best required for the securing the planning obligations;
- ii) negotiate and agree the terms of any other agreements or arrangements to secure planning obligations entered into with the LPA, as the case may be.

### **Summary and planning balance**

The site has an allocation in the Local Plan and forms a core component of the regeneration strategy for Aldershot Town Centre. The proposal would be in general conformity with the Development Plan and the merits of the proposal need to be considered as part of the planning balance.

Whilst the proposal would not provide 140 C3 dwelling units as envisaged by policy SP1.5, this falls to be considered in the context of the overall delivery of accommodation

in the Town Centre, which is expected to exceed that allowed for in the Local Plan. Whilst the proposal would involve demolition of the existing building on site which Policy SP1.5 seeks to refurbish, this in current circumstances would present a challenge to deliverability of the scheme. The proposal would introduce non-Class A1 units into the primary frontage, however the principle of flexible use is in present circumstances considered more appropriate to support the objective of policy SP1.1 to improve the health, viability and vitality of the Town Centre.

The proposal would change the character of Aldershot as would any major regeneration scheme. In doing so it is considered to provide a modern interpretation compatible with its Victorian heritage that will enhance the character of that part of the Town Centre. It would provide accommodation of a satisfactory standard for prospective occupiers that would not result in harm to the amenities of surrounding property. The proposal is satisfactory in terms of highway impact, ecology, and flood risk.

Subject to recommended conditions and a S106 or other suitable legal mechanism, the proposal would accord with the requirements of: policies SS1 (Presumption in Favour of Sustainable Development), SS 2 (Spatial Strategy), SP1 (Aldershot Town Centre), SP1.1 (Primary Frontages in Aldershot Town Centre), SP1.2 (Secondary Frontages in Aldershot Town Centre), SP1.5 (Union St, East), IN2 (Transport), HE1 (Heritage), HE2 (Demolition of a Heritage Asset), HE3 (Development within or Adjoining a Conservation Area), HE4 (Archaeology), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards), DE3 (Residential Amenity Space Standards), DE4 (Sustainable Water Use), DE5 (Proposals Affecting Existing Residential (C3) Uses), DE6 (Open Space, Sport and Recreation), DE10 (Pollution), LN1 (Housing Mix), LN2 (Affordable Housing), PC8 (Skills, Training and Employment), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE3 (Trees and Landscaping), NE4 (Biodiversity), NE6 (Managing Fluvial Flood Risk), NE8 (Sustainable Drainage Systems). The Councils adopted Car and Cycle Standards Supplementary Planning Document (SPD) adopted in 2017, Aldershot Town Centre Prospectus SPD (2016), and Buildings of Local Importance SPD. The advice contained in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

It is therefore considered that subject to compliance with the attached conditions, and legal agreements, 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.

### **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 or such other suitable alternative legal mechanisms which will secure the following planning obligations;

- 1) Financial Contributions:
  - Public Open Space Improvements: £100,000

- Playground Improvements: £98,400
- Pitches & Sports Facilities: £59,392
- SANG: £962,525.80
- SAMM: £82,003

2) Relating to the PBSA:

- Provision within the lease/ Code of Conduct to preclude student occupiers from bringing private motor vehicles to the site or surrounding area
- A bus pass allowing travel to and from the university at no charge forming part of the lease

3) Requirements relating to the C3 residential parking

- The provision of 56 off-site car parking spaces for the lifetime of the development.
- Each on-site or off-site parking space allocated to a specified individual property within the development, to remain available to the occupiers of that identified property by way of its lease or other equivalent mechanism for the lifetime of the development.

and the following conditions:

- A) The Head of Economy, Planning and Strategic be authorised to **GRANT** planning permission.
- B) The Head of Economy, Planning and Strategic Housing in consultation with the Chairman of Development Management Committee, be authorised, prior to the issue of planning permission, to:
  - i) add delete or vary conditions as best required for securing the planning obligations
  - ii) negotiate and agree the terms of any other agreements or arrangements to secure planning obligations entered into with the LPA, as the case may be

### **Conditions**

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

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

2. The permission hereby granted shall be carried out in accordance with the following approved drawings –

Drawing numbers:

- 01586\_JTP\_EX-PP-001 Site Location Plan P5
- 01586\_JTP\_EX-PP-002 Block Plan of Existing Site P3
- 01586\_JTP\_MP\_PP\_001 Lower Ground Floor Plan P5
- 01586\_JTP\_MP\_PP\_002 Ground Floor Plan P5
- 01586\_JTP\_MP\_PP\_003 First Floor Plan P5
- 01586\_JTP\_MP\_PP\_004 Second Floor Plan P5
- 01586\_JTP\_MP\_PP\_005 Third Floor Plan P5
- 01586\_JTP\_MP\_PP\_006 Fourth Floor Plan P5
- 01586\_JTP\_MP\_PP\_007 Fifth Floor Plan P5
- 01586\_JTP\_MP\_PP\_008 Roof Plan P5
- 01586\_JTP\_MP-PP-009 Site Plan Ground Floor P4
- 01586\_JTP\_MP-PP-010 Block Plan of Proposed Footprint P3
- 01586\_JTP\_MP-PP-011 Site Survey (New Builds) Lower Ground Level
- P3 01586\_JTP\_MP-PP-012 Site Survey (New Builds) Ground Level P3
- 01586\_JTP\_MP-SE-001 Site Sections 01 P4
- 01586\_JTP\_MP-SE-002 Site Sections 02 P4
- 01586\_JTP\_MP-SE-003 Elevations - High Street P5
- 01586\_JTP\_MP-SE-004 Elevations - Union Street P5
- 01586\_JTP\_MP-SE-005 Elevations - Wellington Street P5
- 01586\_JTP\_MP-SE-006 Elevations - Courtyard P5
- 01586\_JTP\_MP-SE-007 Elevations - Courtyard Sheet 02 P4
- 01586\_JTP\_MP-SE-012 Elevations - Short Street P1
- Landscape Master Plan

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

### **Commercial units**

3. The flexible commercial units (marked on the approved plans as CX11, CX12, CX13, CX14, CX15, CX16, CX09, CX08, CX07, CX06, CX05, CX04, CX03, CX02, and the containers) shall be used for purposes falling within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes), Class A4 (drinking establishments), Class A5 (hot food takeaways), Class B1 (business), Class D1 (non-residential institutions) of the Schedule to the Use Classes Order 1987, (or any other Order revoking or re-enacting that Order)..

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

4. Use of any commercial units for purposes falling within use classes A3/A4/A5 shall not commence before means of suppressing and directing smells and fumes and associated extraction noise from the premises, have been installed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. These details shall include the height, position, design, materials and

finish of any external chimney or vent. The equipment shall be installed in accordance with the details so approved and thereafter retained.

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

5. The flexible commercial uses (marked on the approved plans as CX11, CX12, CX13, CX14, CX15, CX16, CX09, CX08, CX07, CX06, CX05, CX04, CX03, CX02, and the containers) hereby permitted shall not be open to customers outside the following times, unless details of any noise mitigation strategy has been submitted to and approved in writing by the LPA:

7am – 11pm Mondays to Sundays

Reason - To safeguard the amenities of neighbouring occupiers.

6. The shop fronts of the premises shall include a window display which shall be provided prior to occupation of each flexible uses hereby permitted (marked as CX11, CX12, CX13, CX14, CX15, CX16, CX09, CX08, CX07, CX06, CX05, CX04, CX03, CX02 on the approved plans).

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

### **Purpose Built Student accommodation**

7. Each student room shall only be occupied by a single person.

Reason: To ensure the level of occupancy of the development does not give rise to significant additional impact on the Thames Basin Heaths Special Protection Area

8. Prior to the occupation of the Student Accommodation, there shall be submitted to and approved in writing by the Local Planning Authority;

Details of an occupiers' code of conduct that includes;

- A provision within the lease to preclude students from bringing vehicles to the site or surrounding area
  - Provision to each occupier of a bus pass allowing travel to and from the university at no charge forming part of the lease
  - Procedure for start and end of term of drop off and pick up
  - A PBSA Travel Plan to encourage sustainable modes of transport
- The details so approved shall be retained for the lifetime of the development.

Reason: in the interest of highway safety\*.

9. Prior to occupation of the student accommodation (PBSA) hereby approved, details of the arrangements for the storage and collection of refuse from the student accommodation shall be first submitted to and approved in writing by the LPA. The facilities shall be implemented and retained in accordance with the details so approved.

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

### **Design Details**

10. No works of construction above ground level shall start until a schedule and/or samples of the external materials to be used in the part of the development to be constructed have been submitted to, and approved in writing by, the Local Planning Authority.

Reason - To ensure satisfactory external appearance. \*

11. Notwithstanding the details on the approved plans, prior to the commencement of works on any part of the development above ground level, detailed drawings (1:50) showing all elevations of the development including;
  - Architectural detailing on the upper floors
  - windows, (including casing, frames, and opening type)
  - Shop fronts
  - Type and position of trickle vents
  - The entrance into Union Yard from High Street,shall be submitted to and approved in writing by the local planning authority. The details shall be implemented and retained as approved.

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

12. Notwithstanding the details on the approved plans, prior to the erection of the container units, the following details shall be first submitted to and approved in writing by the LPA;
  - Elevation and floor plans detailing the position, height of the containers, fenestration details, the location of plant, details of any required railing, steps or platforms.
  - Details of finishing materials and colours
  - Details of the refuse storage area, its location and means of enclosure

The development shall be carried out and retained in accordance with the details approved

Reason - To ensure satisfactory external appearance and in the interest of residential amenity

### **Ecological mitigation**

13. The development hereby approved shall not be occupied until;
- A Sensitive lighting strategy,
  - Bat boxes,
  - Bird nesting features/ boxes,
- as recommended within the 'Preliminary Ecological Appraisal' report by Southern Ecological Solutions have been provided within the development, in accordance with details to be first submitted to, and approved in writing by, the local planning authority. Such provisions shall remain for the lifetime of the development. Reason - to protect and enhance biodiversity in accordance with policy NE4 and para 175 of the NPPF.

### **Public Realm and private gardens**

14. The commercial units (CX15, CX13, CX12 or the container units) shall not be occupied until a fully detailed soft and hard landscaping scheme including trees, planting, and details of paving/hardstanding, and external lighting has been submitted to and approved in writing by the Local Planning Authority. Such details shall be implemented prior during the first planting season after such occupation.

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

15. No C3 residential unit shall be occupied until a fully detailed soft and hard landscaping scheme including trees, planting, within Union Gardens (the shared residential garden), along with green roofs and details of paving/hardstanding to the High Street and roofs of the development has been implemented in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

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

### **Hard and soft landscape management**

16. No part of the development hereby approved shall be occupied until a landscape management plan detailing management responsibilities, maintenance schedules has been submitted to and approved in writing by The Local Planning Authority. The development shall be carried out in accordance with the details so approved.

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

### **Street furniture**



17. The commercial units (CX15, CX13, CX12 or the container units) shall not be occupied until details of street furniture within Union Yard/Makers Yard has been submitted to and approved in writing by the Local Planning Authority, implemented as approved and thereafter retained.

Reason - To ensure satisfactory external appearance. \*

### **Signage**

18. Prior to the opening of Union Yard/Makers Units area to public access, details of the signage at the entrance to Nelson Street, Union Street and High Street shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as -approved.

Reason - To ensure satisfactory external appearance. \*

### **Highways, Parking and Servicing**

19. No residential unit within the development shall be occupied until:
- The 44 spaces shown on the approved plans have been completed, and
  - 56 offsite car parking spaces have been provided
  - The residential unit in question has been allocated within its lease, exclusive use of a specified car parking space for the lifetime of the development.

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

20. No residential or student accommodation unit shall be occupied until the loading bay, car club space and disabled parking bay, have been provided in accordance with details to be first submitted to and approved in writing by the Local Planning Authority.

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

### **Travel Plan**

21. Prior to the occupation of the development a Travel Plan for the C3 residential units shall be submitted to and approved in writing by the local planning authority. The travel plan shall include a programme of implementation and proposals to promote alternative forms of transport to and from the site, other than by the private car and provide for periodic review. The travel plan shall be fully implemented, maintained and reviewed as approved.

Reason: To encourage the use of all travel modes. Relevant policy: NPPF Section 4 (Sustainable Transport) and Local Plan policy IN2.

### **Cycle parking**

22. Prior to the commencement of above ground works details of secure and covered bicycle storage/ parking facilities for the occupants of and visitors to the development shall be submitted to and approved in writing by the local planning authority. The cycle storage/ parking shall be implemented in accordance with such details as may be approved before occupation of the development and permanently retained in the approved form for the parking of bicycles and used for no other purpose.

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

### **Visibility Splays**

23. No part of the development hereby approved shall be occupied until visibility splays have been provided on both sides of the point of access to the car parking area, in accordance with details to be first submitted to and approved in writing by the local planning authority. The splays shall thereafter be kept free at all times of any obstruction including trees and shrubs exceeding 1m in height.

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

### **Off site highway works**

24. No part of the development hereby approved shall be occupied until offsite works to the highway, including: the provision of a disabled bay, servicing bay, and car club bay: alterations to the servicing and parking bays and tabletop, have been carried out in accordance with details which have been first submitted to, and approved in writing by, the local planning authority.

Reason: To ensure adequate means of access is available to the development.

### **Noise mitigation**

25. The Student accommodation (PBSA) or C3 residential units hereby approved shall not be occupied until mechanisms to protect buildings from traffic or other external noise have been implemented in accordance with details, which have been first submitted to and approved in writing by the Local Planning Authority.

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

26. Prior to the occupation of the development hereby approved, all plant and machinery (including the mechanical ventilation) shall be enclosed with

soundproofing materials and mounted in a way which will minimise transmission of structure-born sound in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority.

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

27. No sound reproduction equipment, conveying messages, music, or other sound which is audible outside the commercial premises shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason - To protect the amenity of neighbouring property

### **Delivery times**

28. No deliveries shall be taken in or dispatched from the site outside the hours of 07:00 – 20:00 Monday to Sunday .

Reason: To safeguard residential amenities.

### **Residential amenity**

29. Prior to the occupation of the C3 residential units;
- Privacy screening to the flanks of the residential balconies
  - Boundary treatments to the ground floor residential gardens (units D01, D02, D03), and
  - Boundary treatment between Podium Gardens (shared C3 amenity space) and Union Yard,
- shall be implemented in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved.

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

30. Notwithstanding the details shown on the submitted plans, prior to the occupation of the residential units (C3), privacy windows between blocks S and C, D and E, and C and C shall be installed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The arrangement shall be retained as approved.

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

31. Prior to the occupation of the residential (C3) development, the amenity area as shown on the so approved plans shall be made available for the use of the

occupiers of the residential development hereby approved and be retained as such for the lifetime of the development.

Reason: In the interest of residential amenity.

### **Refuse details**

32. Prior to occupation of any part of the development hereby approved, the refuse bin storage areas shall be implemented and thereafter retained in accordance with the details approved.

Reason - To safeguard the amenities of the area.

### **Environmental Health**

33. No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority:

i) A desk top study carried out by a competent person documenting all previous and existing uses of the site and adjoining land, and potential for contamination, with information on the environmental setting including known geology and hydrogeology. This report should contain a conceptual model, identifying potential contaminant pollutant linkages.

ii) If identified as necessary; a site investigation report documenting the extent, scale and nature of contamination, ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study.

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

Where step iii) above is implemented, following completion of the measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation shall be submitted for approval in writing by the Local Planning Authority within 3 months of the occupation of the development.

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

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

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

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

### **Construction Environmental Management Plan**

35. No development shall take place, including any works of demolition, until a Construction Environmental Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors,
- loading and unloading of plant and materials,
- storage of plant and materials used in constructing the development,
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate,
- wheel washing facilities,
- measures to control the emission of dust, dirt and other emissions during construction,
- a scheme for recycling/disposing of waste resulting from demolition and construction works
- measures to minimise noise and vibrations during construction and demolition

Reason: In the interests of highway safety and neighbouring amenities.

### **Drainage**

36. The drainage system shall be constructed in accordance with the Flood Risk Assessment and SuDS Ref: 7307. Surface water discharge to the public sewer network shall be limited to 2.19 l/s (1 in 1) and 8.23 l/s (1 in 100). Any changes to the approved documentation must be submitted to and approved in writing by the Local Planning Authority and Lead Local Flood Authority. Any revised details submitted for approval must include a technical summary highlighting any changes, updated detailed drainage drawings and detailed drainage calculations.

Reason: To safeguard against surface water flooding.

37. Details for the long-term maintenance arrangements for the surface water drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the dwellings. The submitted details shall include;
- Maintenance schedules for each drainage feature type and ownership
  - Details of protection measures.

Reason: To safeguard against surface water flooding.

### **Employment Skills Plan**

38. Prior to commencement of any works of demolition and construction or the use of any commercial unit within the completed development, training and employment opportunities shall be provided in that aspect of the development in accordance with an Employment and Skills plan to be first submitted to, and approved in writing by, the Local Planning Authority.

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

### **Sustainability: BREEAM**

39. On completion, and prior to occupation of any commercial unit within the development certification of its compliance with the BREEAM 'excellent' standard for water consumption shall be submitted to the LPA.

Reason - To ensure the development is sustainable

### **Broadband**

40. Notwithstanding any details submitted in the application, no C3 unit or student accommodation unit shall be occupied until details of the telecommunications provision and any aerial or satellite facilities for the development, including high speed broadband, 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 residential C3 units and student accommodation units are occupied.

Reason: To ensure satisfactory external appearance and provide for appropriate telecommunication facilities.\*

### **Informatives**

1. **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because the proposal would be in general conformity with the Development Plan and the merits of the proposal have been considered in the planning balance.

The proposal would accord with the general principles of: policies SS1 (Presumption in Favour of Sustainable Development), SS 2 (Spatial Strategy), SP1 (Aldershot Town Centre), SP1.1 (Primary Frontages in Aldershot Town Centre), SP1.2 (Secondary Frontages in Aldershot Town Centre), SP1 .5 (Union St, East), IN2 (Transport), HE1 (Heritage), HE2 (Demolition of a Heritage Asset), HE3 (Development within or Adjoining a Conservation Area), HE4 (Archaeology), DE1 (Design in the Built Environment), DE2 (Residential Internal Space Standards), DE3 (Residential Amenity Space Standards), DE4 (Sustainable Water Use), DE5 (Proposals Affecting Existing Residential (C3) Uses), DE6 (Open Space, Sport and Recreation), de 10 (Pollution), LN1 (Housing Mix), LN2 (Affordable Housing), PC8 (Skills, Training and Employment), NE1 (Thames Basin Heaths Special Protection Area), NE2 (Green Infrastructure), NE3 (Trees and Landscaping), NE4 (Biodiversity), NE6 (Managing Fluvial Flood Risk), NE8 (Sustainable Drainage Systems). The Councils adopted Car and Cycle Standards Supplementary Planning Document (SPD) adopted in 2017, Aldershot Town Centre Prospectus SPD (2016), and Buildings of Local Importance SPD. The advice contained in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

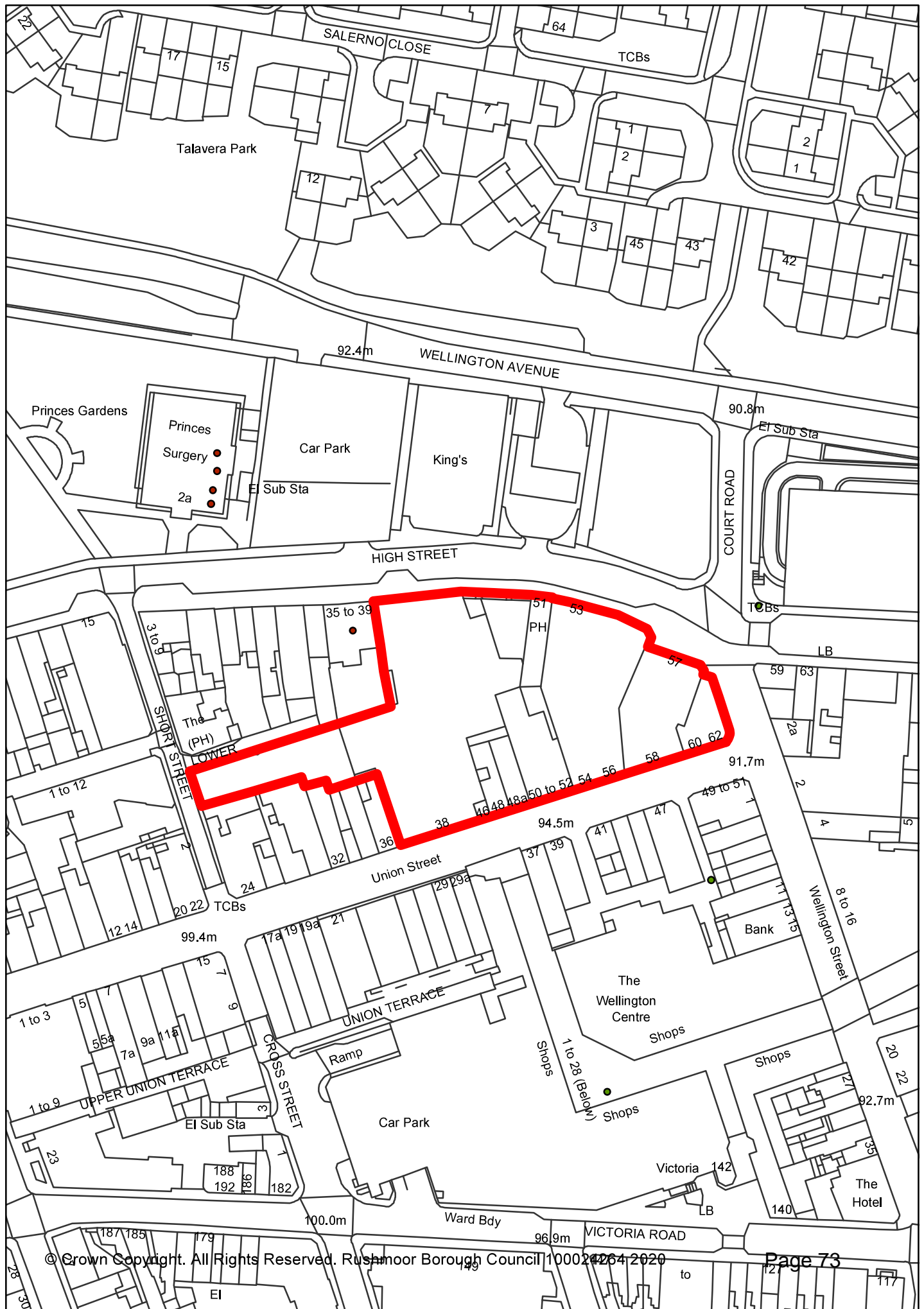
It is therefore considered that subject to compliance with the recommended conditions, and obligations, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether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

2. **INFORMATIVE -** Your attention is specifically drawn to the conditions marked \*. These condition(s) may require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE WORKS START ON SITE ABOVE GROUND LEVEL or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING.

Failure to meet these requirements is in contravention of the terms of the permission and the Council may take enforcement action to secure compliance. As of April 2008, submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.

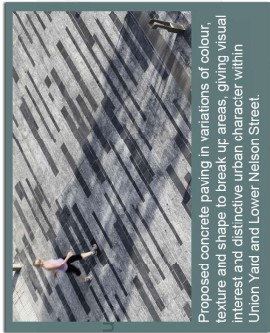
3. INFORMATIVE - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be:
  - 1) provided prior to the occupation of the properties;
  - 2) compatible with the 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.
4. INFORMATIVE - The planning permission hereby granted does not authorise the applicant, or his agents, to construct a new/alterd access to, or other work within, the public highway. A separate consent for works within the highway must first be obtained from the highway authority who may be contacted at the following address: - Hampshire County Council Highways Sub Unit, M3 Motorway Compound, Hook, Hampshire, RG27 9AA.
5. 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.
6. 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 local Natural England office and Rushmoor Borough Council must be informed.
7. 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.





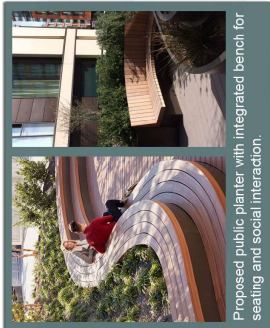
Proposals to transform the Union Street town centre into a lively new public space. The design principals are:-

- To provide an open and unobstructed space to accommodate the widest variety of uses.
- To provide sustainable infrastructure that simply and economically captures and treats most of the site rain water.
- To provide an identity for the new landscape that is sensitive, yet distinct, from the surrounding town centre.



El S

Proposed concrete paving in variations of colour, texture and shape to break up areas, giving visual interest and distinctive urban character within Union Vaid and Lower Nelson Street.



Proposed public planter with integrated bench for seating and social interaction.



Proposed Alder tree to create a focal point and to provide green vertical element within the square. The proposed tree to be a component of the management of stormwater in the square with an integrated bench feature.



The Podium Garden will provide a landscape for year-round interest. Evergreen planting will provide screening where necessary and multi-stem trees offer diversity with structure and colour.



Proposed high quality public benches.

## HIGH STREET

Shelters

TCB



SHORT STREET

LOWER NELSON STREET

The Trafalgar (PH)

Rising Bollard

LB

61a  
59 to 61

2b

91.7m

50 51

A7

A1

94.5m

39

37

36

32

UNION STREET

2A

22

21

19a

19

17a

17

99.4m

15

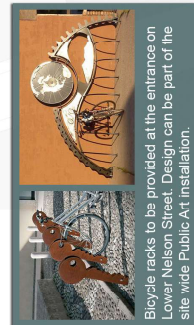
Bank



Natural elements of play combined with additional sensory planting will provide a number of play experiences.



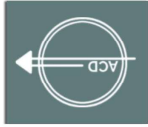
The green wall will connect people to nature and improve their sense of well being. The wall will reduce pollution and improve biodiversity.



Bicycle racks to be provided at the entrance on Lower Nelson Street. Design can be part of the site wide Public Art installation.



The Podium Garden will be planted with wildlife friendly decorative shrubs providing nectar and pollen for bees and insects. A variety of berry bearing plants will also provide resources for insects.



COURT ROAD







Client  
Rushmoor Development  
Partnership

Drawing Title  
Elevations - High Street

Scale @A1 As indicated Job Ref. 01586  
Drawing No. MP-SF-003 Revision P5



This drawing is prepared for the specific project stage in the Drawing Status below. It is not to be used for any other purpose. While all responsible parties are used to ensure drawings are accurate, JTP accept no liability for any reliance placed on, or use made of this plan by anyone for purposes other than those stated in the Drawing Status below.



**MATERIALS KEY:**



Rev	Date	Description	Drawn	Child
P5	02.03.20	PLANNING SUBMISSION	LT	DEC
P4	26.02.20	Issued for comment	JRW	DEC
P3	17.02.20	Issued for information	JRW	DEC
P2	31.01.20	Issued for information	JRW	DEC
P1	08.01.20	Issued for information	JRW	DEC
	02.12.19	Draft First Issue	RA/TC	DEC

Notes

Do not scale from this drawing.

Information must be taken from the drawing.

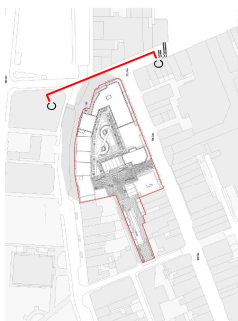
Any discrepancies between the drawing and the site conditions shall be the responsibility of the client.

This drawing is prepared for the specific project stage in the drawing stage.

It is not intended to be used for any other purpose without the written consent of the client.

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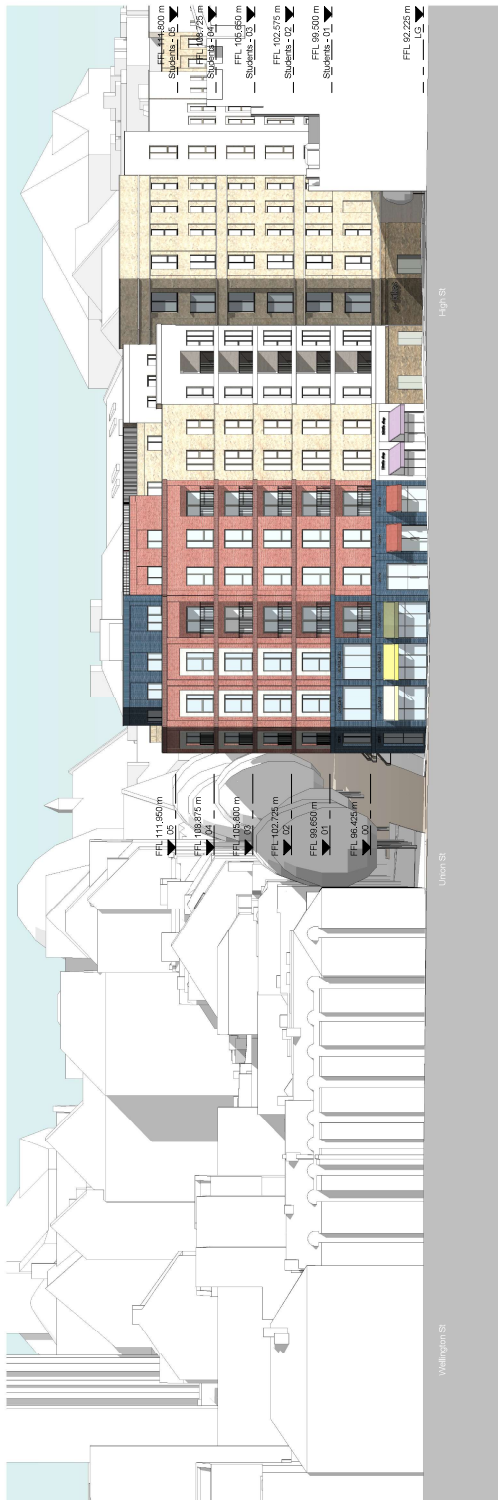
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Key Plan  
1:2000

MATERIALS KEY:

- RED BRICK
- BUFF BRICK
- LIGHT BRICK
- BROWN BRICK
- BLUE GLAZED OR ENGINEERING BRICK
- PINK TINTED GRC OR SIMILAR
- ORANGE/BROWN TINTED GRC OR SIMILAR
- BEIGE TINTED GRC OR SIMILAR



Wellington Street Elevation  
1:200

P1	02.03.20	PLANNING SUBMISSION	LT	DEC
P2	26.03.20	Issued for comment	AWW	DEC
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100	02.03.20	Issued for comment	AWW	DEC

Client  
Rushmoor Development  
Partnership



2425 Great Sutton Street  
London, EC1V 0DN  
www.jtp.co.uk

Project  
Union St East, Aldershot

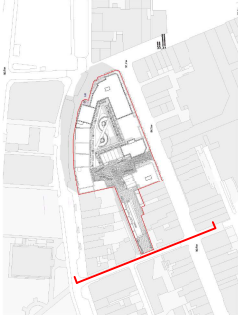
Drawing Title  
Elevations - Wellington Street

Scale: 6m. As indicated	Job Ref: 01596
Drawing No: MP-SE-005	Revision: P5
Scale Bar	0 2 4 6 8 10 m



Elevations - Short Street  
1 : 200

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**MATERIALS KEY :**

- RED BRICK
- BUFF BRICK
- LIGHT BRICK
- BROWN BRICK
- BLUE GLAZED OR ENGINEERING BRICK
- PINK TINTED GRC OR SIMILAR
- ORANGE/BROWN TINTED GRC OR SIMILAR
- BEIGE TINTED GRC OR SIMILAR

P1 06.03.20 PLANNING SUBMISSION JMW DAC

Rev	Date	Description	Drawn	Check
Planning				

Client  
Rushmoor Development  
Partnership

**jtp**  
24-26 Great Square Street  
London EC1V 0DN  
Tel: 020 7462 1170  
www.jtp.co.uk

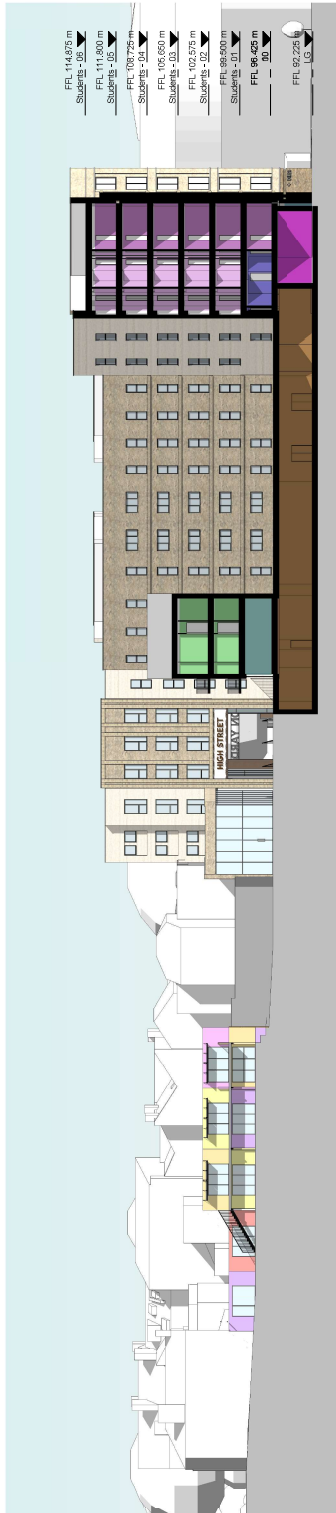
Project  
Union St East, Aldershot

Drawing Title  
Elevations - Short Street

Scale: as indicated Job Ref: 01586  
Drawing No: MP-SE-012 Revision: P1  
Scale Bar 0 2 4 6 8 10 m

Area Key

- 12CP (W)
- Bike Store
- Communal Room
- Disabled Studio
- Flexible Non-res Units
- Plant
- Studio



Courtyard Elevation DD  
1:250



Courtyard Elevation EE  
1:250



Courtyard Elevation FF  
1:250

Notes

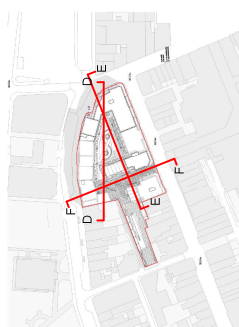
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This drawing is prepared for the specific project stage in the Drawing Stage and is not intended to be used for any other purpose.

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Key Plan  
1:2000

MATERIALS KEY:

- RED BRICK
- BUFF BRICK
- LIGHT BRICK
- BROWN BRICK
- BLUE GLAZED OR ENGINEERING BRICK
- PINK TINTED GRC OR SIMILAR
- ORANGE/BROWN TINTED GRC OR SIMILAR
- BEIGE TINTED GRC OR SIMILAR

Rev	Date	Description	Drawn	Check
P5	02.03.20	PLANNING SUBMISSION	LT	DEC
P4	26.02.20	Issued for comment	AWW	DEC
P3	21.02.20	Issued for information	AWW	DEC
P2	18.02.20	Issued for information	AWW	DEC
P1	02.03.19	Draw First Issue	AWW	DEC

Planning

Client  
Rushmoor Development  
Partnership



Project  
Union St East, Aldershot

Drawing Title  
Elevations - Courtyard

Scale: As indicated  
Drawing No: MP-SE-008  
Revision: P5  
Scale Bar: 0 2 4 6 8 10 m





Courtyard Elevation GG  
1 : 250



Courtyard Elevation HH  
1 : 250

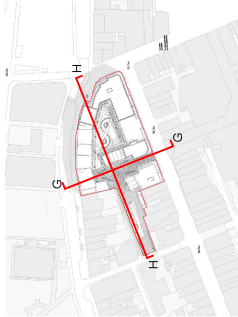
**Notes**

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For any information, please contact the Project Manager at 01585 800000 or 01585 800001.



Key Plan  
1 : 2000

**MATERIALS KEY :**

- RED BRICK
- BUFF BRICK
- LIGHT BRICK
- BROWN BRICK
- BLUE GLAZED OR ENGINEERING BRICK
- PINK TINTED GRC OR SIMILAR
- ORANGEBROWN TINTED GRC OR SIMILAR
- BEIGE TINTED GRC OR SIMILAR

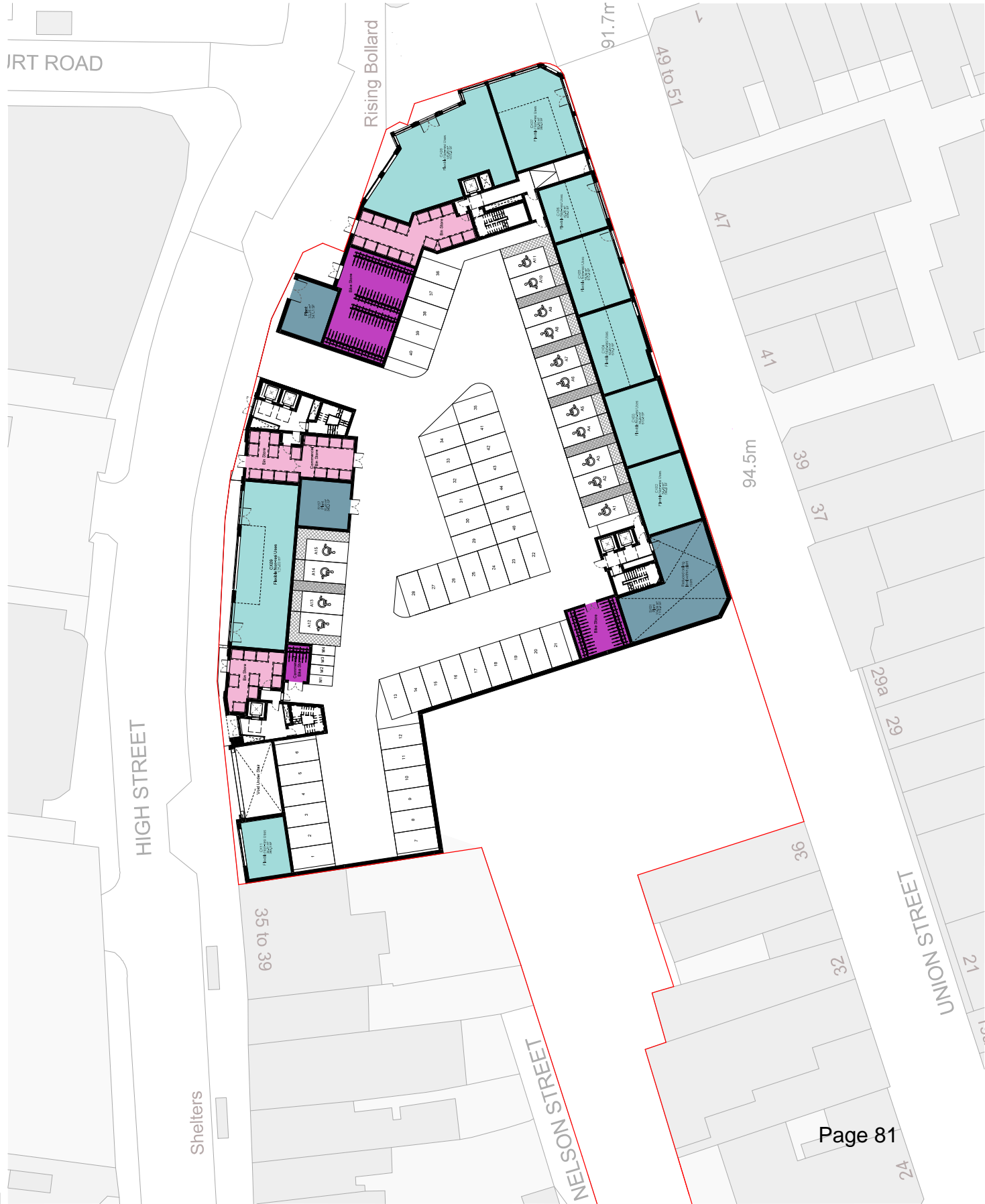
P4	02/03/20	PLANNING SUBMISSION	LT	DEC
P2	11/02/20	Issued for information	20W	DEC
P1	31/03/20	Issued for information	20W	DEC

Rev	Date	Description	Drawn	Check
Drawing Status				
Planning				
Client				
Rushmoor Development Partnership				
Project				
Union St East, Aldershot				
Drawing Title				
Elevations - Courtyard Sheet 02				
Scale: gvt. As indicated				
Drawing No. MP-SE-007				
Revision P4				
Scale Bar				
0 2 4 6 8 10 m				

JTP

2025 Great Scheme Street  
London EC1V 0DN  
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no liability for any claims arising from the use of this drawing for any other purpose.

**Area Key**

- Bike Store
- Bin Store
- Flexible Non-residential Uses
- Plant

**SCHEDULE SUMMARY**

- ACCESSIBLE SPACES: 15
- PARKING SPACES: 48
- CYCLE SPACES: 276 (ACROSS GROUND & LOWER GROUND)
- MOTORCYCLE SPACES: 4

Rev	Date	Description	Drawn	Check
P1	02.03.20	PLANNING SUBMISSION	DEC	DEC
P2	26.03.20	Issued for comment	DEC	DEC
P3	31.03.20	Issued for information	DEC	DEC
P4	02.04.20	Issued for information	DEC	DEC
P5	27.11.19	Draw for final	DEC	DEC

**Planning**

**Client**  
Rushmoor Development Partnership



**Project**  
Union St East, Aldershot

**Drawing Title**  
Lower Ground Floor Plan

Scale: 1:200  
Drawing No: MP-P-001  
Revision: P5  
Scale Bar: 0 2 4 6 8 10 m

**Notes**

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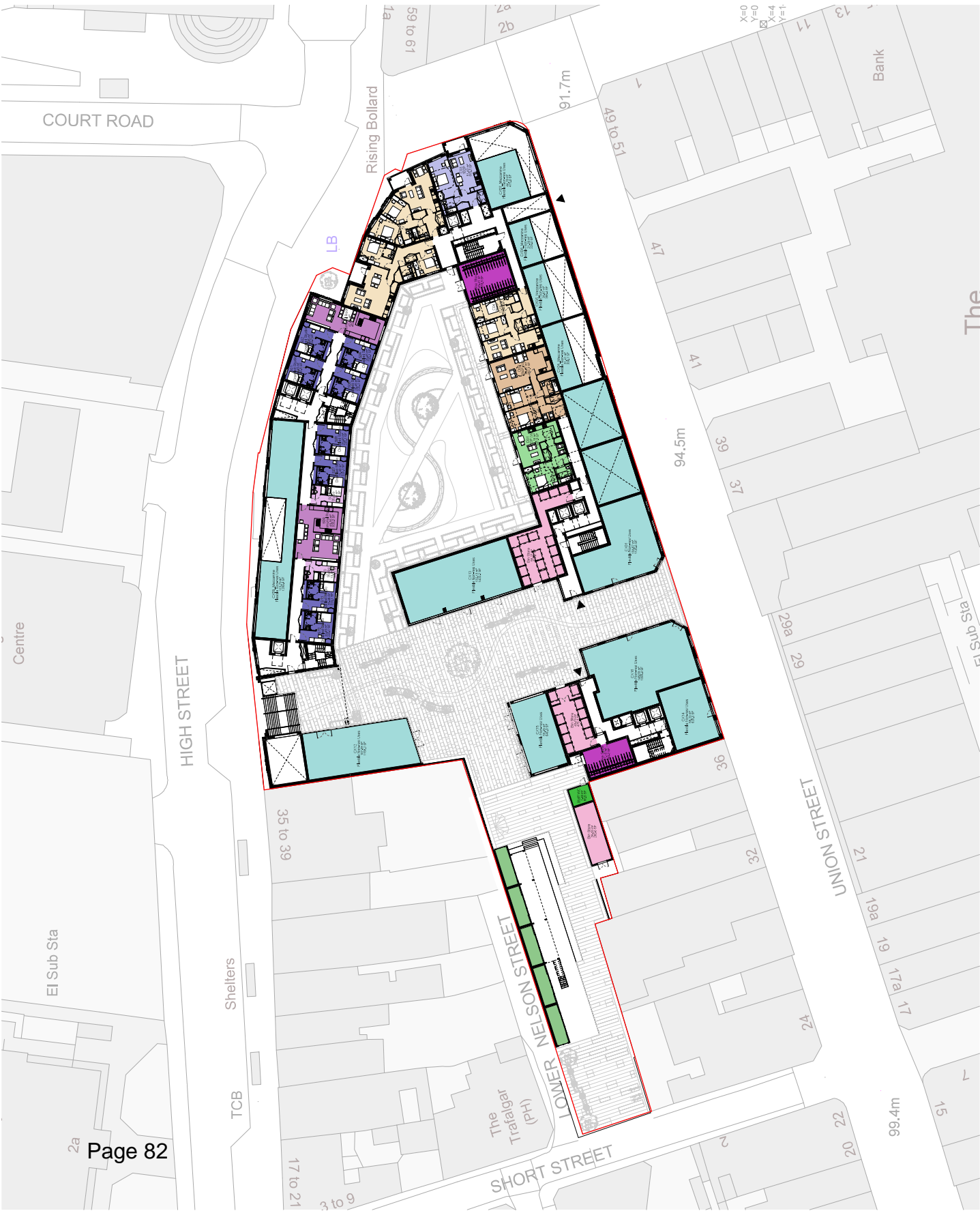
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This drawing is prepared for the specific project stage in the drawing stage and is not intended to be used for any other purpose without the written consent of the client.

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**Area Key**

- 160P
- 160P (W)
- 254P
- 254P (W)
- Bike Store
- Bin Store
- Communal Room
- Disabled Studio
- Flexible Workspaces
- Shipping Container
- Staff WC
- Studio



Rev	Date	Description
P1	10/03/20	PLANNING SUBMISSION
P2	17/03/20	Issued for information
P3	31/03/20	Issued for information

Rev	Date	Description
P4	10/03/20	PLANNING SUBMISSION
P5	17/03/20	Issued for information
P6	31/03/20	Issued for information

**Client**  
Rushmoor Development Partnership



**Project**  
Union St East, Aldershot

**Drawing Title**  
Site Plan\_Ground Floor

**Scale** 1:250  
Jus Ref: 01586  
Drawing No: MP-PP-009  
Revision P4  
Scale Bar 0 2 4 6 8 10 m





**Notes**

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This drawing is prepared for the specific project stage in the Drawing Status column below and is not intended to be used for any other project stage.

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**Area Key**

- 100P
- 100P (W)
- 200P (W)
- 200P (B)
- Communal Room
- Flexible Non-res. Uses
- Shipping Container
- Studio

Rev	Date	Description	Drawn	Check
P1	27.11.19	Draw First Issue	JTP	DC
P2	27.11.19	Draw First Issue	JTP	DC
P3	27.11.19	Draw First Issue	JTP	DC
P4	27.11.19	Draw First Issue	JTP	DC
P5	27.11.19	Draw First Issue	JTP	DC

**Planning**

Client  
**Rushmoor Development Partnership**



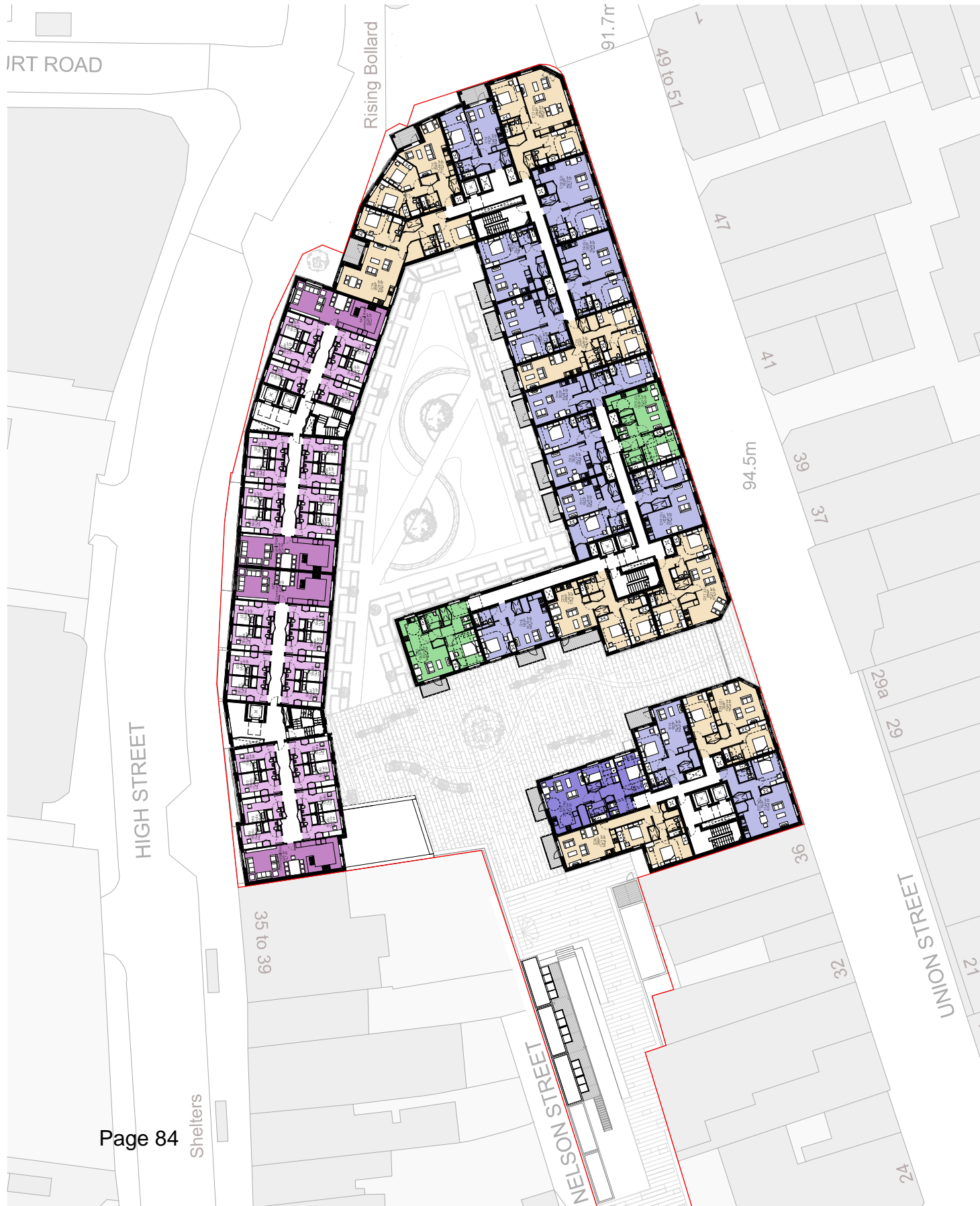
Project  
**Union St East, Aldershot**

Drawing Title  
**First Floor Plan**

Scale: 1:200  
Drawing No: MP-P-003  
Revision: P5

Scale Bar: 0 2 4 6 8 10 m





Notes

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All dimensions are given in metres and rounded to the nearest millimetre.  
All dimensions are given in metres and rounded to the nearest millimetre.  
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Rev	Date	Description	Drawn	Check
P5	02.02.20	PLANNING SUBMISSION	LT	DEC
P4	26.02.20	Issued for comment	AWW	DEC
P3	23.02.20	Issued for comment	AWW	DEC
P2	23.02.20	Issued for information	AWW	DEC
P1	27.11.19	First Issue	JTP	DEC

Planning

Client  
Rushmoor Development  
Partnership



24-25 Great Sutton Street  
London, EC1V 0DN  
020 7424 1100  
www.jtp.co.uk

Project  
Union St East, Aldershot

Drawing Title  
Second Floor Plan

Scale 1:200  
Drawing No. MP-P-004  
Revision P5  
Scale Bar 0 2 4 6 8 10 m





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**Area Key**

1B2P
1B2P (W)
2B2P (W)
2B4P
Communal Room
Studio

Rev	Date	Description	Drawn	Check
P6	02.02.20	PLANNING SUBMISSION	LT	DEC
P4	26.02.20	Issued for comment	AWW	DEC
P2	21.02.20	Issued for comment	AWW	DEC
P1	27.11.19	First Issue	AWW	DEC

**Planning**

**Client**  
Rushmoor Development Partnership



**Project**  
Union St East, Aldershot

**Drawing Title**  
Third Floor Plan

**Scale**  
1 : 200

**Drawing No.** MPA-P-005

**Revision** P5

**Scale Bar**  
0 2 4 6 8 10 m



**Notes**

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**Area Key**

- 16GP
- 26GP
- Communal Room
- Studio



Rev	Date	Description	Drawn	Check
P1	27.11.19	First Issue	JTP	DC
P2	27.11.19	First Issue	JTP	DC
P3	27.11.19	First Issue	JTP	DC
P4	27.11.19	First Issue	JTP	DC
P5	27.11.19	First Issue	JTP	DC

**Planning**

Client  
Rushmoor Development Partnership



Project  
Union St East, Aldershot

Drawing Title  
Fourth Floor Plan

Scale: 1:200  
Drawing No: MP-P-005  
Revision: P5  
Scale Bar: 0 2 4 6 8 10 m







**Notes**

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Any alterations to this drawing must be made in accordance with the Drawing Schedule and must be signed and dated by the relevant JTP staff member.

Any alterations to this drawing must be made in accordance with the Drawing Schedule and must be signed and dated by the relevant JTP staff member.

**Area Key**

- 16GP
- 25GP
- Communal Room
- Studio

Rev	Date	Description	Drawn	Check
P1	27.11.19	First Issue	JTP	DC
P2	27.11.19	First Issue	JTP	DC
P3	27.11.19	First Issue	JTP	DC
P4	27.11.19	First Issue	JTP	DC
P5	27.11.19	First Issue	JTP	DC

**Planning**

**Client**

Rushmoor Development Partnership



**Project**

Union St East, Aldershot

**Drawing Title**

Fourth Floor Plan

**Scale**

1:200

**Drawing No.**

MPA-P-005

**Revision**

P5

**Scale Bar**

0 2 4 6 8 10 m





Notes

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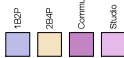
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Area Key



Rev	Date	Description	Drawn	Check
P5	20.02.20	PLANNING SUBMISSION	LT	DEC
P4	20.02.20	Issued for comment	AWW	DEC
P3	21.02.20	Issued for comment	AWW	DEC
P2	21.02.20	Issued for comment	AWW	DEC
P1	27.11.19	First Issue	JTP	DEC

Planning

Client  
Rushmoor Development  
Partnership



Project  
Union St East, Aldershot

Drawing Title  
Fifth Floor Plan

Scale 1:200  
Drawing No. MP-PA-007  
Revision P5  
Scale Bar 0 2 4 6 8 10 m



Notes

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Rev	Date	Description	Drawn	Check
P1	02.03.20	PLANNING SUBMISSION	DEC	DEC
P2	26.03.20	Based for comment	DEC	DEC
P3	31.03.20	Based for comment	DEC	DEC
P4	01.04.20	Based for comment	DEC	DEC
P5	27.03.20	Based for comment	DEC	DEC
P6	27.03.20	Based for comment	DEC	DEC
P7	27.03.20	Based for comment	DEC	DEC

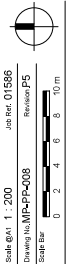
Planning

Client  
Rushmoor Development  
Partnership



Project  
Union St East, Aldershot

Drawing Title  
Roof Plan



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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	David Stevens
Application No.	20/00287/FULPP
Date Valid	5th May 2020
Expiry date of consultations	27th May 2020
Proposal	Refurbishment, extension and amalgamation of Units 3 and 4 Solartron Retail Park to facilitate new enlarged single retail premises (Class A1) to be used as a 'foodstore' and associated works to Unit 2 Solartron Retail Park, service yard and reconfiguration of the car park; relief from Conditions No.3 (to allow unrestricted servicing) and No 7 (to allow a revised layout of service yard) of Planning Permission 03/00502/FUL dated 10 March 2005
Address	<b>Land at Solartron Retail Park Solartron Road Farnborough</b>
Ward	Empress
Applicant	Legal & General Assurance Society Ltd
Agent	Savills (UK) Limited
Recommendation	<b>GRANT</b> subject to s106 planning obligation and/or Deed of Variation

### Description & Relevant Planning History

Solartron Retail Park (SRP) is located to the west of Farnborough Town Centre and fronting the western side of Solartron Road between Elles Road at the Sulzers (Westmead) Roundabout and Invincible Road at the Solartron Roundabout. To the rear (west) SRP abuts a cycleway/footpath linking between Invincible Road and Elles Road. Beyond this lies the Invincible Road industrial estate, including a Dunelm homeware outlet and Wickes DIY, the Stake Works and the Think Ford car dealership. The nearest residential properties are at Pinehurst Avenue, Marrowbrook Lane and Close, and Victoria Road to the side/rear of the B & Q site, and Empress Court near Northmead.

SRP comprises a terrace of 9 retail outlets (Nos.1 – 9 inclusive) arranged along the long-axis of the site from Unit 1 (DFS) to the south-east close to the Sulzers (Westmead) Roundabout and Unit 9 (Furniture Village) to the north-west near Invincible Road and opposite the current B & Q site. The other Units within SRP are: Unit 2 (Pets at Home), 3 (vacant, previously

occupied by Bathstore), 4 (Carpetright), 5 (ScS), 6 (Dreams), 7 (Natuzzi) and 8 (vacant, previously occupied by Maplin).

The area to the front of the terrace (and a smaller area to the side of Unit 9) is used for the provision of parking (317 spaces), together with the site entrance and exit roads and internal vehicular circulation. The parking spaces are privately owned and managed by the operators of the Retail Park. The sole vehicular entrance for customers is a slip-road from Solartron Road approximately half-way along the frontage. The vehicular exit is onto Invincible Road at a mini-roundabout near to Unit 9. The service yard for the Retail Park is at the rear of the units and has a separate vehicular entrance on Invincible Road. There is a pedestrian footpath/cycleway from the underpass at the Sulzers (Westmead) roundabout and also a Pelican crossing over Solartron Road that provide pedestrian links towards other Town Centre retail outlets at Horizon and the Asda car park.

The original planning permission for SRP was granted in 2005 in two parts. The First Planning Permission (03/00502/FUL granted on 10 March 2005) relates to Units 1-6. This permitted the "Partial demolition of existing building and external alterations comprising of re-cladding, provision of 6 entrance features, rear servicing and access door and relocation of 12 car parking spaces for the disabled". This planning permission is subject to seven planning conditions only, most notably including:-

- "3 No deliveries shall be taken at or despatched from the retail units outside the hours of 0700 to 2200 hours Mondays to Saturdays or 0800 to 1800 hours on Sundays.*
- 4 Outside the hours of 0700 to 2230 Mondays to Saturdays and 0800-1830 on Sundays, no activity shall take place within the site that would result in noise being audible at the boundaries with the nearest nearby residential properties.*
- 5 With the exception of those refuse containers/storage areas and pallet storage areas shown on the approved plans, no installation, display or storage of goods, plant, equipment or any other materials shall take place other than within the building.*
- 6 No sound reproduction equipment, conveying messages, music, or other sound by voice, or otherwise which is audible outside the premises shall be installed on the site without the prior written consent of the Local Planning Authority.*
- 7 The turning/manoeuvring and loading/unloading spaces shown on the approved plans shall be kept available and retained clearly marked out at all times thereafter solely for the purposes for which they have been identified."*

The Second Planning Permission (03/00511/FUL granted on 13 May 2005) relates to Units 7-9. This permitted the "Erection of 3 retail warehouse units (sited on former B & Q garden centre) re-configured car park, new access egress & landscaping, together with highway improvements to Solartron Road & Invincible Road". This planning permission is subject to a more extensive set of conditions including:-

- "9 The retail units hereby approved shall not be subdivided into units of separate occupation where any of the resulting units would be less than 545 sqm in gross external floorspace.*
- 12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or subsequent replacement legislative provision, the new*

*retail premises hereby permitted shall only be used for the retail sale of non-food bulky goods within the following categories and for no other purpose (including any other purpose in Class A1 of the Town and Country Planning (Use Classes) Order 1987). The following is the permitted range and types of goods:*

*DIY and/or garden goods;  
Furniture, furnishings and textiles;  
Carpets and floor covering;  
Camping, boating and caravanning goods;  
Motor vehicle and cycle goods;  
Electrical goods;  
Pets and pet supplies;  
Office furniture and supplies;*

*Other bulky goods may only be sold with the prior written consent of the Local Planning Authority. Goods falling outside this range may only be sold where they form an ancillary part of the operation of the retail unit(s) in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.*

*Definitions:*

*1. no less than 80% of the net retail floorspace in the units to be used for the sale of the main range of bulky goods (as referred to above);  
2. that the remainder of the net floorspace be ancillary to the main range of goods sold (the "ancillary part of the operation" as referred to above); and  
3. the definition of a bulky good is a product that by reason of its size and/or weight requires a large display area and cannot be readily transported by means of public transport.*

- 13 *The parking area of the Retail Park hereby permitted shall be retained solely for parking purposes, and made available to the occupiers and visitors to the premises unless otherwise first agreed in writing by the Local Planning Authority.*
- 16 *No additional floorspace (including mezzanine floors) shall be provided or installed within the retail units hereby permitted without the prior written permission of the Local Planning Authority."*

Both Planning Permissions are the subject to restrictions imposed by a s106 Agreement dated 12 May 2005. All 9 of the Units within SRP are thereby subject to restrictions to the nature of the retail activity and limitations on sub-division of units. The s106 restrictions mirror the effect of Conditions 9 and 12 of the Second Planning Permission, 03/00511/FUL. As a consequence, all Units are also subject to retail use restricted to bulky goods within the defined groups of products.

### The Current Application

The application site defined for the current planning application relates to specific areas of land within SRP. It includes Units.3 and 4 (the vacant former Bath store outlet and the existing Carpetright outlet), together with part of the service yard to the rear of Unit 3 and a small section of the building and service yard to the rear of Unit 2 (Pets at Home). The red line also incorporates an irregular-shaped area of the parking area to the front of Units 2, 3 & 4, plus some small outlying areas within the SRP car park.

The proposals comprise three distinct elements:

- (a) Planning permission for physical works to facilitate the creation of a retail space of a size and configuration intended to be marketed for occupation by a discount food retailer (such as Aldi or Lidl);
- (b) Relief from the effect of Conditions 3 and 7 imposed by the original planning permission relating to Units 1-6 SRP (03/00502/FUL) that restrict the servicing hours and require the current extent of the rear service yard of SRP to be retained. Relief from Condition No.3 is sought in order to allow the proposed discount foodstore retail space unrestricted servicing hours. Relief from Condition No.7 is required since the proposals include the erection of an extension to the rear of the existing Unit 3 on land that is currently within the service yard.
- (c) A request to vary the 2005 s106 Agreement to remove the restriction on use of the proposed discount foodstore retail space to enable the sale of foodstuffs.

In terms of the proposed physical works at SRP [Element (a) above] the subject of the planning application, these involve the refurbishment, extension and amalgamation of Units 3 and 4 (currently 1539 sqm of floorspace combined) to facilitate a new enlarged single retail premises (Class A1) of a total of 1,901 sqm. The proposed extension would infill a section of the service area to the rear between the adjoining Units 2 and 4. The proposed extension would provide 261 sqm of additional floorspace. Combined with the addition of 88 sqm of floorspace in the form of an internal mezzanine floor to accommodate back of house functions such as offices and staff welfare facilities, the total proposed increase in floorspace would be 349 sqm. Of the proposed overall gross floorspace, it is indicated that the net sales area would be 1,220 sqm, of which 976 sqm (80%) would be used for sale of convenience goods (i.e. foodstuffs). with the remainder of the floorspace being used for sale of comparison goods.

It is understood that Carpetright (currently occupiers of Unit 4) are to move to the vacant former Maplins unit (Unit 8 SRP).

Since Unit 2 has some service doors and externally-mounted cooling plant facing into this area, the proposals include replacement equivalent service doors be provided for Unit 2 on the rear elevation and re-located plant mounted on part of the roof to the rear of Unit 2. The proposed amalgamated retail space created from Units 3 & 4 would have external plant required for refrigeration and cooling mounted on the roof of the proposed extension. In both cases the proposed roof-mounted plant would be screened from view behind rear-facing parapet walls.

The proposals also involve the following works to the front of the terrace:

- Installation of new shopfront glazing with a new shop entrance. The existing cladding of the building would be retained intact and the current signage structures for Units 3 & 4 replaced with a new single sign (matching those already in place at adjoining units) above the new combined unit entrance doors;
- Alterations to an area of the existing car park area to the front of Units 2, 3 & 4 in order to incorporate a trolley bay, parent & child spaces and an increased number of disabled spaces;

- Provision of a remote trolley bay centrally within the parking area towards the other end of SRP; and
- Provision of an additional pedestrian crossing on the internal entrance road to improve pedestrian access within the wider SRP site.

The application is supported by a Design & Access Statement, Planning and Retail Assessment, and a Transport Assessment including a Framework Travel Plan. The applicants have also submitted some draft Heads of terms for the requested variation to the 2005 s106 Legal Agreement.

## **Consultee Responses**

HCC Highways Development Planning	No highway objections subject to condition requiring the submission of a Construction Method Statement.
Environmental Health	No objections.
Hampshire Fire & Rescue Service	No objections and provides generic fire safety advice.
Planning Policy	No planning policy objections.
Hampshire Constabulary	No comments received during the consultation period, thereby presumed to have no objections.
Thames Water	No objections.
Hart District Council	No objection.
Surrey Heath Borough Council	Consultation acknowledged.
Guildford Borough Council	No objection.
Waverley Borough Council	No objection.

## **Neighbours notified**

In addition to posting a site notice and press advertisement, 33 individual letters of notification were sent to properties in Solartron Retail Park, Invincible Road, Elles Road and Horizon Retail Park including all properties adjoining Solartron Retail Park. Letters were also sent to St Modwen, KPI and Knight Frank Investors as major stakeholders within Farnborough Town Centre; and also Lothbury Investment Management, the owners of Blackwater Shopping Park.

## Neighbour comments

Lothbury  
Investment  
Management  
(the owners of  
Blackwater  
Shopping Park

Objection on the following grounds:

1. Inadequacies of the Transport Evidence. The submitted Transport Assessment (TA) is not believed to be sufficiently robust in terms of its findings and its suitability in understanding the effects of the proposed development. The assumed proportion of new trips to the Retail Park generated by the proposed foodstore has been reduced by the applicants from the 20% advised by HCC Highways to 10% instead, which is too low. *[Officer Note: this is incorrect – the TA uses the 20% additional trips assumption in assessing highways impact.]*

The TA provides no details of the likely distribution and assignment of vehicle trips to the proposed foodstore and, as such, the impact of the proposals on surrounding roads and junctions has not been properly assessed. In this respect, the surrounding roads are already congested and the extent of queuing and junction blocking due to queue lengths at peak times is very sensitive to changes in traffic patterns and volumes. The submitted TA downplays the impact of the proposed new foodstore in these respects. The proposed new foodstore would materially exacerbate existing traffic congestion problems. The findings of the TA cannot be relied upon in the determination of the current proposals and does not follow the pre-application advice provided to the applicants by HCC Highways. It is suggested that further information, including accurate modelling of traffic flows on Invincible Road and Solartron Road be submitted in order to fully understand the traffic implications of the proposals.

In addition, the servicing area to be provided is considered to be inadequate and to compromise the servicing of the adjoining retail unit (Unit 2 : Pets at Home) within the Retail Park. Management of the servicing area would be required. Inadequate servicing area would be retained for the use of Unit 2. *[Officer Note: the consultation response received from the Highway Authority (Hampshire County Council) considers that the submitted Transport Assessment has been undertaken in accordance with the pre-application advice that they provided, is adequate, sufficiently robust, and indicates that the various highways impacts of the proposed development would be manageable and acceptable.]*

2. The Proposed Foodstore is fundamentally undeliverable. In this respect the proposed new foodstore would neither be suitable for a discount food retailer (including due to compromised servicing arrangements and constrained car parking), nor likely to be available within a reasonable period of time.

The proposed servicing arrangements are unsuitable and unacceptable to Aldi and other discount foodstore retailers. The service area is constrained and a dock leveller (used by Aldi at most of its stores) cannot be provided within the current proposals.

The split of customer parking spaces within the Retail Park is uneven, such that the customer parking available to the front of the proposed foodstore



would be insufficient to meet the demand for parking generated by the proposed foodstore. This would lead to congestion within the Retail Park and off-site, especially at peak times.

In terms of availability, Unit 3 is currently occupied by Carpetright and the applicants suggest that an agreement in principle has been reached with this tenant to achieve vacant possession, this differs from the applicant's previous stated position on this matter, that all "the necessary agreements are in place with the relevant tenants to facilitate the delivery of the amalgamation of Units 3 and 4 of the Solartron Retail Park". Carpetright has an existing lease until 2024. A legally binding contractual position to achieve vacant possession for Unit 3 has yet to be obtained and, indeed, commercial circumstances may have changed due to the ongoing COVID-19 pandemic. It is not clear how long it will take, or indeed whether it is possible, to achieve vacant possession of Unit 3.

The proposals require changes to be made to Unit 2 that are essential to the delivery of the proposals and are not fully considered within the application submission. These changes require the consent and cooperation of Pets at Home (a third party), whom has a lease until August 2024. Varying the terms of their existing lease in these respects has not been secured. Pets at Home has an effective ransom position over the implementation of the current proposals. It is likely that it would be both expensive and time-consuming for lease changes to be made; if, indeed, any agreement could be reached at all. This is an important factor when considering if SRP provides a suitable and deliverable opportunity to accommodate a discount foodstore operator, and whether it can be made available within a reasonable period.

Whether proposals can be achieved within a reasonable period is a key requirement of National planning policy when assessing the sequential test to site selection.

*[Officer Note: Whilst the objectors' submissions regarding deliverability of the proposed development may constitute a material consideration, the weight to be given to it in determining this application is limited in the context of planning policy. As in all cases determination of an application on its merits proceeds on the understanding that the applicant will face legal and procedural challenges outwith the planning process in order to implement their scheme. An assertion from a third party objector to the effect that the scheme is 'undeliverable within a reasonable period of time' cannot constitute a reason for refusing planning permission for a development which is acceptable in planning terms. The objector is involved in a similar, as yet undetermined, planning application for development in Blackwater Shopping Park in the form of planning application ref.20/00149/FULPP.]*

3. Adverse implications for their own proposals at Blackwater Shopping Park (BSP) the subject of Planning Application 20/00149/FULPP for an Aldi discount retail foodstore currently also under consideration by the Council.

In this respect the proposed retail foodstore at SRP impacts negatively upon the availability and developability of their own current proposals at BSP. Aldi has confirmed that they do not wish to trade from the proposed SRP

foodstore unit. The SRP proposals are considered to be speculative, disingenuous and restrict competition. The applicants do not name a secured retail operator. Aldi has not been approached by the applicants for the SRP proposals to date to explore whether they would be interested in locating there – which is surprising given that they are a prominent discount food retailer. It is suggested that this means that terms have been agreed with an alternative discount food retailer for SRP– thereby demonstrating that the proposed SRP foodstore unit is not available as a genuine alternative to their proposed Aldi foodstore at BSP.

*[Officer Note: the reason for the applicants submitting their proposals for SRP, and whether the proposals are speculative, are not matters that can be taken into account by the Council in the determination of this application. There is no requirement for applicants to name a secured retail operator for the proposed amalgamated retail unit that they are seeking to create. The matters raised by the objector appear to be from a commercial perspective rather than relevant to planning considerations.]*

It is asserted that the SRP proposals are not located within a Town Centre area in retail policy terms – despite the applicants stating that it is. Because SRP is some 300 metres separated from the primary shopping area of Farnborough Town Centre, SRP is in an out of centre location. As such, SRP is not protected by Planning policy and the proposals should be considered on equal terms to their own proposals at BSP.

*[Officer Note: This assertion is incorrect. All of Solartron Retail Park is located within the defined Town Centre area of Farnborough for retail policy purposes according to the Proposals Maps for the adopted New Rushmoor Local Plan (2019), the current Development Plan for the area. As such, SRP is wholly a town centre site, not an edge of centre or out of centre site.]*

This correspondent makes a range of further points specifically in favour of a rival proposal for an Aldi discount retail foodstore at BSP. It is stated that Aldi has a pressing need for representation in the local area that would be met quickly and with certainty by the other proposal – which would not be realised by the SRP scheme.

*[Officer Note: these are of limited relevance to the consideration of the SRP proposals the subject of this report.]*

Aldi Stores Ltd.

Objection. *I am Property Director for Aldi Stores Ltd (Aldi) and am responsible for new store acquisitions and delivery across the South East.*

*I am writing in Aldi's position in respect of the above application at Solartron Retail Park (SRP), which we have been made aware of through your correspondence and local press reports.*

*Aldi have had a longstanding requirement for enhanced representation in Farnborough and following a thorough review of opportunities have agreed terms (and are under contract) to open a store at Blackwater Retail Park (BRP). As you are aware, this site is currently subject of a planning application (ref:20/00149/FULPP), which we fully support. The proposals have been carefully thought out and planned, having regard to commercial and operational requirements, and we hope to be able to begin trading this store later this year.*

*We have noted the implication in the SRP application that the floorspace proposed could be occupied by Aldi. This is not the case. Firstly, Aldi have never been formally approached regarding potential availability of this location. We understand that terms have already been agreed to let to another operator and therefore it is not available. Furthermore, both Carpetright and Pets at Home both have leases until 2024, meaning it is unclear as to when vacant possession could be provided to enable any planning consent to be implemented. It will be necessary for the owner to document a legal position with both tenants to enable any development to occur and based on our experience, such matters are often highly time-consuming and protracted to agree. The lack of visibility on the timescales for the owner providing vacant possession means it is unlikely any opportunity at SRP would be available in a reasonable period of time. Availability, however, is not the only issue with this site.*

*Notwithstanding that the space is not available, we have reviewed the position at SRP, including Units 3 and 4, and note that it is subject to significant constraints which fundamentally call into question the ability of the site to accommodate a limited assortment discount foodstore operation. These constraints include inadequate servicing, constrained internal configuration, and inadequate car-parking configuration and circulation. Even allowing for a degree of flexibility, this position and arrangement would not be acceptable to Aldi and our operational requirements, and we therefore also conclude that SRP is unsuitable for a limited assortment discount foodstore.*

*Typically Aldi require floorspace of approximately 1,700sqm (gross). Currently, Units 3 and 4 are arranged in an 'L' shape and combined comprise approximately 1,500sqm (gross) of floorspace. The existing space is clearly too small to accommodate an Aldi and it is noted that this shortfall is recognised in the application, which includes an additional 362sqm of space.*

*It is a core requirement for Aldi to have a dedicated servicing area to receive goods securely so they can be unloaded directly into the building and transferred as efficiently as possible to the sales area. Typically, a store will receive at least one 80 tonne HGV delivery before opening. Most Aldi stores have a dock leveller, which is effectively a ramp that enables the HGV to 'dock' directly to the building at floor level and in turn allows goods and pallets to be wheeled off directly and taken straight to the sales area. This is important for all goods, but especially fresh products, which are delivered every morning and the store needs to be fully replenished before opening. It is clearly neither practical nor desirable to be undertaking extensive re-stocking once customers have entered a store.*

*Such servicing arrangements are not currently in place at Units 3 and 4 and it is noted that the proposed plans also do not or rather cannot provide a dedicated servicing dock for the new unit being created. Instead, the implied intention is that goods and pallets would have to be lowered from delivery vehicles into the unsecured shared operational servicing area and then transferred from here into the store and in turn to the sales area. It is noted*

*that there is no justification or rational given to this arrangement, which would not be acceptable to many operators. From Aldi's perspective this is a fundamental operational constraint as it prevents the efficient servicing of the store and so for this reason alone we would not accept this unit, even if it were available.*

*Notwithstanding the fundamental servicing constraint, it is noted that the applicant's own tracking drawing (194777/AT/E01 Rev. A) acknowledges that there is insufficient room for vehicles to service Unit 2. The drawing also notes that it will be necessary for Units 1 and 2 to have a separate management plan to avoid potential future conflicts, which is further acknowledgement of the significant deficiencies in servicing arrangements. I have already noted that the proposed arrangements at Unit 3/4 would not be acceptable to Aldi in isolation, but the fact that the Applicants themselves recognise that the works will lead to inferior arrangements and thus disruption elsewhere, does not give us any confidence that there are satisfactory servicing arrangements at SRP to meet our operational needs.*

*Aldi also have significant concerns in respect of car parking arrangements. Whilst Units 3 & 4 sit within a wider retail park of 317 spaces, they are towards the southern end of the terrace (9 units). However, the configuration of the park is such that parking provision is split with less than half of these spaces orientated towards Units 1-6 (i.e. majority of the park and part of terrace accommodating Units 3 and 4)) and the remaining spaces oriented towards the last 3 units. Given our experience and knowledge of trading patterns at our stores, Aldi seriously question whether the amount of parking in this area, which is to be reduced by a further 10 spaces and also subject of a one-way system, would be sufficient to accommodate demand of both an Aldi and other units in this section of the parade. We have serious concerns that this area would become heavily congested, especially at peak times, which would cause disruption to only to our operations, but also to other tenants and potentially wider highway network.*

*In summary, Solartron Retail Park is not currently an available site to Aldi nor has it ever been offered to us. We have also identified fundamental operational issues, both as existing, and as proposed through the current application relating to Units 3 and 4 which render the site unsuitable for the type of retailing proposed. As such, even if it were available, Aldi would dismiss it due to the fundamental constraints it would impose on their operations and ability to function as a discount foodstore.*

*I trust this clearly sets out our position on the site which I think is important given the perception that Units 3/4 Solartron Retail Park provide a suitable and available location for a limited assortment discount retailer like Aldi; it does not.*

[Officer Note: the points raised in this objection letter largely repeat those made by the owners of Blackwater Shopping Park in seeking to support a different but similar proposal in another location. They have the same limited relevance to the consideration of the current scheme as set out previously. The current applicants' dealings with prospective occupiers are not matters relevant to the consideration of the current application. The proposed new retail space and facilities and their appropriateness for a particular use are

matters for the marketing judgement of the applicants.]

73 Ashley Road,  
Farnborough

Objection : The biggest challenge is traffic and the proposed scheme does not address that from Day 1 Currently there is already traffic on Solartron road northbound. There is a huge traffic when there are multiple traffic queues from Asda going into B&Q and thereby the Invincible road traffic builds up. I work in Invincible road and coming in and out of Invincible Road will be a huge challenge. Coming northbound to Solartron road will also create queues up to the Sulzers Roundabout which is not addressed.

## Policy and determining issues

Solartron Retail Park is within the defined built-up area of Farnborough. It is also wholly located within the defined Town Centre area of Farnborough for retail policy purposes as defined by the adopted New Rushmoor Local Plan (2014-2032).

Adopted New Rushmoor Local Plan (2014-2032) Policies SS1 (Presumption in favour of Sustainable Development, SS2 (Spatial Strategy), LN7 (Retail Impact Assessments), SP2 (Farnborough Town Centre), IN2 (Transport), DE1 (Design in the Built Environment), DE10 (Pollution) and NE6-8 (Flooding & Drainage) are relevant.

The 'Farnborough Town Centre' SPD (adopted in July 2007) and the 'Farnborough Prospectus' (published in May 2012) are also relevant to the consideration of the current proposals. These set out more detailed guidance, including site-specific development opportunities. The SPD identifies eight strategic objectives, including encouraging and facilitating the revitalisation of Farnborough Town Centre *"by developing a robust retail core with a broad range of shops and services"* and promoting *"the Town Centre as a shopping and leisure destination"*.

The National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) are also relevant. The NPPF aims to ensure the vitality of town centres as follows:-

*"86. Local planning authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge-of-centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered."*

The main determining issues for the combined proposals relate to the principle of development specifically including the impact on the revitalisation and regeneration of Farnborough Town Centre; the visual impact of the development upon the character of the area and on adjoining occupiers; car parking, traffic generation and other highway considerations; flood risk and the water environment; and access for people with disabilities.

## Commentary

### 1. Principle -

Solartron Retail Park is an established non-food bulky goods retail park in a town centre location as defined by our up-to-date Local Plan the Rushmoor Local Plan (2014-2032). Units 3 & 4 SRP are existing retail floorspace of 1539 sqm Gross Internal Area currently

subject to a restriction imposed by the 2005 s106 Agreement that they be used for the sale of dominantly bulky durable retail goods from a restricted range of product areas. The current planning application seeks planning permission for the amalgamation, reconfiguration and extension of Units 3 & 4 and the variation of conditions relating to servicing hours and use of the existing SRP service area to facilitate the creation of a retail space of a size and configuration aimed at attracting a discount convenience retailer (i.e. foodstuffs).

The proposals would result in a total increase in floorspace of just 349 sqm (Gross Internal Area) resulting from the proposed rear extension and a modest mezzanine floor to provide ancillary office space. The applicants are asking, in parallel, for the Council to agree to the variation of the 2005 s106 Agreement to enable Units 3 & 4 SRP to be used for the retail sale of convenience goods. It is the parallel proposals in respect of the variation of the 2005 s106 Agreement that principally trigger the consideration of retail planning policy and impact issues in this case. The modest additional retail floorspace arising from the proposed extension is not considered to have any significant impact upon the balance of consideration on these issues.

New Local Plan Policy SS2 (Spatial Strategy) outlines a broad spatial framework for the scale and location of development. It states that town centre uses *“will be located within Aldershot and Farnborough town centres to support their vitality, viability and regeneration”*; that new retail development *“must protect or enhance the vitality and viability of the town centres, [North Camp] district centre and local neighbourhood facilities”*; and that retail development *“will be focused in Aldershot and Farnborough town centres, within the primary shopping areas”* in line with Policies SP1 and SP2. The supporting text to Policy SS2 (Para. 6.25) states that retail development will be assessed in accordance with the sequential approach. If sites within the primary shopping area are not suitable, available and viable, sites will be assessed sequentially in accordance with national policy.

The New Local Plan Policy SP2 (Farnborough Town Centre) aims to *“maintain or enhance the vitality and viability of Farnborough Town Centre”* and to contribute to its revitalisation. The Policy goes on to set out the strategy for Farnborough Town Centre to achieve revitalisation, including the following:-

- “a. For the Town Centre to be the focus for development for retail, leisure, entertainment... building on successful investment in the Town Centre;*
- c. To accommodate future retail growth capacity, which improves the health, vitality, viability and retail attractiveness of the Town Centre;*
- d. To facilitate linked trips between edge of centre retail development and the primary shopping area.”*

It is considered that it is necessary for the proposals for the variation of the 2005 s106 Agreement to be considered in the light of a Retail Impact Assessment. Local Plan Policy LN7 requires this for any proposals exceeding 1,000 sqm of floorspace that are not located within the primary shopping area of Aldershot and Farnborough Town Centres and the North Camp District Centre. Whilst the proposal predominantly seeks the re-use of *existing* retail floorspace located within the wider defined Farnborough Town Centre area, the proposal is for a significantly different type of retail use than that which currently exists at SRP; and is a form of retailing which is prevented from operating at the SRP as a result of the 2005 s106 Agreement. The applicant has submitted a Planning and Retail Assessment in support of the application assessing whether the proposed re-assignment of Units 3 & 4 SRP to convenience retail use could potentially be located within the primary shopping area of the town centre instead.

Section 6 of the submitted Planning and Retail Statement supporting the proposals looks at a range of vacant premises and development sites within the Town Centres and the North Camp (District centre) and concludes that there are no sequentially preferable sites to accommodate a foodstore of between 1,500 and 2,000 sqm within the primary and secondary shopping areas. The Council's Planning Policy Team agree with these findings. It is therefore considered that the sequential test is satisfied.

The submitted Planning and Retail Statement (Section 7) estimates that the proposed foodstore would generate a convenience goods turnover of up to £9.6 million at 2025. This is based on 65% of the Gross Internal Area being the net sales area. In addition, it assumes that 80% of the net sales area (976 sqm of 1,220 sqm net sales area) will be used for convenience goods.

The submitted Planning and Retail Statement (Appendix 8 – Table 2) identifies where trade would be drawn from if the proposed foodstore were to be implemented and concludes that 46% of trade would divert from existing town centre convenience retailers (with two thirds of this town centre trade set to be diverted from Asda). A core consideration is considered to be the impact that this divergence of trade would have upon the turnover of existing Town Centre convenience good retailers' : the forecast for 2026 is detailed below:-

- Asda – 7.4% turnover reduction
- Sainsburys - 4.5% turnover reduction
- Iceland - 5.6% turnover reduction

The policy test is to determine whether the proposal would have a significant adverse impact on the overall vitality and viability of any defined centre. A key piece of evidence available to the Council of relevance to answer this question is considered to be the Litchfields critique of the Planning and Retail Statement supporting a recent planning application for an Aldi discount foodstore of a similar size at Blackwater Shopping Park : Litchfields are retail planning consultants whom were appointed by the Council last summer to examine the retail evidence submitted in support of that proposal because it is a site located in an out-of-centre location – Planning Application 19/00517/FULLPP. The Assessment of Potential Impact section of the Planning and Retail Statement supporting the current application for SRP (at Appendix 7) is based upon the same survey data as that for both the past and current Blackwater Shopping Park applications (19/00517/FULPP and 20/00149/FULPP respectively) and it is noted that the forecast impacts of the SRP and BSP schemes are broadly similar (see Table 1 overleaf):

**Table 1 – Retail Impact Assessment Comparison**

<b>Factor</b>	<b>Current SRP Proposal</b>	<b>Blackwater SP Proposals 19/00517 &amp; 20/00149/FULPP</b>
Gross Internal Area (sqm)	1,901	1,771
Net Sales Area (Sqm)	1,220 (65% of GIA)	1,240 (70% of GIA)
Convenience Goods sales density per sqm	£9,652 (Experian Retail Planner)	£10,232 square metre (Global Data)
Convenience goods projected Store Turnover	2020 - £9.42m	2019 - £13.37m
Trade drawn from existing Farnborough Town Centre convenience goods retailers (%)	45% (2025)	40%
Turnover after proposal Asda (£m)	£35.94 (2025)	£38.92 (2024)
Turnover after proposal Sainsburys (£m)	£24.20 (2025)	£24.05 (2024)

A key consideration is therefore whether the findings of the Litchfields critique of the Blackwater Shopping Park scheme applies similarly to the consideration of the impact of the current SRP proposals, specifically paragraph 4.4, which states that:- *“most of the trade diversion will come from the Asda and Sainsbury's stores, but these stores will continue to trade within the range stores can trade viably, and we would not expect the Asda or Sainsbury's stores to close. The reduction in turnover of the remainder of convenience goods outlets in the town centre is unlikely to cause small convenience shops to close and would not result in a significant adverse impact in terms of the loss of customer choice or the increase in the shop vacancy rate”*. The Litchfields critique considers the impact of the introduction of a discount foodstore upon Farnborough Town Centre and other centres based on evidence submitted with a recent planning application. It is considered that the critique is sufficiently recent and up-to-date to be applied in the consideration of the current proposals.

The proposal in question is located within the Farnborough town centre boundary and therefore it is forecast to divert more convenience goods trade from existing Farnborough Town Centre retailers than the Blackwater Shopping Park scheme. However, it is considered that the diversion of convenience goods turnover from existing Town Centre stores (predominantly Asda and Sainsburys) would not have a significant adverse impact upon the viability of Farnborough Town centre. It is concluded that that the proposed SRP scheme will not lead to an adverse impact on the other centres (notably Aldershot and North Camp). It is also considered that the loss of durable goods floorspace at SRP resulting from the implementation of a food store is potentially likely to divert durable goods trade to existing durable retail outlets within the town centre area. Additionally, it is considered that the proposal will result in the improved vitality of the Solartron Retail Park by increasing occupancy levels at the site. This has the potential to facilitate linked trips to the Primary Shopping Area. In their critique, Litchfields note that they would expect well connected town centre food stores to generate a significant proportion of linked trips and that 50% linked trips are often achieved.

At the time that the planning applications approving SRP were being considered in 2005 the site was outside the defined town centre area for retail planning policy purposes. As a result, it is understandable that the Council sought control over the type of retail uses that could occupy it. Planning policy circumstances have, with the adoption of the New Rushmoor Local Plan (2014-2032) in 2019, changed significantly. SRP is now within the defined retail planning policy area of Farnborough Town Centre. An examination of the retail impacts of the proposed foodstore indicate that it would not give rise to a material and adverse impact upon the overall vitality and viability of any defined centre. It is therefore considered that there are no planning policy objections to the proposed food store in this location.

## **2. Visual Impact -**

It is considered that the proposals would have limited and localised visual impact. The proposals largely seek to re-use existing floorspace within an existing substantial building and Retail Park containing existing sizeable retail outlets. The physical changes to the existing building are the provision of some new shopfronts; within the Retail Park the provision of trolley storage/dispensing bays, and a new pedestrian crossing to the front; and provision of an extension to fill a recessed area using matching external materials between existing sections of building to the rear. There would no doubt be the display of some additional signage for the building and Retail Park that would be the subject of a separate application in the future. None of these features are considered to be unusual or inappropriate in the visual context of the Retail Park and its surroundings. It is considered



that the proposals would have no material and harmful visual impact upon the character and appearance of the area.

### **3. Impact on Neighbours -**

The immediate neighbours to the proposals are the commercial occupiers of the retail outlets within the Retail Park. The nearest residential properties are located some distance away and there have been no significant complaints concerning the operation of SRP in respect of residential amenity impacts since the Retail Park opened.

The introduction of the proposed foodstore is expected to attract additional customers to the Retail Park who would potentially also visit other existing retail outlets, which could be viewed as a benefit of the proposals. Nevertheless, in addition to the potential for vehicle congestion within the car park, there would also be other management issues for the Retail Park relating to the servicing requirements of a foodstore, the nature and volume of refuse and recyclables requiring disposal and the management of shopping trolleys.

Specific objection to the proposals has been raised by the owners of Blackwater Shopping Park on the basis that Unit 2 SRP (Pets at Home) would be adversely affected by the proposals. However the proposals incorporate works to replace existing service doors and re-locate external plant. No representation or comment has been raised by this neighbouring retail use in connection with the application.

Noise emanating from the Retail Park service bay and air-conditioning and cooling plant for the proposed foodstore has the potential to cause nuisance. Whilst there is already servicing activity and the operation of various externally located plant associated with the existing retail outlets, the proposed foodstore would be expected to have more frequent lorry deliveries and refuse collections. Furthermore, air-conditioning and chiller plant would be more extensive and would need to be operated around the clock. In this respect the application proposes relief from Condition No.3 of the planning permission restricting servicing hours for Units 1-6 inclusive, 03/00502/FUL, which states:-

*“3 No deliveries shall be taken at or despatched from the retail units outside the hours of 0700 to 2200 hours Mondays to Saturdays or 0800 to 1800 hours on Sundays.”*

On the basis of the significant separation of the proposed foodstore from the nearest residential properties, the existence of numerous other commercial premises in the vicinity that are not subject to restrictions on servicing times, and the lack of any complaints concerning the operation of servicing and plant at the existing Retail Park, the Council's Environmental Health Team raises no objections to the proposed foodstore operating with unrestricted servicing times. In any event it is considered pertinent that, should any nuisance issues arise nonetheless, these could be pursued by the Council's Environmental Health under Environmental protection legislation if necessary.

It is considered that there would be no material and adverse impacts upon neighbours as a result of the proposals.

### **4. Highway Considerations -**

Solartron Retail Park is located adjoining busy roads and junctions that are prone to traffic congestion at peak times throughout the week. Solartron Road serves both the western side of Farnborough Town Centre, but is also currently the primary route in and out of Invincible

Road Industrial Estate to the west. SRP has a single vehicular entrance from Solartron Road and a separate vehicular exit onto Invincible Road : no changes are proposed to the vehicular access arrangements to and from the Retail Park for both visiting customers and also for vehicles servicing SRP. SRP has 8,149 sqm of floorspace and a car park containing 317 spaces : it is a well-frequented place. There is also notable pedestrian traffic across Solartron Road and Invincible Road as shoppers visit, and come and go between, the various retail outlets in the vicinity. The interaction between traffic approaching and departing the Retail Park with traffic using the surrounding roads clearly has the potential to contribute to traffic congestion on the important road intersections in the vicinity.

The proposed foodstore is expected to attract an additional quantum of customers to the Retail Park, either simply to use or service the foodstore, but also by attracting and encouraging an amount of linked shopping trips to benefit other retailers within the Retail Park. The requested variation to the 2005 s106 Legal Agreement therefore has the capacity to have highway safety and convenience impacts. Accordingly a key consideration for the Council in considering the applicants' request for a variation of the 2005 s106 Agreement is to determine the likely extent of additional traffic that might be attracted to the Retail Park (both customers and delivery vehicles); and whether or not this would be likely to exacerbate any existing highway safety and convenience impacts upon adjoining and nearby public highways to the extent that this amounts to severe harmful impact.

The various elements of the proposals conceivably impacting upon highways issues in this location and, indeed, issues raised by the objectors, are considered in the following paragraphs:-

**Parking** : Parking Standards are derived from a calculation of average parking usage based on historic observations of parking activity with specific types of development and locations nationwide and, as such, there will be sites where higher and lower parking usage can be found. Indeed, SRP is not known to have problems with parking congestion, which has been confirmed by parking use surveys undertaken on behalf of the applicants. As existing, the Retail Park has 317 customer parking spaces to serve a total floorspace of 8,149 sqm; thereby an existing overall parking ratio of 1 space/26 sqm of floorspace. The current proposed development would result in the loss of 16 existing parking spaces to provide space for the proposed foodstore trolley bays, reducing the overall complement of customer parking spaces to 301, such that the resultant overall parking ratio would be 1 space/28 sqm of floorspace. These ratios of parking fall below the Council's current adopted maximum Parking Standard for general and non-food retail of 1 space/20 sqm, but are not unusual for a Retail Park of this size, nature and Town Centre location where there are alternative parking facilities available nearby. The parking within the Retail Park is well related to the retail outlets, being almost exclusively immediately in front of the Units. Notwithstanding the additional parking demand implied by the Council's adopted Parking Standard of 1 space/14 sqm required for a foodstore, this is not a facsimile for parking usage, rather an estimate used to assess whether planning permission should be granted for a development with a certain proposed floorspace and quantum of parking spaces provided. This does not necessarily reflect the actual parking usage that would take place; or the likely enhanced customer draw of a discount foodstore. However, in this location where there is alternative parking available nearby within the wider town centre area, it is not considered that the proposals are likely to result in significant excess demand for the on-site parking available within the Retail Park.

Shopping trolleys are not used within the Retail Park as existing, yet they are a specific and essential requirement for a foodstore. Empty trolleys can compromise parking provision if

discarded carelessly away from designated trolley storage bays. However, it is possible that trolleys can be fitted with coin/token redemption devices to ensure most trolleys are returned to the trolley bays by customers and, whether or not such measures are used, trolleys are clearly a matter that will require on-going management by the owners and operators of the Retail Park. It is considered that a suitably worded planning condition could be used to require the submission of details of parking management measures to be operated within the Retail Park.

**Traffic Generation and Impact upon Road Congestion & Junction Operation** : It is considered that these issues are the principal determining matters in terms of the proposed variation to the 2005 s106 Agreement.

The application is accompanied by a Transport Assessment (TA) which has been examined in detail by the Highway Authority (Hampshire County Council), whom have responded to the Council to raise no objections on highway grounds. In this respect, HCC Highways note that the applicants' TA has appropriately considered the impact of the proposals upon weekday and weekend peak-hour trip rates on the highway approaches to SRP (principally via the Sulzers Roundabout) using the same assumptions for trip rates as those used recently to support the proposed discount foodstore at Blackwater Retail Park (with 19/00517/FULPP) and another recent discount food retail application in Tadley (West Berkshire reference: 19/01063/COMIND) as previously agreed with HCC. This includes assuming a 20% increase in trips associated with the proposed discount foodstore compared to the existing durable comparison goods retail use of Units 3 & 4. HCC also advise that the applicant has carried out appropriate traffic microsimulation modelling work on Sulzers Roundabout, Solartron Road and Invincible Road.

It is considered that the submitted TA demonstrates that vehicle trips generated by the proposed development would not have a significant impact on the highway network operation during the Friday peak hours (16:00 - 17:00 & 17:00 - 18:00), which represent the highest weekday traffic flows. The microsimulation has shown a queue increase of less than 10 vehicles in all assessed routes during this time and a low increase in journey times. HCC Highways do not consider this to amount to a severe highway impact that could justify the refusal of planning permission.

During the Saturday peak hours (the highest weekend traffic flows), the traffic modelling demonstrates that, as a worst case scenario (20% new trips on the highway network), the traffic generation arising from the proposals could increase journey times on Meudon Avenue, Pinehurst Road, Elles Road and Invincible Road; as well as an increase in queue length at Sulzers Roundabout, Invincible Road Roundabout and Solartron Retail Park/Invincible Road junction. The modelling of the relevant junctions indicates that they might expect to experience an increase of between 10-25 vehicles within any queue present. Most notably, it is modelled that journey times may increase by 53% for vehicles travelling eastbound on Invincible Road due to traffic exiting from SRP.

In reviewing the results of the submitted TA, HCC has then considered the significance of these increases given that the vicinity has a high concentration of other retail outlets (including food retail) that result in the local highway network already experiencing queuing during the Saturday peak hours. It is clear Government guidance that denying planning permissions on highways grounds is only justified and appropriate where it is demonstrated to give rise to 'severe' harm to the safety and/or convenience of highway users. As a consequence, refusal on highway grounds is required to exceed a high threshold. In this case it can be argued that weekend impacts are less severe than on weekdays due to the

reduced impact that any traffic delays would have upon people seeking to get to and from work and, by extension, the consequential impact upon business costs to the economy. Accordingly, whilst HCC acknowledge that the proposed development would be likely to increase trip generation and traffic queuing in the vicinity of SRP during Saturday peak hours, they do not consider the increases as negatively impacting on highway safety or resulting in a severe detrimental impact on the operation of the local highway network. HCC do not seek a Transport Contribution in respect of increased traffic generation either.

Finally, HCC also note in reaching their conclusions that the TA traffic modelling does not take account of the positive impacts upon traffic queuing and congestion in the vicinity of SRP, and especially in Invincible Road, that would occur as a result of the impending construction of the Invincible Road-Elles Road relief link road. This was granted planning permission in 2019 (19/00229/FUL) and was scheduled to be implemented this summer. Although construction has inevitably been delayed by the Covid-19 crisis, this project remains ready to proceed as soon as possible and would, in particular, provide an alternative route in and out of Invincible Road and thereby reduce traffic flows on Solartron Road. It is considered that this is an important material consideration in assessing the likely traffic impact and, indeed, in favour of, the current proposals in highways terms.

In the circumstances, HCC are satisfied that the projected increase in trip rates would not result in a material or harmful impact on the operation of the local highway network.

**Servicing Arrangements** : HCC have also considered the proposed servicing arrangements. As existing, the SRP is generously proportioned and has its own dedicated vehicular access to and from Invincible Road well separated from the customer vehicular exit. As a result of the proposals the existing recessed portion of the service area to the rear of Unit 3 would be re-used as the site of the proposed extension. However, vehicle swept path analysis for an articulated lorry has been provided with the submitted TA to satisfactorily demonstrate that an articulated delivery lorry can still safely turn and reverse within the revised service yard to access serving Units 1, 2 and 3. The submitted swept path drawings advise that deliveries would be managed and, indeed, a key element of the applicants' request for unrestricted servicing times is to enable deliveries to be made outside times of peak traffic flow. It is considered that the proposed revised service yard arrangements are acceptable subject to the imposition of a condition to require the submission of details of the proposed management of the service yard and foodstore delivery times.

**Other Highway Matters** : A Framework Travel Plan was provided with the submitted TA. HCC advise that this is still being reviewed by the HCC Travel Planning Team and that comments will be provided in due course. It is considered likely that the outcome will be the developer being required to make financial contributions to HCC in respect of Travel Plan administration and monitoring to be secured with a s106 Planning Obligation. The outcome of this matter will be reported as an update to Members at the meeting.

HCC has requested that planning permission be granted subject to the imposition of a condition requiring the submission of a Construction Method Statement. In principle this is considered to be a reasonable request given that the site is in a busy location and it is likely that SRP outlets would continue to trade during the construction period. However the suggested condition appears to be the standard wording used to deal with large-scale multiple phase developments involving significant site clearance and demolition prior to any building works being commenced. Given that the current proposals involve relatively minor works limited to discrete areas of the Retail Park it is considered that the requirements of the condition should be modified to be proportionate to the scale and scope of the proposed

development involved.

**Conclusions :** Whilst objections have been raised concerning the highway impact of the proposed development it is considered that, for the reasons set out in the previous paragraphs, this would, even without the forthcoming Invincible Road-Elles Road relief link-road, be limited to the weekend peak periods and not amount to severe highways impact overall sufficient to justify refusal on highways grounds. However, it is considered that the construction of the relief road would, in any event, alleviate these issues. It is further considered that the resulting parking provision and servicing arrangements of the Retail Park arising from the proposals would be acceptable. The proposals are therefore considered to be acceptable in highway terms such that: (a) the physical works to SRP the subject of the planning application; and (b) the variation of the 2005 s106 Agreement as proposed are justified.

## **5. Flood risk and Drainage -**

The portions of the Retail Park the subject of the current application are on land at lowest risk of flooding and the proposals do not make any changes to the extent of the site that is hard surfaced. In the circumstances it is considered that the proposals are acceptable having regard to Policies NE6-8.

## **6. Access for People with Disabilities –**

The proposed development should retain or provide access for people with disabilities at least in accordance with Building Regulation requirements. It is considered that adequate means and measures would be incorporated into the development to achieve a good standard of access for people with disabilities, including provision of mobility accessible parking bays.

## **Conclusions -**

Whilst the proposals are subject to objections, these are principally from parties promoting a proposal of a similar nature in another location. Those matters raised by objectors that are pertinent to the consideration of the current application have been considered in this report and found not to amount to sufficient material planning harm to justify the refusal of planning permission. It is considered that the current proposals to enable the introduction of an amalgamated retail space within Solartron Retail Park configured for occupation by a discount food retailer are acceptable in principle, would have acceptable visual and highways impacts, have no material and adverse impacts upon neighbours, give rise to no flood risk and drainage concerns and would provide adequate facilities for people with disabilities. The proposals are thereby considered acceptable having regard to Policies SS1, SS2, LN7, SP2, IN2, DE1, DE10 and NE6-8 of the adopted New Rushmoor Local Plan (2014-2032), the 'Farnborough Town Centre' SPD (adopted July 2007), the 'Farnborough Prospectus' (May 2012) and National Planning Policy and Practice Guidance.

## **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 and/or Deed of Variation to the 2005 s106 Agreement dated 12 May 2005 to:-

- (a) Secure £16,500.00 for the implementation, evaluation and monitoring of the Travel Plan;

- (b) Vary the terms of 2005 s106 Agreement dated 12 May 2005 relating to Solartron Retail Park to allow the proposed amalgamated retail unit created from Units 3 & 4 to be used for the retail sale of foodstuffs and non-bulky goods

as set out in the report the Head of Economy, Planning & Strategic Housing in consultation with the Chairman be authorised to **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: Geddes Architects Drawing Nos.19.008 (P)110 REV.D, -111 REV.D, -112 REV.F, -113 REV.B, -114 REV.E, -115 REV.D, -116, -117, -118 REV.A , -210 REV.C and -211 REV.A; Design & Access Statement; Savills Planning & Retail Statement; Vectos Transport Assessment; and Saviills Covering Letter.

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

- 3 No development shall start on site until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include:-
- (a) A programme for the approved construction works;
  - (b) The arrangements for deliveries associated with all construction works;
  - (c) Access and egress for plant and machinery; and
  - (d) The location of temporary site buildings, compounds, construction material, and plant storage areas;

Works on site in connection with implementing the approved development shall only take place in accordance with the approved Method Statement.

Reason - In the interests of the safety and convenience of highway users and the amenity of the locality. \*

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

Reason - To ensure satisfactory external appearance.

- 5 The amalgamated retail outlet hereby permitted shall not be brought into use until details for the management of (a) shopping trolleys; and (b) the modified Retail Park service area, including the unrestricted servicing hours for the proposed amalgamated retail unit hereby permitted, have been submitted to and approved in writing by the Local Planning Authority.

Shopping trolleys and the service area shall subsequently be managed in full accordance with the management measures so approved at all times in perpetuity.

Reason - In the interests of the safety and convenience of highway users and the amenity of the area. \*

- 6 Outside the hours of 0700 to 2230 Mondays to Saturdays and 0800-1830 on Sundays, no activity shall take place within the site that would result in noise being audible at the boundaries with the nearest nearby residential properties.

Reason - To protect the amenities of nearby residential properties.

- 7 With the exception of designated refuse containers/storage areas and pallet storage areas, no installation, display or storage of goods, plant, equipment or any other materials shall take place other than within the building.

Reason - In the interest of visual amenity.

- 8 No sound reproduction equipment, conveying messages, music, or other sound by voice, or otherwise which is audible outside the premises shall be installed on the site without the prior written consent of the Local Planning Authority.

Reason - To protect the amenities of occupiers of nearby properties.

- 9 The turning/manoeuvring and loading/unloading spaces within the revised Retail Park service area shown on the approved plans shall be kept available and retained clearly marked out at all times thereafter solely for the purposes for which they have been identified. \*

Reason - In the interests of highway safety and to achieve a satisfactory service area layout.

### **INFORMATIVES**

- 1 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because:-

It is considered that the current proposals to enable the introduction of an amalgamated retail space within Solartron Retail Park configured for occupation by a discount food retailer are acceptable in principle, would have acceptable visual and highways impacts, have no material and adverse impacts upon neighbours, give rise to no flood risk and drainage concerns and would provide adequate facilities for people with disabilities. The proposals are thereby considered acceptable having regard to Policies SS1, SS2, LN7, SP2, IN2, DE1, DE10 and NE6-8 of the adopted New Rushmoor Local Plan (2014-2032), the 'Farnborough Town Centre' SPD (adopted July 2007), the 'Farnborough Prospectus' (May 2012) and National Planning Policy and 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 - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or a Deed of variation to the 2005 s106 Agreement dated 12 May 2005 relating to Solartron Retail Park.
- 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.

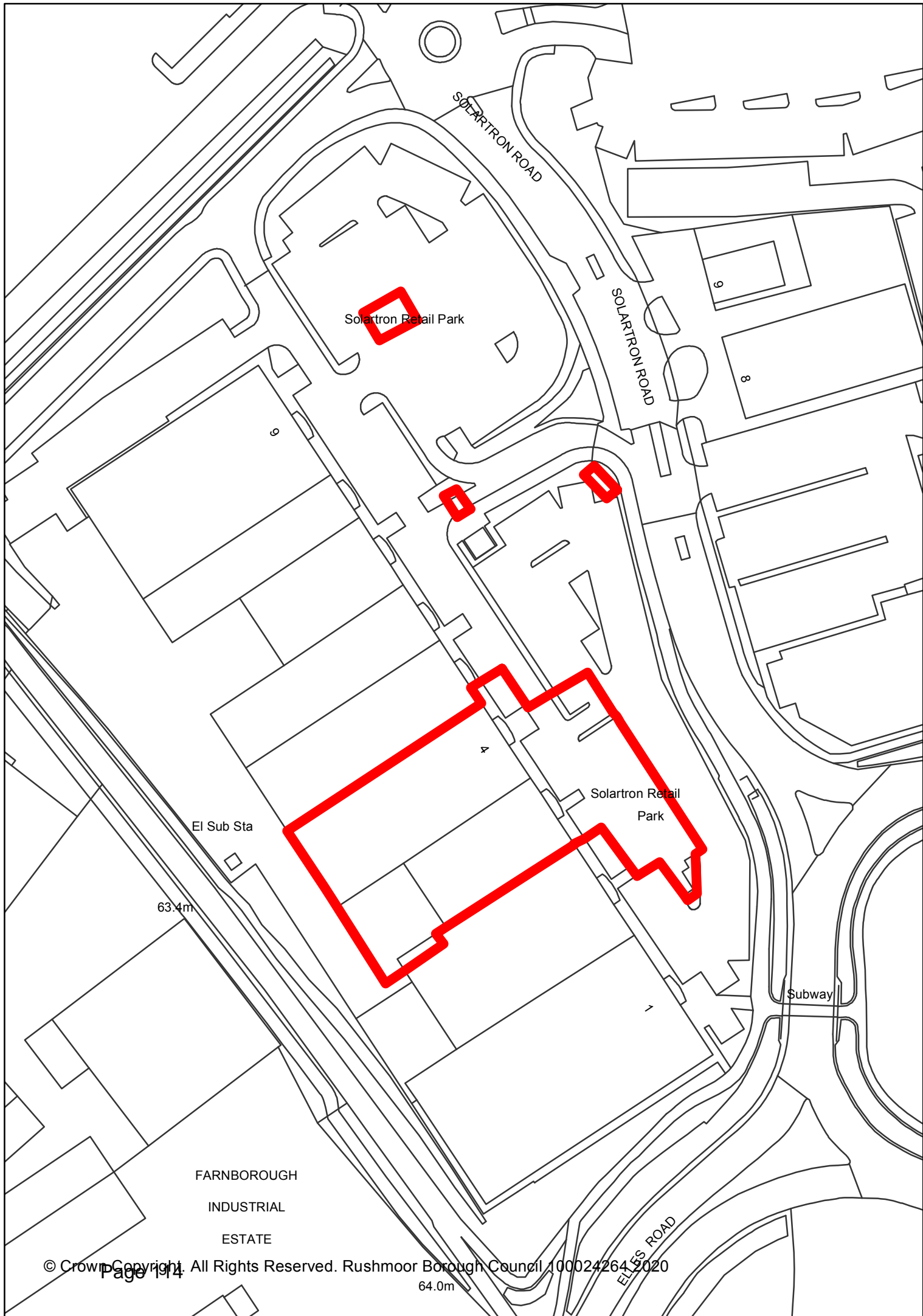
The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must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

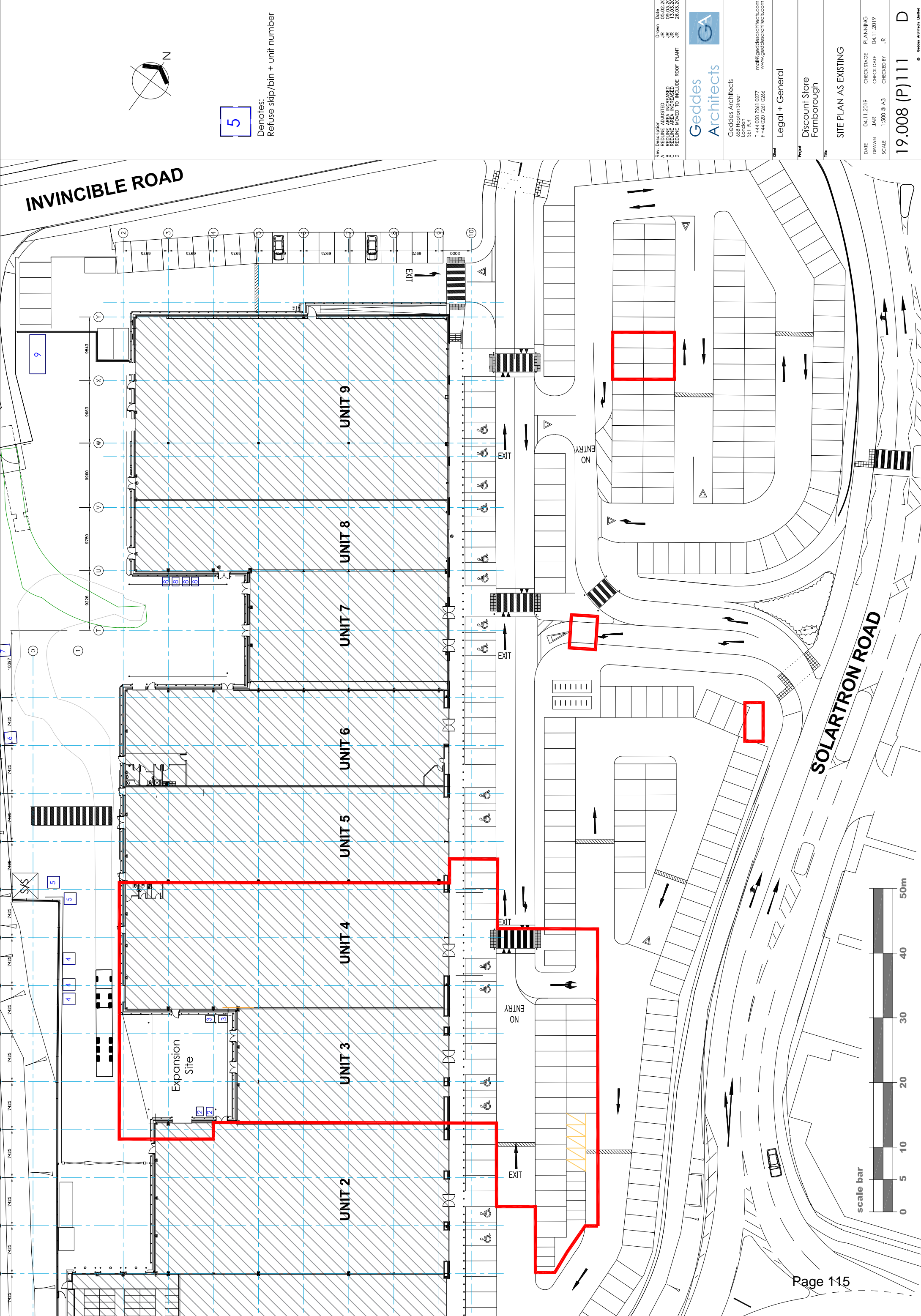
- 4      INFORMATIVE - The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:  
a) ensuring the design and materials to be used in the construction of the building are consistent with these aims;                      and  
b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.
- 5      INFORMATIVE - The applicant is reminded that the premises should be made accessible to all disabled people, not just wheelchair users, in accordance with the duties imposed by the Equality Act 2010. This may be achieved by following recommendations set out in British Standard BS 8300: 2009 "Design of buildings and their approaches to meet the needs of disabled people - Code of Practice". Where Building Regulations apply, provision of access for disabled people to the premises will be required in accordance with Approved Document M to the Building Regulations 2000 "Access to and use of buildings".
- 6      INFORMATIVE - The applicant is advised that during the demolition and/or 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.
- 7      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.

- 8 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.





5

Denotes:  
Refuse skip/bin + unit number

9

Rev.	Description	Date
A	RELINE ADJUSTED	09.03.20
B	RELINE AREA INCREASED	13.03.20
C	RELINE AREA INCREASED	13.03.20
D	RELINE MOVED TO INCLUDE ROOF PLANT	26.03.20

Drawn	Date
JR	09.03.20
JR	13.03.20
JR	26.03.20

<b>Geddes Architects</b>	<b>GA</b>
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<b>Geddes Architects</b>	<b>Geddes Architects</b>
658 Hopton Street	658 Hopton Street
London	London
SE1 9LR	SE1 9LR
T +44 (0)20 7261 0277	mail@geddesarchitect.com
F +44 (0)20 7261 0266	www.geddesarchitect.com

Client	Legal + General
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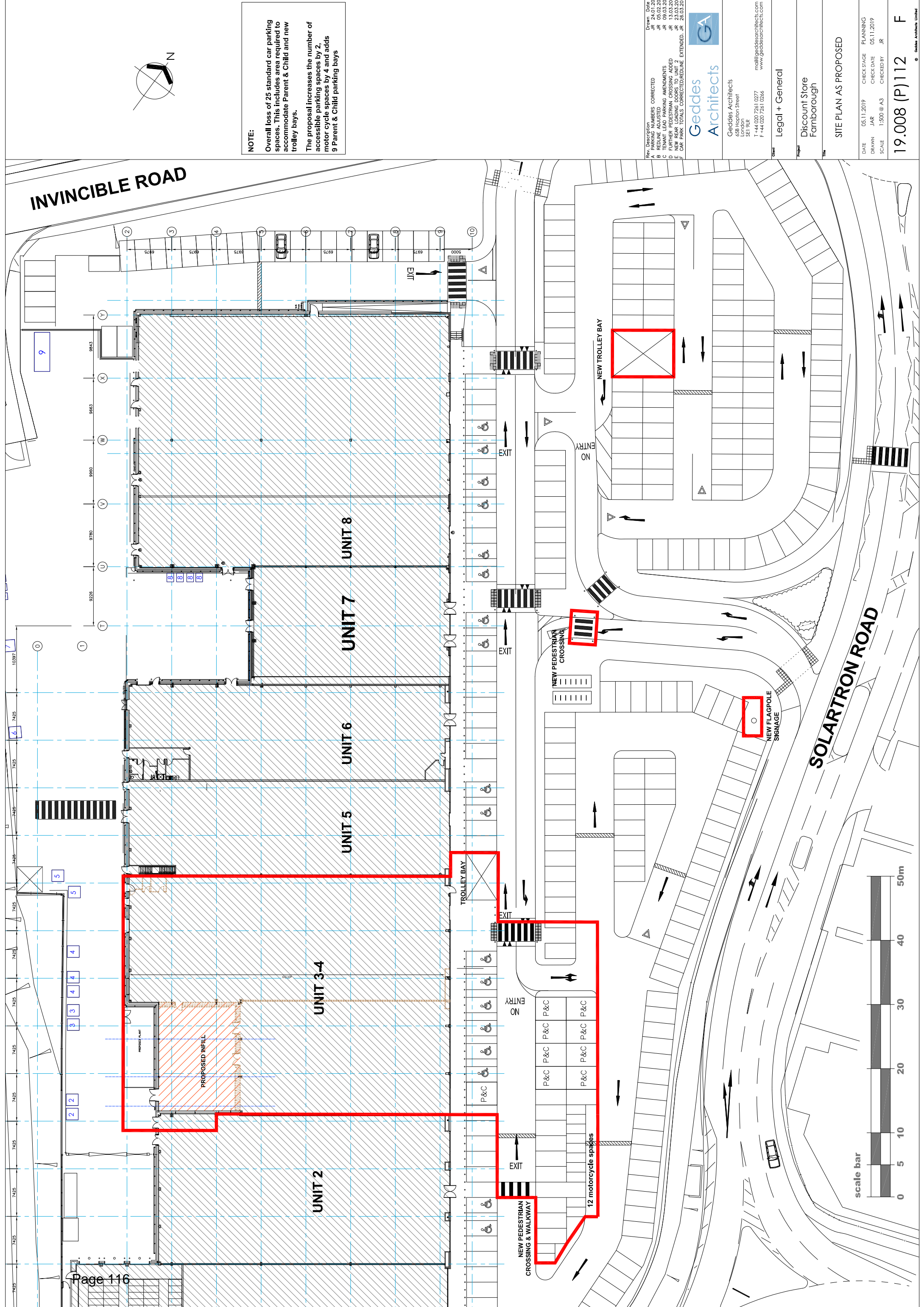
Project	Discount Store
Location	Farnborough

Site	SITE PLAN AS EXISTING
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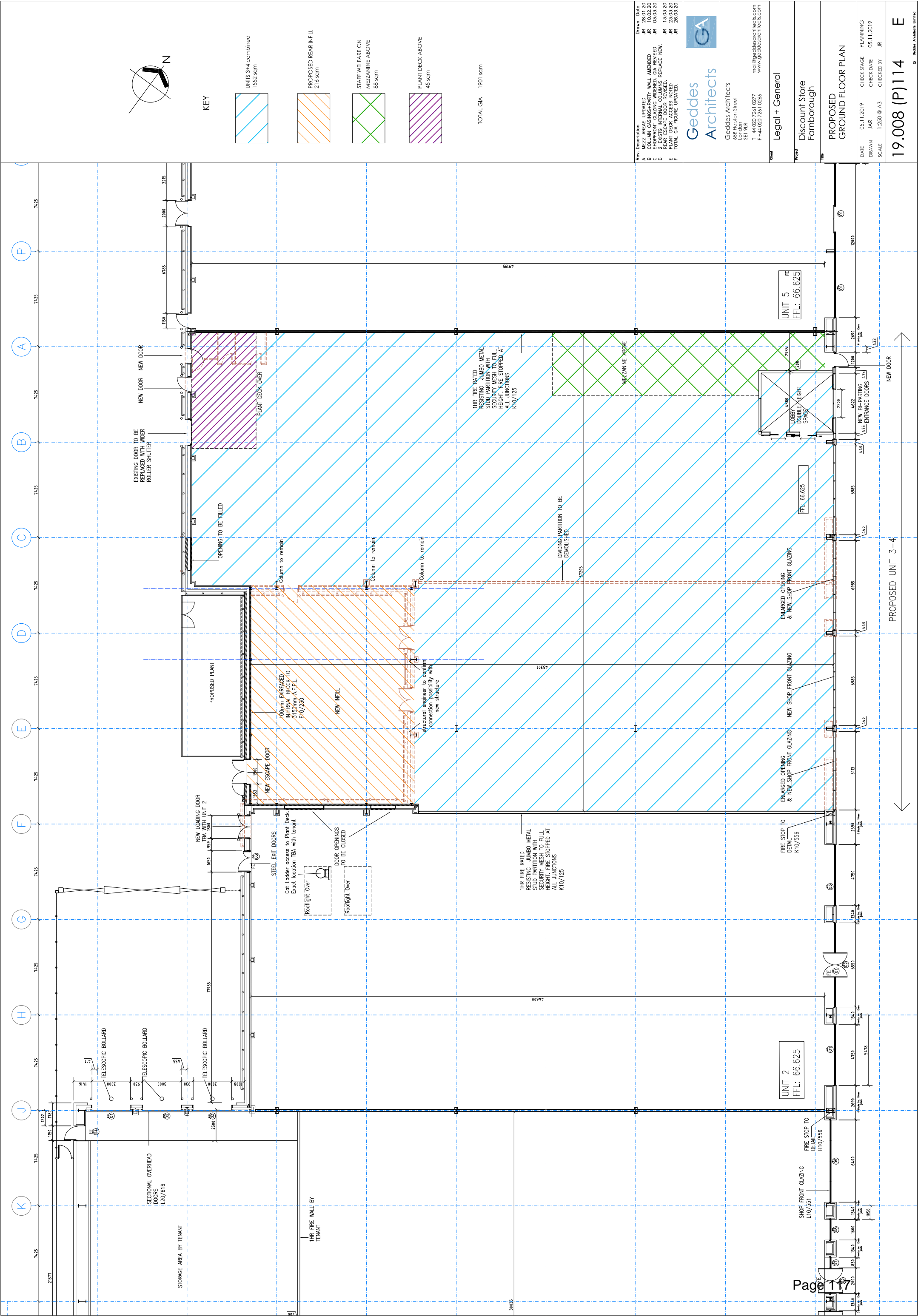
DATE	04.11.2019	CHECK STAGE	PLANNING
DRAWN	JAR	CHECK DATE	04.11.2019
SCALE	1:500 @ A3	CHECKED BY	JR

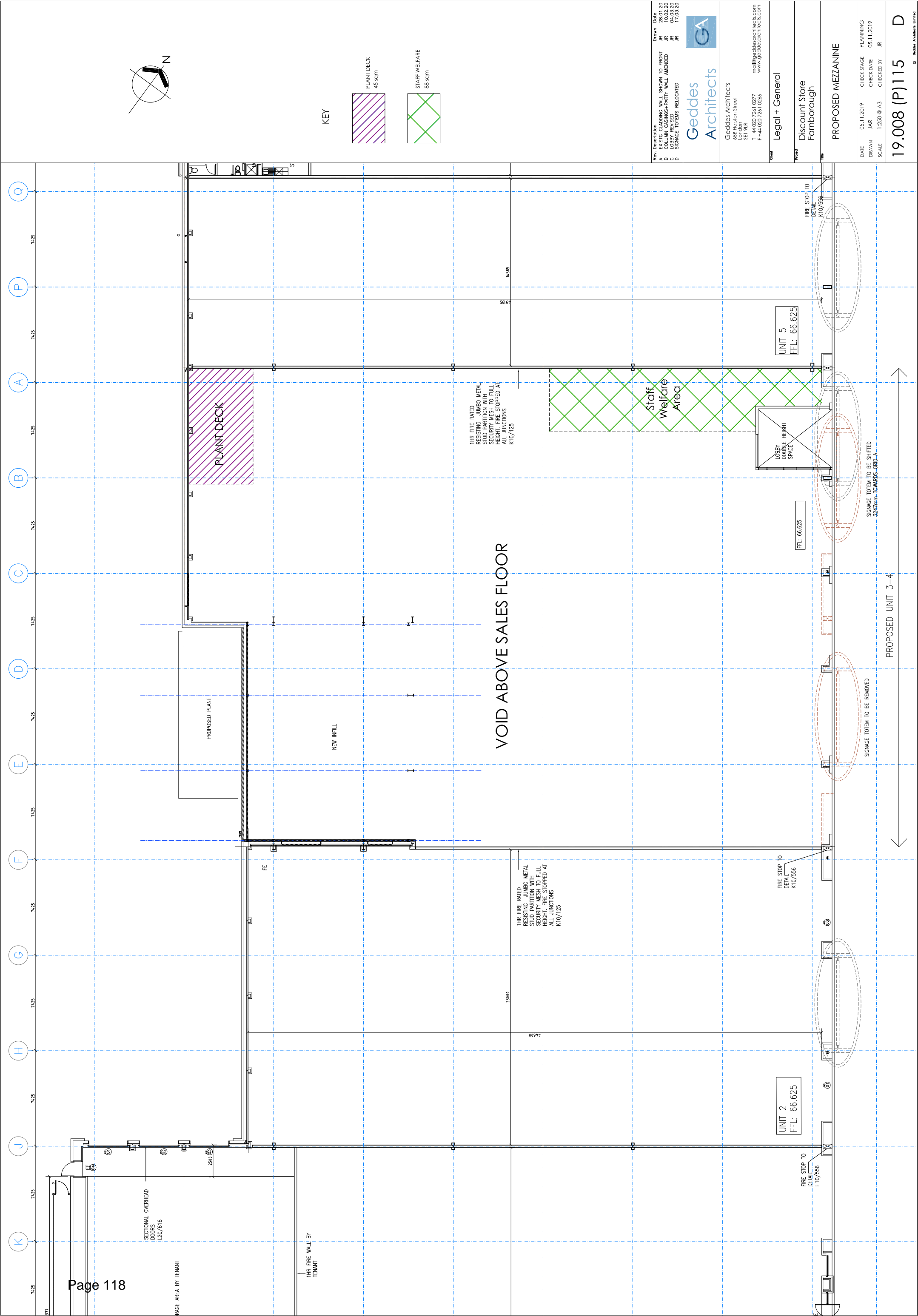
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Geddes Architects Limited









Rev.	Description	Drawn	Date
A	EXISTING CLADDING WALL SHOWN TO FRONT	JR	28.01.20
B	COLUMN CASINGS+PARTY WALL AMENDED	JR	10.02.20
C	LOBBY REVISED	JR	04.03.20
D	SIGNAGE TOTEMS RELOCATED	JR	17.03.20



Geddes Architects  
155 Tottenham Street  
London  
SE1 9LR  
T +44 (0)20 7261 0277  
F +44 (0)20 7261 0266  
mailto:geddesarchitects.com  
www.geddesarchitects.com

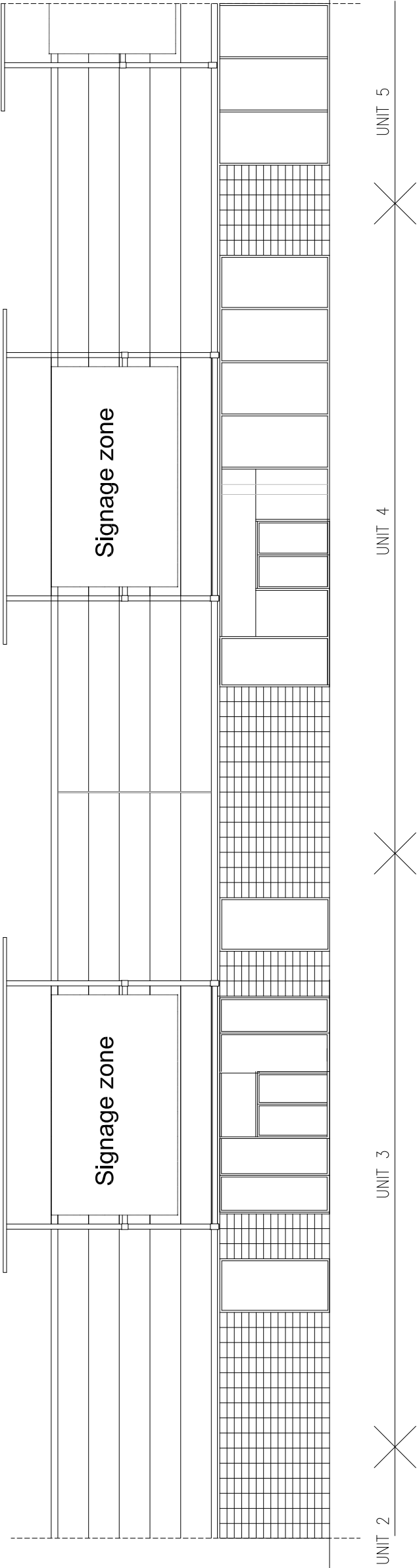
Client  
Legal + General

Project  
Discount Store  
Farnborough

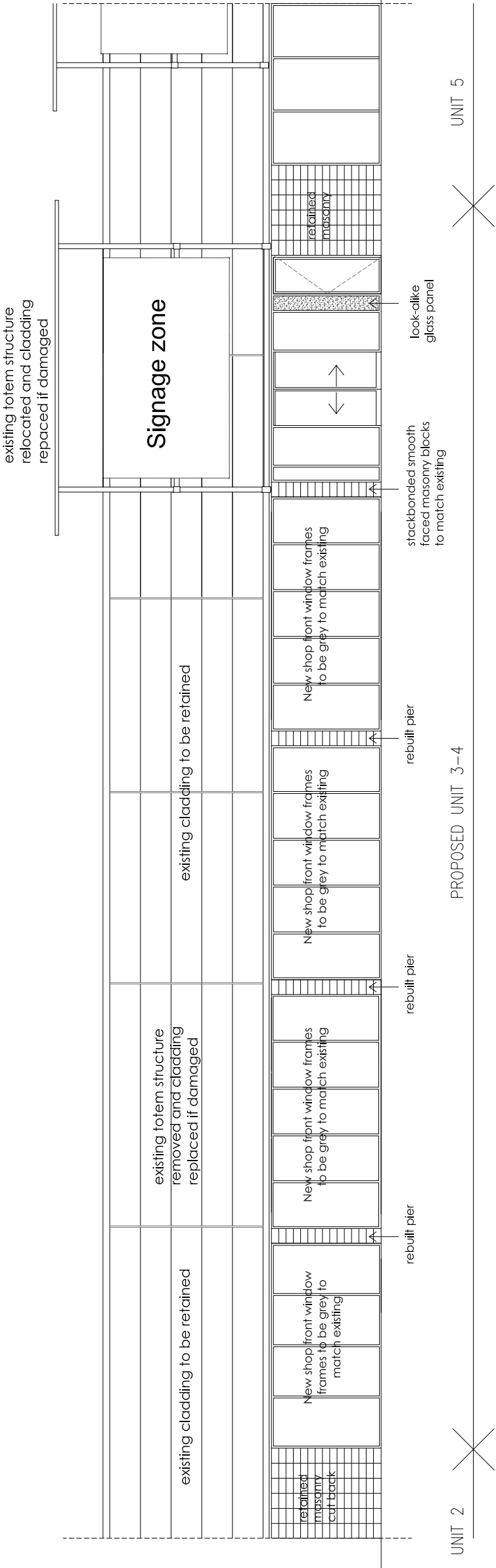
Title  
PROPOSED MEZZANINE

DATE	05.11.2019	CHECK STAGE	PLANNING
DRAWN	JAR	CHECK DATE	05.11.2019
SCALE	1:250 @ A3	CHECKED BY	JR

19.008 (P)115 D



FRONT ELEVATION AS EXISTING



FRONT ELEVATION AS PROPOSED

Rev.	Description	Drawn	Date
A	SMOOTH FACED MASONRY NOTED	JR	24.03.20
B	SIGNAGE TO BE ENLARGED TO UNIT 4	JR	24.03.20
C	SIGNAGE TOTEMS RELOCATED	JR	17.03.20

Geddes Architects



Geddes Architects  
658 Hoplon Street  
London  
SE1 9LR  
T +44 (0)20 7261 0277  
F +44 (0)20 7261 0266  
mailto:geddesarchitects.com  
www.geddesarchitects.com

Client  
Legal + General

Project  
Discount Store  
Farnborough

Title  
FRONT ELEVATION  
EXISTING AND PROPOSED

DATE	05.11.2019	CHECK STAGE	PLANNING
DRAWN	JAR	CHECK DATE	05.11.2019
SCALE	1:150 @ A3	CHECKED BY	JR

19.008 (P)210

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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	19/00807/FULPP	Ward: Fernhill
Applicant:	Mr Dean Murphy	
Decision:	<b>Permission Granted</b>	
Decision Date:	26 May 2020	
Proposal:	Single storey side extension to annexe	
Address	<b>Passchendaele 60 Sandy Lane Farnborough Hampshire GU14 9HJ</b>	

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Application No	19/00849/FULPP	Ward: North Town
Applicant:	Mr & Mrs Gardiner	
Decision:	<b>Permission Granted</b>	
Decision Date:	12 June 2020	
Proposal:	Demolition of existing outbuilding and erection of a single storey timber granny annexe for ancillary use to the main dwelling	
Address	<b>2 Ainger Close Aldershot Hampshire GU12 4SS</b>	

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Application No	19/00888/CONDPP	Ward: Empress
Applicant:	Pinehurst Investments Limited	
Decision:	<b>Conditions details approved</b>	
Decision Date:	11 June 2020	
Proposal:	Submission of details pursuant to Condition No.12 (Construction Method Statement) of planning permission 18/00466/FULPP dated 3 October 2019	
Address	<b>117 Farnborough Road Farnborough Hampshire GU14 7JG</b>	

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Application No	20/00156/CONDPP	Ward: North Town
Applicant:	Hill Parnership	
Decision:	<b>Conditions details approved</b>	
Decision Date:	11 June 2020	
Proposal:	Submission of details pursuant to Condition Nos.6 (cycle stores) and 20 (bin stores) of planning permission 18/00321/REVPP dated 17 January 2019	
Address	<b>North Town Redevelopment Site - Stage 2 - Land Bounded By Eastern Road And Denmark Square Pegasus Avenue Aldershot Hampshire</b>	
<hr/>		
Application No	20/00175/FUL	Ward: Knellwood
Applicant:	Mrs Julie Mynott	
Decision:	<b>Permission Granted</b>	
Decision Date:	05 June 2020	
Proposal:	Erection of 5 X 5 metre hexagonal timber pavilion and 2.4 X 2.4 metre timber summer house to rear of School; and a 5 X 3 metre metal cycle shelter adjoining sports pitch	
Address	<b>St Peters Church Of England Junior School Church Avenue Farnborough Hampshire GU14 7AP</b>	
<hr/>		
Application No	20/00193/FULPP	Ward: Manor Park
Applicant:	Mr Jody September	
Decision:	<b>Permission Granted</b>	
Decision Date:	11 June 2020	
Proposal:	Erection of a single storey rear extension	
Address	<b>25 Station Road Aldershot Hampshire GU11 1HT</b>	

Application No	20/00197/FULPP	Ward: Empress
Applicant:	Commander M Robertson	
Decision:	<b>Permission Granted</b>	
Decision Date:	18 May 2020	
Proposal:	Erection of a two-storey side extension to the north-east corner block	
Address	<b>Farnborough Hill School 312 Farnborough Road Farnborough Hampshire GU14 8AT</b>	
<hr/>		
Application No	20/00198/LBCPP	Ward: Empress
Applicant:	Commander M Robertson	
Decision:	<b>Permission Granted</b>	
Decision Date:	18 May 2020	
Proposal:	Erection of a two-storey side extension to the north-east corner block	
Address	<b>Farnborough Hill School 312 Farnborough Road Farnborough Hampshire GU14 8AT</b>	
<hr/>		
Application No	20/00199/FULPP	Ward: Knellwood
Applicant:	Mr Richard Simpson	
Decision:	<b>Permission Granted</b>	
Decision Date:	26 May 2020	
Proposal:	Replace timber casement window to the rear with timber sliding sash	
Address	<b>2 Church Circle Farnborough Hampshire GU14 6QQ</b>	
<hr/>		
Application No	20/00211/CONDPP	Ward: North Town
Applicant:	Mr Tony Cotugno	
Decision:	<b>Conditions details approved</b>	
Decision Date:	05 June 2020	
Proposal:	Submission of details pursuant to conditions 3 (External Materials) 4 (Noise attenuation measures) 6(Biodiversity Enhancements) 7 (Surfacing Materials) and 8 (Landscaping) of planning permission 19/00682/FULPP dated 18 December 2019	
Address	<b>Clyde Court 233 Ash Road Aldershot Hampshire GU12 4WD</b>	

Application No	20/00212/PDCPP	Ward: Manor Park
Applicant:	MR NICK ALPE	
Decision:	<b>Development is Lawful</b>	
Decision Date:	21 May 2020	
Proposal:	Lawful Development Certificate for a proposed use - Formation of rear dormer window to facilitate a loft conversion	
Address	<b>86 St Michaels Road Aldershot Hampshire GU12 4JW</b>	
<hr/>		
Application No	20/00215/FULPP	Ward: Rowhill
Applicant:	Mr And Mrs Mickeviciute	
Decision:	<b>Permission Granted</b>	
Decision Date:	28 May 2020	
Proposal:	Erection of a part single, part two storey rear extension with single storey side extension	
Address	<b>29 Kingsway Aldershot Hampshire GU11 3PF</b>	
<hr/>		
Application No	20/00223/FULPP	Ward: Knellwood
Applicant:	Mr Valdet Spahiu	
Decision:	<b>Permission Granted</b>	
Decision Date:	04 June 2020	
Proposal:	Erection of a two storey side extension	
Address	<b>20 Yetminster Road Farnborough Hampshire GU14 6QY</b>	
<hr/>		
Application No	20/00233/FULPP	Ward: St John's
Applicant:	Miss Stubbings	
Decision:	<b>Permission Granted</b>	
Decision Date:	18 May 2020	
Proposal:	Erection of a single storey side and rear extension following removal of existing garage and rear extension	
Address	<b>67 Chiltern Avenue Farnborough Hampshire GU14 9SG</b>	

Application No	20/00238/FULPP	Ward: Knellwood
Applicant:	S Jones	
Decision:	<b>Permission Granted</b>	
Decision Date:	22 May 2020	
Proposal:	Demolition of existing garage and outbuilding and erection of a two storey side extension	
Address	<b>182 Farnborough Road Farnborough Hampshire GU14 7JL</b>	
Application No	20/00240/FUL	Ward: Cherrywood
Applicant:	Mr M Miller	
Decision:	<b>Permission Granted</b>	
Decision Date:	10 June 2020	
Proposal:	Erection of a first floor extension and formation of new roof with a higher ridge height with a dormer window in the rear facing roof slope and roof lights within front facing roof slope to accommodate additional bedrooms within the roof	
Address	<b>26 Greatfield Road Farnborough Hampshire GU14 8HJ</b>	
Application No	20/00241/FUL	Ward: North Town
Applicant:	Mr Alan Blyth	
Decision:	<b>Permission Granted</b>	
Decision Date:	27 May 2020	
Proposal:	Erection of a part single and two storey rear extension	
Address	<b>67 Newport Road Aldershot Hampshire GU12 4PW</b>	
Application No	20/00244/CONDPP	Ward: Cove And Southwood
Applicant:	CALA Homes (Thames) Ltd.	
Decision:	<b>Conditions details approved</b>	
Decision Date:	11 June 2020	
Proposal:	Submission of details pursuant to Condition No.3 (external materials schedule) of planning permission 16/00837/FULPP dated 19 March 2019 as amended by 19/00480/NMAPP dated 9 August 2019	
Address	<b>The Crescent Southwood Business Park Summit Avenue Farnborough Hampshire</b>	

Application No	20/00245/CONDPP	Ward: Cove And Southwood
Applicant:	CALA Homes (Thames) Limited	
Decision:	<b>Conditions details approved</b>	
Decision Date:	12 June 2020	
Proposal:	Submission of details pursuant to Condition No.20 (Energy Performance Standard Strategy) of planning permission 16/00837/FULPP dated 19 March 2019	
Address	<b>The Crescent Southwood Business Park Summit Avenue Farnborough Hampshire</b>	
Application No	20/00258/FULPP	Ward: Cherrywood
Applicant:	Mr Ratna Gurung	
Decision:	<b>Permission Granted</b>	
Decision Date:	10 June 2020	
Proposal:	Erection of a single storey side and rear extension	
Address	<b>17 Hurst Road Farnborough Hampshire GU14 8HE</b>	
Application No	20/00259/TPOPP	Ward: St John's
Applicant:	Mr Flarty	
Decision:	<b>Permission Granted</b>	
Decision Date:	22 May 2020	
Proposal:	Remove and replace (T772 as per submitted plan) one Scots Pine (T3 of TPO 364) due to major basal decay. One Oak (T807 on plan and T5 of TPO 364) reduce long lateral limbs only by no more than 3 metres. One Scots Pine (T819 on plan and part of group G4 of TPO 364) reduce long lateral limbs only by no more than 3 metres	
Address	<b>St Johns Court St Johns Road Farnborough Hampshire GU14 9RW</b>	

Application No	20/00260/FUL	Ward: Aldershot Park
Applicant:	Mr Nick Dodson	
Decision:	<b>Permission Granted</b>	
Decision Date:	20 May 2020	
Proposal:	Formation of a dropped kerb with associated works to provide off road parking space	
Address	<b>26 Lower Farnham Road Aldershot Hampshire GU12 4EA</b>	
Application No	20/00261/TPOPP	Ward: St Mark's
Applicant:	Mr Flarty	
Decision:	<b>Permission Granted</b>	
Decision Date:	22 May 2020	
Proposal:	One London Plane (T1444 on submitted plan T9 of TPO292) clear adjacent buildings by no more than 3 metres removing secondary growth only and deadwood	
Address	<b>Cottrell Flats Morris Road Farnborough Hampshire GU14 6HJ</b>	
Application No	20/00262/FUL	Ward: Empress
Applicant:	Mrs Sarah Kelly	
Decision:	<b>Permission Granted</b>	
Decision Date:	22 May 2020	
Proposal:	Single storey side extension following demolition of existing garage	
Address	<b>1 Leopold Avenue Farnborough Hampshire GU14 8NL</b>	
Application No	20/00266/CONDPP	Ward: Cherrywood
Applicant:	Fenwicks Limited	
Decision:	<b>Conditions details approved</b>	
Decision Date:	05 June 2020	
Proposal:	Submission of details pursuant to Condition Nos.11 (operatives parking and turning on site during construction and fitting out works), 13 (site investigation), 17 (tree protection measures), and 19 (construction management plan) of planning permission 17/00075/FULPP dated 25th July 2017	
Address	<b>122 Hawley Lane Farnborough Hampshire GU14 9AY</b>	

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Application No	20/00268/CONDPP	Ward: Cove And Southwood
Applicant:	CALA Homes (Thames) Ltd	
Decision:	<b>Conditions details approved</b>	
Decision Date:	11 June 2020	
Proposal:	Submission of details pursuant to Condition No.4 (surfacing materials) of planning permission 16/00837/FULPP dated 19 March 2019 as amended by 19/00480/NMAPP dated 9 August 2019	
Address	<b>The Crescent Southwood Business Park Summit Avenue Farnborough Hampshire</b>	

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Application No	20/00274/FULPP	Ward: Manor Park
Applicant:	Mr And Mrs Gary And Hannah Williams	
Decision:	<b>Permission Granted</b>	
Decision Date:	04 June 2020	
Proposal:	Erection of a two storey rear extension following demolition of existing conservatory	
Address	<b>21 Laurel Gardens Aldershot Hampshire GU11 3TQ</b>	

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Application No	20/00277/HCC	Ward: Knellwood
Applicant:	Hampshire County Council	
Decision:	<b>No Objection</b>	
Decision Date:	26 May 2020	
Proposal:	CONSULTATION FROM HAMPSHIRE COUNTY COUNCIL : LISTED BUILDING CONSENT : internal strengthening and structural repairs to roof of Caretakers' store building	
Address	<b>St Peters Church Of England Junior School Church Avenue Farnborough Hampshire GU14 7AP</b>	

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Application No	20/00278/PDCPP	Ward: Rowhill
Applicant:	Mr And Mrs D Martin	
Decision:	<b>Development is Lawful</b>	
Decision Date:	02 June 2020	
Proposal:	Lawful Development Certificate for a proposed use -Erection of a single storey rear extension	
Address	<b>39A Cranmore Lane Aldershot Hampshire GU11 3AJ</b>	

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Application No	20/00281/TPOPP	Ward: Knellwood
Applicant:	Mr Buchanan	
Decision:	<b>Permission Granted</b>	
Decision Date:	28 May 2020	
Proposal:	One Beech Tree (T1 on submitted plan) shape back from neighbouring property to provide no more than 2.5 metres clearance from structure. One Beech Tree (T2) crown lift to provide no more than 8 metres clearance from ground level. One Oak Tree (T3) crown lift to provide no more than 8 metres clearance from ground level. All trees are within group G12 of TPO 435A	
Address	<b>Torside 18 Pirbright Road Farnborough Hampshire GU14 7AD</b>	

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Application No	20/00282/NMAPP	Ward: Cove And Southwood
Applicant:	CALA Homes (Thames) Ltd	
Decision:	<b>Permission Granted</b>	
Decision Date:	12 June 2020	
Proposal:	Non Material Amendments to planning permission 16/00837/FULPP dated 19th March 2019 comprising:(a) provision of gaps in terraces between Plots 76/77, 97/98, 100/101 & 135/137; (b) reduction in building depths at Plots 70, 81-83, 104-107, 124-125 & 128-131; (c) addition of garden rooms to houses at Plots 71-73, 92-95, 103, 108-111 & 126; (d) elevation alterations to houses at Plots 127 & 137; and (e) addition of brick finish to two-storey front bays at Plots 53, 81-83, 112, 131, 138-140 & 157	
Address	<b>The Crescent Southwood Business Park Summit Avenue Farnborough Hampshire</b>	

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Application No	20/00284/PDCPP	Ward: Manor Park
Applicant:	Angela Lennox	
Decision:	<b>Development is Lawful</b>	
Decision Date:	09 June 2020	
Proposal:	Lawful Development Certificate: Erection of single storey rear extension demolition of existing conservatory	
Address	<b>Kalathea 1B St Michaels Road Aldershot Hampshire GU12 4JF</b>	

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Application No	20/00290/FUL	Ward: Knellwood
Applicant:	Mr Andrew Brereton	
Decision:	<b>Permission Granted</b>	
Decision Date:	28 May 2020	
Proposal:	Formation of new surface area at front and side of property and new replacement of existing gate	
Address	<b>38 Oxford Road Farnborough Hampshire GU14 6QU</b>	

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Application No	20/00291/FULPP	Ward: St John's
Applicant:	Mr Fletcher	
Decision:	<b>Permission Granted</b>	
Decision Date:	05 June 2020	
Proposal:	Retention of dormer to rear roof slope and 3 roof lights to the front roof slope	
Address	<b>18 Melrose Close Farnborough Hampshire GU14 9US</b>	

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Application No	20/00296/TPOPP	Ward: Knellwood
Applicant:	Mr Milligan	
Decision:	<b>Permission Refused</b>	
Decision Date:	10 June 2020	
Proposal:	One Sycamore (T40 of TPO 435A) remove to ground level	
Address	<b>205 Sycamore Road Farnborough Hampshire GU14 6RQ</b>	

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Application No	20/00300/TPOPP	Ward: Knellwood
Applicant:	Mr Burrows	
Decision:	<b>Permission Granted</b>	
Decision Date:	28 May 2020	
Proposal:	Two Oak trees (T1 and T2 on submitted plan) located within grounds of 3 Chalfont Drive and overhanging property of 32 Albert Road. Shape back North Eastern aspect of canopies to give no more than 2.5 metres clearance from structure of property at 32 Albert Road. The trees are part of group G1 of TPO 350A	
Address	<b>Tumulus Adjacent 28 Albert Road Farnborough Hampshire</b>	

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Application No	20/00304/FULPP	Ward: Empress
Applicant:	Mr Nodan Ghale	
Decision:	<b>Permission Granted</b>	
Decision Date:	04 June 2020	
Proposal:	Erection of single storey rear extension and alteration to existing flat roof on front elevation with hipped roof	
Address	<b>4 St Michaels Road Farnborough Hampshire GU14 8NE</b>	

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Application No	20/00305/NMA	Ward: Cove And Southwood
Applicant:	Mrs Kathleen Andrews - North East Hamp	
Decision:	<b>Permission Granted</b>	
Decision Date:	04 June 2020	
Proposal:	Non-material Amendment to planning permissions 17/00787/COUPP dated 9th November 2017 and 19/00604/FULPP dated 21st October 2019 to amend location of cycle storage and omission of external bin store	
Address	<b>Voyager House 2 Apollo Rise Farnborough Hampshire GU14 0NP</b>	

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Application No	20/00314/NMA	Ward: North Town
Applicant:	YBC Properties Limited	
Decision:	<b>Permission Granted</b>	
Decision Date:	11 June 2020	
Proposal:	NON-MATERIAL AMENDMENT : Amendments to development approved by planning permission 16/00703/REVPP dated 8 December 2016 to allow alterations to the external layout and surface finishes, boundary treatments, bin and cycle stores, erection of communal post boxes and alterations to elevations and roof design	
Address	<b>161 North Lane Aldershot Hampshire GU12 4TA</b>	

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Application No	20/00324/NMA	Ward: Empress
Applicant:	Mr Jeremy Collins	
Decision:	<b>Permission Granted</b>	
Decision Date:	29 May 2020	
Proposal:	Non Material Amendment to Planning Application Reference 19/00428/FULPP dated 01 October 2019 (Removal of existing garage and erection of a single storey side and rear extension to form annexe) to allow an increase to the roof height of the extension from 3.50m to 3.95m to the pitch of the roof	
Address	<b>Nutwood 37 Pierrefondes Avenue Farnborough Hampshire GU14 8PA</b>	

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Application No	20/00344/NMA	Ward: North Town
Applicant:	Mr Hernan Robayo	
Decision:	<b>Permission Granted</b>	
Decision Date:	04 June 2020	
Proposal:	Non-material amendment to planning permission 19/00218/FULPP dated 03/05/2019 to allow for a reduction in the length and height of the garage	
Address	<b>21 Holly Road Aldershot Hampshire GU12 4RL</b>	

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**Development Management Committee**  
**24th June 2020**

**Head of Economy, Planning and  
Strategic Housing**  
**Report No. EPSH2021**

## **Enforcement and possible unauthorised development**

### **1. Introduction**

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

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

### **2. Policy**

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

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

### **3. Items**

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

This report relates to:

Item 1 Delegated Decisions to take 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 (2019)*

*Rushmoor Local Enforcement Plan (2016)*

*National Planning Policy Framework (NPPF)*

## Item 1

### Delegated Decisions to take Enforcement Action

The Following Decisions are reported for INFORMATION purposes only. They relate to decisions to take enforcement action that have already been made by the Head of Economy, Planning and Strategic Housing in accordance with the Council's adopted 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	61 Rowhill Avenue Aldershot
Ward	Rowhill
Decision	<b>Issue Enforcement Notice</b>
Decision Date	23 <sup>rd</sup> April 2020
Reasons	The carport, due to its scale, design and siting forward of the principal elevation of the property, does not respect the established character and building line of Rowhill Avenue and has resulted in an obtrusive and overbearing development, harmful to the amenity of neighbouring properties and the character and appearance of the streetscene. The development therefore conflicts with Policy DE1 (Design in the Built Environment) of the adopted Rushmoor Local Plan (2014-2032) and Supplementary Planning Document 'Home Improvements and Extensions February 2020.
Alternatives	No Action would result in material planning harm being caused.
Case Officer	Tara Cowell
Associated Documents	Enforcement Reference 20/00005/GENWRK. Planning Reference 20/00103/FUL.

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Address	162 Fleet Road, Farnborough, Hampshire, GU14 9SL
Ward	St John's
Decision	<b>Issue Enforcement Notice</b>
Decision Date	23 <sup>rd</sup> April 2020
Reasons	It is considered that the existing timber fencing and access gates and open sided outbuilding sited along the front boundary of the property gives rise to an unacceptable form of development that has an adverse impact on the character of the existing property and on the visual amenity of the street scene. Therefore, the

proposal conflicts with the objectives of policy. DE1 (Design in the Built Environment) of the Rushmoor Local Plan 2014 - 2032 Adopted February 2019.

Alternatives	No Action would result in material planning harm being caused.
Case Officer	Wendy Betteridge
Associated Documents	Planning Reference 20/00056/FUL

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**Development Management Committee**  
**24th June 2020**

**Head of Economy, Planning and  
Strategic Housing**  
**Report No. EPSH2022**

**The Crescent, Southwood Business Park, Summit Avenue, Farnborough**

**1. Introduction**

The purpose of this report is to seek authority to vary the terms of a legal agreement relating to affordable housing and S.106 contributions.

The Head of Planning, Economy and Strategic Housing will advise the Committee verbally of the up to date position on negotiations with the developer in this respect.

**2. Background**

Planning permission was granted on 19 March 2019 on completion of a S.106 agreement under reference 16/00837/FULPP for:

Comprehensive redevelopment of the site comprising demolition of existing buildings and site clearance and erection of 159 residential units (Use Class C3) (comprising 9 X 1-bedroom flats, 27 X 2-bedroom flats, 26 X 2-bedroom houses, 2 X 3-bedroom flats, 79 X 3-bedroom houses & 16 X 4-bedroom houses), associated parking and servicing, hard and soft landscaping, public amenity space and play areas, formation of vehicular accesses onto Southwood Road and Apollo Rise; and other associated works (Amended plans and updated supporting information received 19 December 2017)

The Development (as defined in the Section 106 Agreement) was commenced prior to 17 March 2020

**3. Proposed amendments to the legal agreement**

The developers have approached the Council seeking a deed of variation of the S.106 agreement in respect of

- i) The Registered Provider's mortgagee duties prior to disposing of any Affordable Housing Units.
- ii) The triggers for payment of financial contributions in respect of the Special Protection Area and off-site Public Open Space.

The reason for seeking the variations are expressed as to assist the Owner in coping with the financial effects of the Covid-19 Pandemic and to enable the Owner to commit to the Borough Council to proceed with the Development within agreed timescales to help secure the prompt delivery of market and affordable housing.

#### 4. Planning considerations

The principal objective remains to ensure early implementation of the scheme, consequent delivery of Affordable and Open Market Housing, and payment in full of contributions set out in the agreement and necessary to render the development acceptable in Planning terms.

#### 5. Recommendation

Subject to them being satisfied by 28<sup>th</sup> June 2020 that there is no substantive reason why this action should not proceed, **DELEGATE** to the Head of Economy, Planning and Strategic Housing, in consultation with the Chairman of the Development Management Committee, authority to agree the details of and sign a deed of variation to the existing 106 agreement.

Tim Mills  
Head of Economy, Planning and Strategic Housing