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RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

*to be held as a Virtual Meeting on
Wednesday, 11th November, 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 MEMBERS

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 and Community, 01252 398827 marion.young@rushmoor.gov.uk

A G E N D A

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

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

2. **MINUTES** – (Pages 3 - 8)

To confirm the Minutes of the meeting held on 14th October, 2020 (copy attached).

3. **PLANNING APPLICATIONS** – (Pages 9 - 138)

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2033 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	20/00400/FULPP	Land at former Lafarge site, Hollybush Lane, Aldershot	For information
2	20/00394/FULPP	145 Alexandra Road, Farnborough	For information

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

Item	Pages	Reference Number	Address	Recommendation
3	15-50	20/00149/FULPP	Units 2A & 3, Blackwater Shopping Park, 12 Farnborough Gate, Farnborough	Grant
4	51-116	20/00508/FULPP	The Galleries, High Street, Aldershot	Grant
5	117-124	20/00700/COU	Parkside Centre, 57 Guildford Road, Aldershot	Refuse

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

4. **APPEALS PROGRESS REPORT – (Pages 139 - 140)**

To consider the Head of Economy, Planning and Strategic Housing's Report No. EPSH2034 (copy attached) on the progress of recent planning appeals.

5. **PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER JULY - SEPTEMBER 2020 – (Pages 141 - 146)**

To receive the Head of Economy, Planning and Strategic Housing's Report No. EPSH2035 (copy attached) which updates on the Performance Indicators for the Development Management section of Planning, and the overall workload for the Section for the period 1st July to 30th September, 2020.

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
11th November 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, 14th October, 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)

38. DECLARATIONS OF INTEREST

There were no declarations of interest.

39. MINUTES

The Minutes of the meeting held on 16th September, 2020 were approved and signed by the Chairman.

40. PLANNING APPLICATIONS

RESOLVED: That

- (i) planning permission/consent be refused in respect of the following application as set out in Appendix "A" attached hereto for the reasons mentioned therein:

20/00593/FULPP (No. 16 Churchill Avenue, Aldershot);

- (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. EPSH2030, be noted;

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

20/00149/FULPP (Units 2A & 3, Blackwater Shopping Park, 12 Farnborough Gate, Farnborough);

20/00400/FULPP (Land at former Lafarge site, Hollybush Lane, Farnborough);

20/00508/FULPP (The Galleries, High Street, Aldershot).

41. REPRESENTATIONS BY THE PUBLIC

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

Application No.	Address	Representation	In support of or against the application
20/00593/FULPP	No. 16 Churchill Avenue, Aldershot	Mr. L. Ralph	Against
		Mr. J. Mandozai	In support

42. APPEALS PROGRESS REPORT

(1) New Appeal

Address	Description
No. 162 Fleet Road, Farnborough	Against an enforcement notice requiring removal of a two-metre high timber fence with access front gate to the front of property and covered carport. It was noted that this appeal would be considered by way of the written method, together with the planning appeal against refusal of permission to retain the unauthorised development which had been reported in July 2020.

(2) Appeal Decision

Application / Enforcement Case No.	Description	Decision
19/00368/FULPP	Against the Council’s refusal of planning permission for the erection of a single storey side extension at No. 91 Cranmore	Split decision – allowed

Lane, Aldershot, and alterations to detached garage to form store. solely in respect of the garage/store conversion

RESOLVED: That the Head of Economy, Planning and Strategic Housing's Report No. EPSH2031 be noted.

43. **ESSO PIPELINE PROJECT**

The Head of Economy, Planning and Strategic Housing gave a verbal update on the position with regard to application 19/00432/PINS following the issue on 7th October, 2020 of the Development Consent Order (DCO) to ESSO for the Major Infrastructure Project to renew and partially realign the Southampton to London fuel pipeline which crossed Rushmoor Borough.

The Committee noted that ESSO had provided revised Site Specific Plans (SSP) for both Queen Elizabeth Park (QEP) and Southwood Country Park. In respect of the SSP for QEP, the revised plan was an improvement on the previous version but did not fully address the significant local concerns regarding the impact of the development in relation to the loss of trees in the park, albeit that the removal of any mature or veteran trees was now prohibited within the SSP. The Committee was also advised that ESSO required the Council's approval on noise mitigations and on the Construction Management Plan.

In response to queries that had been raised, the Head of Planning, Economy and Strategic Housing advised that there was no right of appeal against a decision by the Secretary of State to grant a DCO; a decision could only be judicially reviewed if there was a clear error of law or procedure.

The Head of Planning, Economy and Strategic Housing responded to queries from Members, which included a second pipeline replacement and timescales.

RESOLVED: That the report be noted.

The meeting closed at 8.05 pm.

CLLR J.H. MARSH (CHAIRMAN)

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Appendix "A"

Application No. & Date Valid: 20/00593/FULPP

14th August 2020

Proposal: Alterations and extensions to existing dwelling to form 2 three-bedroom semi-detached dwellings and 1 three bedroom detached dwelling house with parking and additional dropped kerb at **16 Churchill Avenue Aldershot Hampshire GU12 4JR**

Applicant: Mrs Fahmida Mandozai

- Reasons:**
- 1 The proposed development, by reason of the number and design of dwellings proposed, the lack of spacing around the buildings, their position within the plot, and with a frontage dominated by parking, would result in an incongruous development that would be over dominant in the street scene and which does not reflect the prevailing character of the area, to its detriment. The proposal would therefore constitute an unacceptable overdevelopment of the site, contrary to Policies DE1 and DE11 of the Rushmoor Local Plan and the National Planning Policy Framework/Practice Guidance.
 - 2 The proposal, by reason of the bulk and mass of building alongside the boundary with the adjoining property to the north-west, would have unacceptable impact upon the light, outlook and amenity of the occupiers of that property, contrary to Policies DE1 and DE11 of the Rushmoor Local Plan.
 - 3 The proposed development makes no provision to address the likely significant impact of the additional residential unit on the objectives and nature conservation interests of the Thames Basin Heaths Special Protection Area. The proposal does not include any information to demonstrate how the development will enhance bio-diversity within the site to produce a net gain in biodiversity. The proposals are thereby contrary to the requirements of retained South East Plan Policy NRM6 and Policies NE1 and NE4 of the Rushmoor Local Plan.
 - 4 The proposals fail to provide details of appropriate surface water drainage for the development as required by adopted Rushmoor Local Plan Policy NE8.

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Development Management Committee
11th October 2020

Head of Economy, Planning
and Strategic Housing
Report No.EPSH2033

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 Local Plan (February 2019), the Hampshire Minerals and Waste Plan (October 2013) and saved Policy NRM6 of the South East Plan.
- 3.2 Although not necessarily specifically referred to in the Committee report, the relevant development plan will have been used as a background document and the relevant policies taken into account in the preparation of the report on each item. Where a development does not accord with the development plan and it is proposed to recommend that planning permission be granted, the application will be advertised as a departure and this will be highlighted in the Committee report.

4. Human Rights

- 4.1 The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

5. Public Speaking

- 5.1 The Committee has agreed a scheme for the public to speak on cases due to be determined at the meeting (Planning Services report PLN0327 refers). Members of the public wishing to speak must have contacted the Meeting 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

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	20/00400/FULPP	<p>Development of site to create a leisure facility comprising aquatic sports centre including cafe, gym, equestrian centre accommodation, and ancillary facilities; equestrian centre and associated stabling; 21 floating holiday lodges with associated car parking, landscaping and bund; and provision of a 75 space North Camp Station car park with improved bus stop</p> <p>Land At Former Lafarge Site Hollybush Lane Aldershot Hampshire</p> <p>Amended/additional submissions responding to matters raised by statutory and other consultees are awaited for consideration prior to this application being reported to Committee. Member's request for a site visit has been agreed and will be arranged in advance of consideration.</p>
2	20/00394/FULPP	<p>Continued use of premises as a class C2 Children's home</p> <p>145 Alexandra Road, Farnborough, Hampshire</p> <p>Detailed matters in relation to the substance of this application are the subject of discussion and consideration prior to it being in a position to be reported to Committee.</p>

Section B

Petitions

There are no petitions to report.

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

Case Officer David Stevens

Application No. 20/00149/FULPP

Date Valid 3rd March 2020

Expiry date of consultations 1st July 2020

Proposal Refurbishment and amalgamation of existing Units 2A & 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); relief from Condition No. 17 of planning permission 93/00016/FUL dated 10 January 1994 to allow extended servicing hours for the new foodstore unit of 0600 to 2300 hours Monday to Saturday (including Bank Holidays) and 0700 to 2000 hours on Sundays; 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)

Address **Units 2A and 3 Blackwater Shopping Park 12 Farnborough Gate Farnborough**

Ward Empress

Applicant Lothbury Property Trust Company Ltd

Agent Quod

Recommendation **GRANT** subject to s106 Planning Obligation.

Description & Relevant Planning History

The site is located within the Blackwater Shopping Park, formerly known as Farnborough Gate. The Shopping Park comprises a complex of retail outlets in a terraced L-shaped configuration. There are also two detached buildings, a McDonalds restaurant/drive-through takeaway (Unit 1) and a Costa coffee shop (Unit 1A), on either side of the Shopping Park

entrance road. The sole vehicular access for customers and servicing is from the dual carriageway Farnborough-Frimley link-road to the north, which also adjoins the interchange for the A331 Blackwater Valley Relief Road. The on-site parking area is privately owned and managed by the operators of the Shopping Park. The Shopping Park currently has 588 car parking spaces, most of which are in front of the retail outlets. 41 spaces are at the rear of the Units within the service yard areas that are not available to customers and are used by staff, such that 547 parking spaces are available for the use of customers. An additional 26 spaces are specifically assigned to McDonalds customers, whom are filtered into this corner of the Shopping Park by a left-hand filter lane from the main entrance and this area is managed to be cordoned off from the rest of the Shopping Park car park at night.

Servicing takes place to the rear of the main building terrace. There is a pedestrian footpath from Farnborough Road (A325) near the 'Bradfords' petrol filling station, which adjoins the Shopping Park at the south-west corner. A motor vehicle repair workshop at the rear of the petrol station abuts part of the south boundary, together with the Ringwood Road sports pitches. The nearest residential properties are in Ringwood Road, on the opposite side of Farnborough Road at Lancaster Way to the west, and the travellers' quarters on the opposite side of the link-road to the north.

With the exception of Boots (Unit 5), which sells a small amount of food (sandwiches, etc) the retail units sell non-food products only. They currently consist of one electrical store (Currys/PC World : Unit 8), a nursery/babywear store (Mamas and Papas : Unit 6A), a homeware store (Homesense : Unit 7), a chemists (Boots : Unit 5), three clothes retailers (Outfit (Unit 4), TKMaxx (Unit 2) and Next Clearance (Unit 2A) and a motor accessory/bicycle store (Halfords in a new unit [Unit 9?] to the side of Unit 8). A further homeware store (Bensons Beds) occupied Unit 6, which is currently vacant. Unit 3 is now vacant and used to be occupied by Halfords until recently.

Four Poplar trees adjoining the Shopping Park to the east are subject to Tree Preservation Order No.186. A public footpath (20b) also adjoins the Shopping Park to the east. Beyond the east boundary is the Guildford to Reading railway line and the River Blackwater, both occupying a narrow strip of land between the Shopping Park and the A331 road. A slip-road leaves the A331 to join the link-road to the north-east of the Shopping Park.

The original planning permission for the Shopping Park (93/00016/FUL) is subject, amongst other things, to use and floorspace restrictions. The retail outlets (which includes the Units now known as Units 2A and 3 the subject of the current proposals) are restricted by Condition No.4 to the retail sale of non-food goods only and for no other purpose within Use Class A1, with the condition making clear that that the units: *"in particular shall not be used for the general sale of food items"*. Condition No.5 requires that the total floorspace of the retail units does not exceed that permitted originally, including any ancillary office floorspace; and that no additional floorspace be created within the retail outlets without planning permission first being obtained from the Council. These conditions were imposed to ensure compliance with the development proposals as submitted; and also to ensure adequate car parking provision was available to serve the development. Condition No.17 of the original planning permission relates to the hours of delivery to retail units and specifies that *"No deliveries shall be taken at or despatched from the retail units...outside the hours of 0700 and 1900 Mondays to Saturdays and not at all on Sundays and Bank or Statutory Holidays."* The reason given for the imposition of this condition was: *"To protect the amenities of nearby residents."*

Planning permission was granted in July 2005 for the installation of a mezzanine floor in the former Halfords store (Unit 3) to provide an additional 430 sqm of floorspace (to create a total

of 1541 sqm), 05/00334/FUL. This permission was implemented.

A certificate of lawful use was granted in May 2006 for a mezzanine floor in the former Courts unit (now Next Clearance and TK Maxx : Units 2 and 2A), 06/00201/PDC.

Planning permission was granted in October 2006 for the installation of a mezzanine floor in the Outfit unit (Unit 4), to provide an additional 790 sqm of floorspace, 06/00606/FUL. This has been implemented.

In January 2007 an application was withdrawn for the installation of a mezzanine floor in Unit 5 (now Boots) to provide 600 sqm of additional retail floor space resulting in total floor area of 1245 sqm, 06/00743/FUL. This application had been recommended for refusal to the Development Management Committee on the basis that there were sequentially preferable sites to provide additional retail floorspace and that it had not been demonstrated that there was sufficient car parking to serve the development. A similar application for the adjoining Bensons Bed unit (Unit 6, currently vacant) was also recommended for refusal for the same reasons and subsequently withdrawn, 06/00742/FUL.

In January 2009 planning permission was granted for a variation of the condition on the original planning permission which restricted the use of the premises for the sale of non-food goods only to enable the sale of pet food in respect of Unit 5 (now Boots), 08/00810/REVPP.

In April 2009 permission was refused (09/00034/REV) for the installation of a mezzanine floor in Unit 5 (now Boots) to provide 319 sqm of additional floorspace, of which 246 sqm was to be retail sales area, resulting in a total floor area of 963 sqm. No external changes were proposed, nor was any additional car parking provision proposed. The application was refused as it was considered that there were sequentially preferable sites to accommodate the new retail floor space contrary to Government and Development Plan policy.

In May 2010 planning permission was granted (10/00148/REV) for the variation of Condition Nos. 3 & 4 of planning permission 93/00016/FUL to allow the installation of a mezzanine floor and the sale of lunchtime sandwiches and snacks, baby food and dietary products in Unit 5 (now Boots). This included the removal of an existing mezzanine floor and staircase and installation of a mezzanine floor with an area of 168 sqm to be used as a stock room, staff accommodation and offices with no retail sales. This permission was subsequently implemented and the Unit occupied by Boots.

In February 2011 planning permission (10/00847/FULPP as amended by 11/00262/NMA approved in May 2011) was granted for the demolition of the original security office and erection of a single storey building for use as a coffee shop (Use Class A3) and as a replacement security office, together with works to the car park to improve the circulation of vehicle movements within it to reduce the potential of vehicles queuing back onto the public highway. This permission was implemented and the coffee shop as built is operated by Costa Coffee.

The alterations to the car park also approved with the 2011 planning permission were aimed at improving vehicular access to and within the Shopping Park; and to reduce the potential for cars to queue back onto the link-road. The approved alterations involved the closure of one of the three existing access points into the car park, requiring traffic to route to either side of the car park (turning left or right at the entrance roundabout), thereby extending the distance cars must travel before they can find a parking space intended to encourage better utilisation of the whole of the car park area. In addition, a number of alterations to the car park's circulation were approved, including the introduction of a filter lane into McDonalds

aimed at reducing the ability for drive-through traffic to block access into the Shopping Park. A more conventional pattern of car park circulation within the Shopping Park was also approved, within which all primary circulation aisles were to be signed to operate one-way, together with the provision of a new cross-circulation aisle. Servicing (deliveries and refuse collection) for the coffee shop was approved to take place from a designated area located at the front of the premises and conditioned to take place outside of peak trading hours. These approved works to the car park were partly implemented, particularly in relation to the closure of the access off the roundabout, the introduction of the filter lane and circulation around the car park.

In 2013 planning permission (13/00508/FULPP) was refused for the erection of a new retail unit adjacent to TK Maxx (Unit 2) at the northern end of the building with a gross internal floor area of 1,162 sqm following the removal of 65 existing car parking spaces. The refusal was on retail grounds, the lack of a transport contribution and the resultant inadequate car parking. The proposed unit comprised two floors with 697 sqm being provided at ground floor, with a further 465 sqm at mezzanine level. The identified occupier was Hobbycraft. It was also proposed to reconfigure the central customer car park to improve circulation, in so doing, seeking to reverse some of the changes approved and implemented in 2011.

An appeal was subsequently lodged against the refusal of planning permission, which was dealt with by way of a Hearing. In February 2014 the Development Control Committee resolved not to defend the car parking reason for refusal following the receipt of additional survey and assessment data regarding parking provision. A Unilateral Undertaking was submitted at the Hearing to secure a transport contribution to address the third reason for refusal. However, the Inspector did not agree with the applicant's case that Hobbycraft's specific business model could side-step the sequential test. She found that the appellants analysis was focused specifically on the requirements of Hobbycraft and did not acknowledge that planning permission ran with the land. Accordingly, the Inspector was of the view that the sequential test had little prospect of success under these circumstances. In dismissing the appeal, the Inspector acknowledged that whilst there may be no sequentially preferable site acceptable to Hobbycraft there is no reasonable condition that could guarantee that this company would occupy the proposed new unit in perpetuity. The evidence indicated that there were at least two edge of Farnborough Town Centre sites that could have accommodated a use of this type and the appellants had not properly considered them. The failure to satisfy the sequential test and the harm that would ensue was considered sufficient to outweigh any other advantages that might be attributed to the appeal proposal.

In January 2018 planning permission (17/00866/FULPP) was granted for the erection of a new retail unit having a gross internal floor area of 1305 sqm (743 sqm at ground floor, with 562 sqm at mezzanine level) in the south east corner of the Shopping Park attached to Currys/PC World (Unit 8). This scheme approved the loss of 73 parking spaces in this location. This approved new retail unit is and is now occupied by Halfords, whom have recently vacated Unit 3 within the Shopping Park.

Condition No.18 of the 2018 planning permission restricts the use of the new Halfords unit to the retail sale of non-food bulky goods in order to prevent conflict with Government and Development Plan policies relating the protection of town centre retailing and the operation of the sequential and needs tests. Subject to the bulky non-food goods restriction, planning permission was only granted because there were no sequentially preferable sites that could provide this scale and type of retail floorspace.

The 2018 planning permission creating the new Halfords unit also approved proposals to

reconfigure the central customer car park, in effect reversing many of the alterations to the car park area approved and implemented in 2011. These approved works have been implemented and have involved undertaking improvements to the circulation within the car park and the widening of the in-bound side of the vehicular access from the link-road to full two-lane width. The implemented approved works have also included the re-opening of central (i.e. straight-ahead) arm from the adjoining entrance roundabout to allow vehicles a further point of ingress and egress into the car park.

Planning permission (19/00693/FULPP) was granted in November 2019 for the removal of all of the existing brise soleil structures from above the customer entrances to the existing retail outlets in the Shopping Park. Similarly, a non-material amendment (19/00675/NMAPP) was approved in October 2019 for the deletion of the brise soleil feature from the new Halfords retail outlet.

A planning application for proposals identical to those the subject of the current application were submitted to the Council in 2019 (19/00517/FULPP) but withdrawn in January 2020.

An application seeking advertisement consent for the display of various non-illuminated directional and warning signs, including advance signs on highway land near the entrance into the Shopping Park; within the customer car park area; on the fence beside the pedestrian access ramp from Farnborough Road; and the entrance to the service yard was submitted in early September 2020 (20/00665/ADVPP).

The Current Application : The current application is a resubmission of the previous withdrawn proposals the subject of planning application 19/00517/FULPP with revised supporting information. The red-line for the current planning application contains all of the existing parking and servicing areas of the Shopping Park, together with the whole of the vehicular entrance from the public highway at the link-road, and also includes Units 2A (currently Next Clearance) and 3 (vacant, formerly Halfords). However all of the other retail outlets, together with McDonalds and Costa Coffee, are excluded from the red line area.

The current proposals are for the refurbishment and amalgamation of existing Units 2A (Next Clearance) & 3 (vacant, formerly Halfords) including removal of the existing mezzanine floors : the total floorspace to remain is 1933 sqm following the removal of 1532 sqm of existing mezzanine floorspace. It is understood that the Next Clearance outlet is to close and that Next simply intend to rely on their existing retail outlet at The Meadows in Sandhurst rather than seek new premises for their Clearance outlet. It is proposed that the vacated refurbished floorspace be converted into an Aldi Foodstore [annotated "New Unit (1)" on the submitted plans] measuring 1866 sqm, of which approximately 355 sqm would be ancillary goods reception and warehouse space, including freezer and chiller facilities; together with an ancillary office/staff welfare facilities of 98 sqm provided with a modest new mezzanine floor. It is also proposed that a separate adjoining self-contained mixed retail and restaurant/café (Use Class A1/A3) outlet [annotated "New Unit (2)" on the submitted plans] measuring 186 sqm be provided using the remainder of the vacant floorspace to become available.

The submitted plans show the existing service area to the rear of the proposed Aldi unit to be modified by digging into the existing ground level to create a single recessed articulated lorry loading dock. It is also indicated that the area between the proposed lorry dock and the rear of the building would be used for the siting of the various ancillary refrigeration and cooling plant that the proposed foodstore and ancillary stock warehouse would require.

The proposals involve the installation of new glazed shopfronts and entrance doors for both

New Units 1 and 2. A line of parking spaces to the immediate front of the proposed new units would, in part, be lost to provide a paved area for covered trolley bays and cycle parking, together with some re-configured disabled parking bays. Overall, 17 existing parking spaces would be lost.

The proposal description necessarily refers to the application also seeking relief from Condition No.4 of planning permission 93/00016/FUL dated 10 January 1994 in order to allow use of the vacated retail floorspace as a foodstore, since this condition otherwise restricts the retail outlets within the Shopping Park to being for sale of non-food retail goods only. Furthermore, change of use of part of the vacated retail floorspace to use as self-contained mixed retail and café/restaurant use (Use Classes A1/A3) is also sought with the application to enable the creation of the proposed New Unit (2).

Relief from Condition No. 17 of the original planning permission is also sought to allow extended servicing hours for the proposed new foodstore unit of 0600 to 2300 hours Monday to Saturday (including Bank Holidays) and 0700 to 2000 hours on Sundays.

Also proposed with the application is the widening of site vehicular access to the link road to provide twin exit lanes - at present the exit is only partially of two-lane width. The proposed widening is achieved by a minor adjustment to the line of the pavement and kerb-line to the side of the access road.

The application is supported by a Planning and Retail Assessment, a Transport Assessment, a Framework Travel Plan, Vehicle Tracking Diagrams demonstrating the lorry manoeuvring needed for articulated lorries to enter and leave the site with the proposed delivery dock, a Flood Risk Assessment, an Environmental Noise Survey, Air Quality Assessment, and a Noise Assessment. As a result of a request for more information from Hampshire County Council Highways, the applicants have more recently submitted (on 10 June 2020) micro-simulation data for traffic using the site access.

On 15 June, the applicants' agents submitted to the Council a short report titled 'Farnborough Feedback Analysis' that describes the results of a community engagement exercise undertaken by the applicants to promote their proposals. The engagement took the form of a newsletter outlining the submitted plans distributed to more than 2,000 residential and commercial addresses surrounding the site on 27th April 2020 (i.e. after the application had been submitted). The report advises that, of the 226 postcards received by the applicants as of 10th June 2020, 204 (90.2%) supported their plans; and 22 (9.3%) indicated their opposition. The report identified three grounds of opposition cited by the postcard responses:-

- Concerns relating to the availability of parking at Blackwater Shopping Park;
- Concerns relating to traffic impacts of the proposal; and
- Concerns relating to the access in and out of the Blackwater Shopping Park.

The report then asserts that these highway safety and convenience issues were considered and addressed with the application submissions.

Consultee Responses

HCC Highways
Development
Planning

Consultation Response #1: Holding Objection : More information required : Micro-simulation of traffic using the site access and how this interacts with the traffic using the A331 to Bradfords Roundabout link road.

Consultation Response #2: No highways objection subject to condition following the receipt of the requested additional information.

Environmental Health	No objection subject to conditions.
Planning Policy	No Objection : following the recent receipt of evidence that Lidl is proceeding to acquire a legal interest in the Solartron Retail Park discount foodstore unit granted planning permission with 20/00287/FULPP, it is considered that this sequentially preferable location is now no longer available to other potential users. Accordingly, it is considered that the BSP proposals pass the sequential test.
RBC Regeneration Team	No comments received during the consultation period, thereby presumed to have no objections.
Environment Agency	The Environment Agency do not wish to be consulted on developments of this type.
Hampshire Fire & Rescue Service	No objections and provides generic fire safety advice/guidance.
Neighbourhood Policing Team	No comments received during the consultation period, thereby presumed to have no objections.
Thames Water	No objections.
Guildford Borough Council	Consultation acknowledged, but no formal response received since. Since the consultation period has long since expired it is thereby presumed that this consultee has no objections.
Hart District Council	No objections.
Surrey Heath Borough Council	No objections <i>subject</i> to Rushmoor BC being satisfied that the proposal is in accordance with local and national policy and there are no sequentially preferable sites within Farnborough Town Centre.
Waverley Borough Council	No comments received during the consultation period, thereby presumed to have no objections. [Officer Note: No objections were raised in respect of the previous withdrawn application, 19/00517/FULPP.]

Neighbours notified

In addition to posting a site notice and press advertisement, 50 individual letters of notification were sent to properties at Blackwater Shopping Park, Farnborough Road, Lancaster Way and Ringwood Road in early August 2019. Letters were also sent to St Modwen, Legal and General Investment, KPI and Knight Frank Investors as major stakeholders within Farnborough town centre.

Representations

Representations **in support** of the proposals have been lodged directly with the Council on-line from the occupiers of the following properties in Farnborough:- 35 & 56 Churchill Crescent; 24 & 45 Fairfax Road; 2 Edwins Court, Farnborough Road; 4 Highgrove; 20, Holt Close; 11 & 63 Lye Copse Avenue; 29 Marston Drive; 17 St. Clements Court, Meadow Road; 35 & 51 Newton Road; 41 Oaken Copse Crescent; Ashton House, Pond Road; 26 Prince Charles Crescent; 7, 18, 41 & 54 Prospect Avenue; 137 Prospect Road; 19, 82 & 94 Sandhill; 5 Ship Alley; 70, 104, 112 & 150 Ship Lane; 62G Union Street; and 1 Woodland Crescent.

Representations in support have also been received from the occupiers of three properties outside the Borough at:- 62 Kingsway, Blackwater; and 78 Sheridan Road and 11 Trafford Road, both in Frimley.

In addition, printed pre-addressed postcards providing a space for people to make their own comments in connection with the proposals have been received all also making representations **in support**. These have been received from the occupiers of:- 34 Churchill Crescent; 22 & 42 Cromwell Way, 11 & 27 William Hitchcock House, Fairfax Road; 371 & 387 Farnborough Road; 18 Grange Road; 4 Highgrove; 7 Lye Copse Avenue; 18 St. Clements Court, Meadow Road; 20 Newton Road; 4 & 20 Ringwood Road; 2 Sherwin Crescent; 16 & 26 Willow Crescent; 9 Woodland Crescent; 6 & 17 Worcester Close; and 8 Station Road, Frimley.

The following summary comments are made in support of the proposals:-

- (a) Excellent proposals that should be welcomed;
- (b) The proposals are good for Blackwater Shopping Park – which has needed (and should have) a foodstore for a long time. It would benefit existing retail outlets there by boosting retail spending; and be a benefit to the local area and community;
- (c) Farnborough needs an increased choice of foodstores, especially good quality affordable foodstores;
- (d) The new employment opportunities are welcomed;
- (e) Having an Aldi discount foodstore in Farnborough is long overdue – people currently have to travel by car to Blackwater or Basingstoke to shop at one;
- (f) The proposed foodstore would be convenient and affordable for local people. The town centre supermarkets are too remote from this area. An Aldi foodstore at BSP would be accessible to local people whom do not have or wish to use cars and/or are disabled/elderly;
- (g) The town centre Sainsburys and Asda supermarkets need better/more competition;
- (h) The proposed café would make people spend more time at BSP;
- (i) No new building would be required;
- (j) Glad to see that the traffic issues of BSP are being addressed; and
- (k) Both the proposed discount foodstores at Solartron Retail Park and BSP would be a boost for the area.

One correspondent supporting the proposals requests that the existing ramped pedestrian access into BSP be improved – as it is steep, sometimes covered in leaves and slippery in winter.

The following **objections** to the proposals have also been received:-

Legal & General
(Owners of
Solartron Retail
Park), C/o Savills

Objection on the following summary grounds:-

1. Sequential Approach to Site Selection : The land being promoted for a discount foodstore at Solartron Retail Park (SRP) is in a sequentially preferable location to Blackwater Shopping Park. The Applicant has not provided any new evidence as part of the current application to demonstrate why the development cannot be accommodated at SRP instead. The proposed amalgamation of Units 3 and 4 at SRP would create a premises entirely commensurate with the proposed premises at Blackwater Shopping Park in terms of scale, servicing, car parking and customer accessibility. SRP is also available, suitable and viable to accommodate a 'discount foodstore'. It follows that the proposed development, as with the previous withdrawn application, continues to fail to comply with the sequential approach to site selection.

2. Assessment of Impact : The NPPF requires applicants to consider the impact of the proposed development on 'planned' investment within Farnborough's defined Town Centre. The proposal at SRP does represent 'planned investment' in that it is actively being pursued by the owner and is a sequentially preferable site. The grant of planning permission for a foodstore at Blackwater Shopping Park may have an adverse impact on the delivery of an identical form of development at SRP. In this respect, the effect could be:-

- i. To reduce the operator demand for discount food within Farnborough's defined town centre; and
- ii. Generate a level of cumulative impact on a defined centre that could be determined to be 'significantly adverse'.

On the contrary, proposed development for a foodstore at SRP would improve the retail offer within the wider Town Centre and create genuine opportunities for linked trips with existing business and in particular those in the Primary Shopping Area.

3. Suitability of Evidence on Highways and Transportation : The Applicant has provided additional evidence relating to the assessment of the impact of the development on the local highway network. The Applicant has used standard ARCADY modelling to assess the impact of new trip generation following commencement of the proposed development. L&G would request that the Highway Authority seeks to validate whether the outputs of the standardised modelling system accurately reflects the 'on site' position in terms of flows and queuing. The use of a micro-simulation model may be deemed more appropriate to pick up localized patterns of movements at Blackwater Shopping Park; particularly in the 'peak' times.

Summary and Conclusion : The Applicant has not provided any new evidence as part of the latest application. Further questions also arise in respect of the submitted evidence relating to impact on Farnborough Town Centre and highway and transportation policies.

In July 2020 the agents acting for Legal & General added the following comments to their objections upon been asked by the Council to clarify whether or not Lidl had signed any binding legal contract for the tenancy of the SRP unit with Legal & General:-

"I understand that the owner of the Retail Park has agreed 'Heads of Terms' with Lidl but as yet, a formal Agreement for Lease is not in place. Until there is certainty that a tenant has been signed then the unit [at

SRP] is 'available'. Based on the above, the objections raised in respect of the application at Blackwater Shopping Park remain live and relevant. We would also stress that there is a need to consider any impact of the delivery of a foodstore at Blackwater Shopping Park on the realisation of investment within the Town Centre. We don't believe that the latest response from the applicant has sufficiently satisfied the concerns raised previously in that regard."

On 17 September (a few weeks after the SRP planning permission had been granted), the agents acting for Legal & General confirmed in response to the Council's specific enquiry seeking an update on Lidl's position that:-

"The position is unchanged in that there is no formal agreement signed with a specific tenant for the unit."

[Officer Note: Whilst the agents acting for Legal & General have confirmed that their objections (as above) still stand, planning permission was granted for the SRP scheme on 4 September 2020. Furthermore, the Council has recently obtained evidence that Lidl is in the process of acquiring a legal interest in the SRP foodstore unit. Although the Council has requested that Legal & General confirm whether or not the SRP unit is still 'available' to other potential users the Council has yet to receive a response.]

5 York Road, Farnborough
Objection : I would dearly love a Farnborough Aldi (as I think this is going to be) but I really question the location of it. Aldi and Lidl are both extremely popular grocery stores now and to put it on Farnborough Gate would just create chaos. The car park is not big enough and the access in to and out of Farnborough Gate is a nightmare at peak times. I don't believe any amount of changing the access will help. I think they'd be better building on a brownfield site in Farnborough.

12 Saunton Gdns, Farnborough
Objection : We need this shop but Farnborough Gate is so congested as it is and this popular shop will make it a hundred times worse. The traffic in and out of Farnborough Gate is a complete nightmare whether driving or walking. People driving and cutting in front of each other. Another store will make things worse. It is also difficult to get to for shoppers that do not drive. Please can you place it in the centre of town near local bus routes so all can shop there.

13 St. Michaels Rd, Farnborough
Objection : This has not been thought through very well, parking is an issue at the moment. Where will the additional car spaces be allocated for the Aldi shoppers? Finally, the Council are aware how congested it is to drive in and out of the Shopping Park: do you really think it will improve once Aldi are on the site? A solution would be to make another entrance or exit to the site which may help traffic flow but that costs money.

Policy and determining issues

The site is located within the defined built-up area of Farnborough. Farnborough Road (A325), the adjoining section of the Guildford-Reading railway line and the Blackwater Valley Road (A331) are all 'green corridors'. The eastern-most parts of the Shopping Park car park

are identified as being at moderate risk of flooding.

Since the Council last considered an application in respect of retail development at this site, the Council has adopted (as of 21 February 2019) the New Rushmoor Local Plan (2014-2032), which has replaced the Rushmoor Core Strategy and saved old Rushmoor Local Plan policies previously comprising constituent parts of the Development Plan for the area. New Local Plan Policies SS1 (Presumption in favour of Sustainable Development, SS2 (Spatial Strategy), LN7 (Retail Impact Assessments), SP1 (Aldershot Town Centre), SP2 (Farnborough Town Centre), SP2.3 (Farnborough Civic Quarter), SP3 (North Camp District Centre), IN2 (Transport), DE1 (Design in the Built Environment), DE10 (Pollution), NE2 (Green infrastructure, including 'Green Corridors'), NE4 (Biodiversity) 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.*
87. *When considering edge-of-centre and out-of-centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and local planning authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge-of-centre sites are fully explored.*”

And:

- “89. *When assessing applications for retail and leisure development outside town centres, which are not in accordance with an up-to-date plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500m² of gross floorspace). This should include assessment of:*
- a) *The impact of the proposal on existing, committed and planned public and private investment in a centre or centres in the catchment area of the proposal; and*
 - b) *The impact of the proposal on town centre vitality and viability, including local consumer choice and trade in the town centre and the wider retail catchment (as applicable to the scale and nature of the scheme).*
90. *Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the considerations in Paragraph 89, it should be refused.*”

The Town & Country Planning (Use Classes) (Amendment) (England) Regulations 2020 came into force on 1st September 2020 and, inter alia, have introduced a new Use Class E (Commercial, Business & Service). The new Use Class E has replaced various existing Use

Classes and grouped various commercial uses together so that commercial premises can, generally, be used more flexibly and for a combination of different commercial activities, without the need for planning permission. The New Class E encompasses use, or part use, of premises for all forms of the display or retail sale of goods...principally to visiting members of the public (previously Use Class A1); together with financial and professional services uses (previously Use Class A2); café and restaurant uses (previously Use Class A3; any other services which it is appropriate to provide in a commercial, business or service locality; uses for indoor sport, recreation and fitness; provision of medical health services; and use for purposes that previously fell within Use Class B1 (office, research and development and light industry). Although the introduction of the new Use Class E aims to provide new flexible opportunities for business to use commercial floorspace, including retail floorspace, it is not considered that this directly affects the consideration of the proposals the subject of the current planning application or, indeed, negates the need for planning permission to be obtained from the Council for the current proposals. This is because the principal element of the current proposals is the change in the nature of the retail goods that can be sold from the premises to encompass foodstuffs, however this aspect of the use of the premises is restricted by Condition No.4 of the original planning permission for the Shopping Park.

The main determining issues 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; air quality; car parking, traffic generation and other highway considerations; flood risk and the water environment; and access for people with disabilities.

Commentary

1. Principle -

Blackwater Shopping Park is an established retail park in an out of town location. The application involves proposals for the modification and re-use of 1933 sqm of existing retail floorspace, but with the removal of the existing planning restriction prohibiting sale of foodstuffs to enable the space to be occupied by an Aldi foodstore of 1866 sqm gross floorspace; and also the change of use of part (186 sqm) of the re-used floorspace to a mixed retail and café/restaurant (A1/A3) use.

The key determining issue of principle is considered to be the impact of the proposals on the revitalisation and regeneration of Farnborough Town Centre. 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, district centre [North Camp] and local neighbourhood facilities”*; and that retail development *“will be focused in Aldershot and Farnborough town centres, within the primary shopping area”*. Policy SS2 also sets out that the sequential approach to site selection will be applied, in accordance with National policy, where there are no suitable, available and viable sites within the primary shopping area, which comprises the primary and secondary shopping frontages.

The New Local Plan also includes individual policies for Farnborough and Aldershot town centres and North Camp District Centre. Policy SP2 (Farnborough Town Centre) aims to *“maintain or enhance the vitality and viability of Farnborough Town Centre”* and to contribute to its revitalisation, whilst Policy SP1 (Aldershot Town Centre) sets out a similar strategy to create *“a thriving, accessible and regenerated Aldershot Town Centre”*. Policy SP3 (North Camp District Centre) states that development proposals *“will be permitted which maintain or*

enhance the vitality and viability of North Camp District Centre by preserving its local and specialist retail functions and vibrant evening economy”.

New Local Plan Policy LN7 sets out the Council’s floorspace and proximity thresholds for the undertaking of Retail Impact Assessments:-

“LN7 – Retail Impact Assessments

An impact assessment will be required for retail development not in the primary shopping area and not in accordance with the up-to-date development plan, which is above the following thresholds:

- 1. An assessment of impact on Aldershot and Farnborough town centres and North Camp District Centre for any retail proposal with over 1,000 sqm gross floorspace.*
- 2. An assessment of impact on North Camp District Centre for any retail proposal for over 250 sqm gross floorspace and within one kilometre of the centre.*
- 3. Assessment of impact on a local neighbourhood parade for any retail proposal deemed to have the potential to have a significant adverse impact and within 500 metres of the parade.”*

The applicant has submitted a Planning and Retail Assessment, together with supplementary information in support of the application. This builds upon the Assessment submitted with the previous withdrawn application (19/00517/FULPP) and includes analysis of, and objections to, the rival proposals for a discount foodstore at Solartron Retail Park (the subject of planning application 20/00287/FULPP) in a sequentially preferable location. Both the proposed Aldi foodstore and the smaller proposed mixed A1/A3 use are potentially town centre uses. Whilst the applicant argues that the proposal *“seeks the reuse of existing retail floorspace rather than the introduction of significant new retail floorspace out of centre”* and, indeed, results in the de-commissioning of the existing mezzanine floorspace, it is considered that the proposal is for a significantly different type of retail use to that which exists at the Shopping Park at present; and, indeed, that it is a form of retailing which is specifically excluded from operating at the Shopping Park. In this context, it is considered that the proposed food retail uses cannot reasonably be said to be existing; and cannot be considered as such. A retail impact assessment is required because the floorspace affected by the application (1,866 + 186 sqm), whilst below the NPPF threshold (2,500 sqm), is significantly above the locally set impact threshold of 1,000 sqm. Accordingly, having regard to Local Plan Policy LN7, it is necessary for the proposals to be subject to Retail Impact Assessment.

Additionally, it is noted that the applicants have suggested that, because the Council concluded that there were no sequentially preferable sites when the new Halfords retail outlet proposals at the Shopping Park were considered in January 2018, it follows that there are still no sequentially preferable sites available for the current proposed Aldi foodstore. This argument is not accepted since the circumstances are clearly not comparable. The retail impact assessment in respect of the new Halfords store considered whether or not there was floorspace available or potentially available for a bulky non-food goods retailer in a sequentially preferable location. Having notified all Farnborough Town Centre development stakeholders in respect of the new Halfords store proposals in late 2017 it was clear that none then possessed, or anticipated providing, retail floorspace for a bulky non-food retailer. However, it does not follow that the same situation applies to consideration of a discount food retailer and, indeed, circumstances generally over 3 years later when new retail schemes have been approved in the town centre. Furthermore, despite the suggestion that

they should not have to do so, the applicants' Assessment does actually identify and consider possible sites located in sequentially preferable locations.

Sequential Test

The applicants' Assessment adopts a sequential approach to site selection taken from a primary catchment for the proposal covering a zone including Farnborough Town Centre and North Camp District Centre in Rushmoor; and also the Frimley District Centre located within the adjoining authority of Surrey Heath. As advised by the Council during pre-application contact, the applicant has also considered sites within Camberley Town Centre, also within Surrey Heath. There are no local neighbourhood parades within Rushmoor within 500 metres of the Shopping Park.

The applicants' sequential test identified and assessed nine alternative sites for the proposal from within this catchment area, seven of which are within Rushmoor. This includes the Unit 3 & 4 Solartron Retail Park site the subject of planning application 20/00287/FULPP that had emerged as a pre-application enquiry to the Council late in the consideration of their previous withdrawn application 19/00517/FULPP. Of these, the applicants have, in particular, considered the following three possible sequentially preferable sites that were identified by the Council during the consideration of the previous withdrawn application to require closer examination:-

- Block 3 Kingsmead Square;
- South of Queensmead with the emerging proposals for the Civic Quarter; and
- Units 3 & 4 Solartron Retail Park

It is accepted that the remaining six potential sites identified in the applicants' Assessment are not appropriate alternative sites for a discount foodstore in terms of availability, suitability and viability. Overall, the applicants' Assessment argues that *"there is no sequentially preferable site which is available, suitable and viable that can accommodate the application proposal or a flexible interpretation of it"*.

Members will be aware that a planning application is currently under consideration for The Galleries site in Aldershot Town Centre (20/00508/FULPP). Whilst this scheme proposes the provision of some ground floor flexible commercial/community use floorspace, none of this space is considered to be large enough to accommodate a discount foodstore even having regard to flexibility of format. Accordingly, it is not considered that The Galleries scheme is a new potential sequentially preferable location for a discount foodstore to be considered by the applicants in the context of justifying their proposals for BSP.

The applicants' assessment of the three possible sites considered to have the most potential to be sequentially preferable alternatives to the proposed Aldi at BSP as set out above is examined in more detail as follows:-

Block 3 Kingsmead Square : Block 3 Kingsmead Square : This was granted planning permission in June 2018 as part of the next phase of the North Queensmead redevelopment scheme and it is understood that works recently started on site to implement the approved development. It has been suggested that the ground floor retail floorspace within this scheme could be re-configured for use as a discount foodstore. Furthermore, the retail unit so created would be of comparable floorspace to that proposed at BSP and would benefit from adjacent customer car parking in a busy prominent commercial frontage within Farnborough Town Centre.

The applicants have concluded, and maintain, that this site it is not available, suitable and viable as an alternative to their proposed development despite having regard for the need for flexibility of format and scale. In this respect, it is argued that Sainsbury's has a long leasehold interest in the two adjacent customer car parks such that they effectively 'own' them, although their management must be in line with the Car Park Management Plan (CPMP) set out within the agreed lease. Whilst the CPMP allows for Sainsbury's customers to benefit from two hours parking (which is refunded subject to a minimum purchase within the store), this free parking would not be available to an additional food retailer also trading adjacent to the car park. Given the nature of the proposed retailer (i.e. deep discounter) customer parking charges are not acceptable. The CPMP also sets out a minimum number of car parking spaces and that trolley bays must be provided at a ratio of 1 per 50 car parking spaces. This means that the provision of dedicated trolley bays for Aldi (or any other compatible retailer) would not be possible as this would result in the loss of car parking. The inability to provide dedicated trolley bay(s) is a fundamental requirement for the proposed operator [Aldi], and other similar retailers. Without such provision, it is asserted that a discount food retailer would not trade from this location.

A further requirement of the CPMP is for all signage to be in Sainsbury's corporate livery. This means that any additional foodstore operator would not be able to have their own corporate signage. Again, such a position would be commercially unacceptable for the proposed operator [Aldi].

It is also understood that there is a restrictive covenant within the current lease in favour of Sainsbury's, that prevents Kingsmead premises being occupied by retailers that are used predominantly for the sale of food.

The applicants also advise that their discussions with the commercial agent dealing with the Block 3 development has indicated that much of the permitted floorspace is, in any event, already under offer. This includes MSU1, which is to be reduced in size to make the residential core larger as approved by the Council with a non-material amendment earlier this year. Unit MSU1 is understood to be under offer from a coffee operator, and the adjacent unit (MSU2) is also understood to be under offer from a restaurant occupier. Consequently, the residual ground floor commercial floorspace within the scheme would be too small and could not now be re-configured or amalgamated to accommodate the proposed discount foodstore development, or a flexible interpretation of it, as may have previously been the case.

It is further noted that, although notified of the BSP application, the Block 3 developers have not made any comments or raised objections to them on the basis that their forthcoming development would be a suitable sequentially preferable alternative for Aldi or any other discount foodstore retailer. Since the 'base consented' scheme for Block 3 dates back to June 2018, there has now been ample time for any interest in this location to have come to the attention of, and be explored by, discount food retailers, especially as it is well known that they have been seeking to provide outlets in Farnborough for some time.

It is considered that these observations underline the basic unsuitability of the Block 3 development as a location for a discount foodstore and, as such, it is accepted that this is not an alternative sequentially preferable location for the proposed BSP Aldi foodstore.

Civic Quarter south of Queensmead : A further potential sequentially preferable site for the location of a foodstore within Farnborough Town Centre identified at the time that the previous withdrawn application was submitted relates to the emerging proposals for the Farnborough 'Civic Quarter'. Here the Council's Regeneration Team had advised that the Rushmoor Development Partnership were considering the possibility of incorporating a

foodstore of approximately 20,000sqft [1858 sqm] with dedicated car parking in a location adjacent to the south end of Queensmead. However, this is not a provision mentioned in Local Plan Policy SP2.3 (Farnborough Civic Quarter). Furthermore, the timescales for the delivery of this offer are optimistically indicated to be 4-5 years at the earliest. It is considered that this is too distant to be a reasonable prospect to consider as a sequentially preferable site at the present time. In the circumstances this tentative future proposal is not currently sufficiently well advanced to be considered a viable sequentially preferable site for the purposes of considering the current application.

Units 3 & 4 Solartron Retail Park : Proposals for the amalgamation of these two existing retail units to specifically create a retail space configured for a discount foodstore retailer emerged at a relatively late stage in the Council's consideration of the previous withdrawn application for the proposed Aldi at BSP, 19/00517/FULPP. Being within the defined boundary of Farnborough Town Centre, SRP is clearly in a sequentially preferable location compared to BSP. However this potential site had not then been considered as a potential sequentially preferable alternative site in connection with the BSP scheme because it did not exist as a prospect when the original retail impact assessment work was undertaken. Indeed, the possibility of a site being available at Solartron Retail Park was, in making their previous application, rejected by the BSP applicants on the basis that the two known vacant units there (Unit 3 : the former Bathstore; and Unit 7 : the former Maplins store) both have insufficient floorspace for the proposed foodstore and, indeed, do not adjoin each other to make an amalgamation of floorspace possible. The change in circumstances for SRP as a potential alternative site arose because the current occupiers of Unit 4 (Carpetright) have agreed to re-locate into the vacant Unit 7, thereby making an amalgamation of floorspace of Units 3 and 4 for a discount foodstore possible.

With the current application, the applicants have updated their retail impact analysis to take account of the SRP proposals in order for their proposals to comply with current Government guidance and adopted Development Plan policies. Similarly, they also lodged detailed objections against the SRP proposals with the Council on the grounds that they considered the SRP proposals to be undeliverable, unsuitable for any discount foodstore retailer and, fundamentally prejudicial to their own proposals for an Aldi foodstore at BSP. As a rival scheme potentially competing for the same discount foodstore tenant, the owners of SRP have lodged counter-objections against the BSP proposals noting that SRP is in a sequentially preferable location because it is located within the town centre area for retail planning policy purposes. They have also refuted the other objections raised by BSP.

Members will recall that the planning application in respect of the Solartron Retail Park proposals (20/00287/FULPP) was considered at the 24 June 2020 meeting of the Council's Development Management Committee. Despite the objections raised on behalf of BSP, it was resolved that planning permission be granted subject to the completion of a s106 Deed of Variation and a s106 Planning Obligation to secure Travel Plan evaluation and monitoring contributions. This planning permission was subsequently granted on 4 September 2020 following the completion of the required legal documents.

As a result of a letter received by the Council in support of the SRP proposals submitted shortly before, and reported to, the 24 June 2020 Committee meeting, Lidl revealed their support for the SRP proposals and the suitability of the floorspace and site arrangements to meet their needs. Lidl also clearly confirmed that they had board agreement to occupy the proposed SRP unit. Indeed, Lidl stated that "*Should planning consent be granted this week Lidl are fully committed in partnership with the applicants to deliver this town centre retail scheme at the earliest opportunity.*" Nevertheless, in re-affirming their objections to the BSP proposals, a more recent statement made by Legal & General's agents on 20 July 2020 has

clarified that *“the owner of the Retail Park has agreed ‘Heads of Terms’ with Lidl but as yet, a formal Agreement for Lease is not in place.”* Furthermore: *“Until there is certainty that a tenant has been signed then the unit [at SRP] is ‘available’”* A more recent request by the Council for an update on the situation with regard to Lidl and the SRP scheme elicited a response on 17 September 2020 that: *“The position is unchanged in that there is no formal agreement signed with a specific tenant for the unit”*.

The Council has commissioned independent retail planning advice from Lichfields, whom have already advised the Council in connection with the previous withdrawn BSP proposals (19/00517/FULPP). Advice was specifically sought to consider the retail planning implications of the BSP proposals in the light of the Council recently resolving to grant planning permission for a discount foodstore at SRP. The conclusions of the latest Lichfields advice in respect of the Sequential Test are as follows:-

“4.9 Potential sequentially preferable sites within or on the edge of Farnborough, Camberley, Frimley and North Camp town centres should be considered. Other centres would not serve the same catchment area as the application proposals.

4.10 The small food and beverage unit proposed could in theory be accommodated within a town centre. However, a unit of this size would primarily serve existing customers at BSP, as an ancillary use and could be considered to have a locational specific need at BSP, and therefore only the discount food store should be considered when applying the sequential test.

4.11 At this stage, the proposed store at SRP appears to be available to any discount food operator within a similar timeframe. There is no reason why SRP would not be a cost efficient location for a discount food store in Farnborough. The servicing, parking, congestion and other highways matters were considered acceptable when the SRP application was assessed.

4.12 The SRP ground floor plans indicate the proposed unit is not too small to meet Aldi’s space requirement, nor does it provide an irregular or constrained internal layout. The configuration of the two proposed stores at BSP and SRP do not appear to be significantly different. Furthermore, the SRP opportunity’s ability to accommodate a discount food store in general should be considered, rather than specifically an Aldi store. If there is scope for only one new discount food store in Farnborough then this need can be met by either Aldi or Lidl, and this store should be located at SRP if the opportunity is available and suitable.

4.13 If the SRP opportunity is considered to be available and suitable then it should be given the best chance of being implemented and occupied before a similar proposal at BSP is approved.

4.14 Based on the information provided the SRP opportunity appears to be suitable and available. The NPPF (paragraph 90) states that where an application fails the sequential test it should be refused.”

The applicants’ agent in respect of the BSP responded to the Council’s decision to grant planning permission for the SRP discount foodstore scheme and the announcement by Lidl that they were interested in occupying the SRP unit by letter on 6 August 2020 to address the implications for their clients proposals for BSP. In this letter, in respect of the sequential test, they argued that it would be unreasonable and perverse for the Council to disregard the clear statement made by Lidl in connection with the SRP scheme and that the Lidl announcement should be taken at face-value. Furthermore, whilst it was accepted that the

SRP location is clearly sequentially preferable, it would not be 'available' if Lidl had secured control of the site.

Until very recently there has been an impasse between the positions taken by the owners of BSP and SRP that the Council has been unable to resolve. The owners of SRP have maintained the position that the SRP foodstore unit remains 'available' until Lidl have been legally secured as the tenant of the unit. The owners of BSP (the current applicants) have, to the contrary, offered anecdotal evidence to the effect that the unit is not available because Lidl has exchanged contracts with the owners of SRP (Legal & General). They have also suggested that Lidl/Legal & General have an ulterior motive to deny entering into a binding contract for tactical/competitive reasons to the detriment of BSP and their competitor discount food retailer, Aldi. Most recently, the Council has received a letter from the applicant's solicitors raising further arguments why the Council should reject the position being taken by Legal & General and prefer their clients' position instead. The Council has not been convinced by either position in the absence of any factual evidence.

The Council has persevered in seeking to establish whether or not Lidl has any form of binding agreement with Legal & General concerning the SRP unit. In this respect further enquiries have been made with Legal & General via their agents about the current situation with regard to Lidl. To date, other than acknowledging receipt of the enquiries, no further response has been forthcoming. An attempt has also been made to speak to the author of the letter written on behalf of Lidl in support of the SRP planning application that was reported to the 24 June 2020 Development Management Committee meeting when the SRP planning application was being considered : there has been no response to date.

However, whilst writing this report it has come to the Council's attention that priority searches were recently made (in early October 2020) to HM Land Registry in relation to SRP in respect of an intended lease. A priority search indicates that a property transfer is intended to be made, but does not necessarily mean at this stage that the transfer has been completed. Nevertheless, the search application relates to 'Units 3 & 4 Solartron Retail Park' and the applicants are identified as being Lidl Great Britain Limited. In the circumstances, it is considered that there is now clear documentary evidence indicating that Lidl is in the process of legally acquiring a leasehold interest in the SRP foodstore unit.

This information has been shared with the agents acting for Legal & General, whom have been advised that, unless they are able to provide a clear and unequivocal response explaining otherwise, the Council must now reach the conclusion that the SRP foodstore unit is not available to any foodstore operator other than Lidl. At the time of finalising this report no response has been received by or on behalf of Legal & General.

In the current circumstances it is concluded that the SRP foodstore unit is not an available sequentially preferable unit and, as such, there are no alternative sites for a discount foodstore available in sequentially preferable locations to the proposed discount foodstore unit proposed for Aldi at BSP the subject of the current application. It is therefore considered that the current proposals pass the sequential test.

Retail Impact

In this respect, the policy test is to determine whether the current proposal would have a significant adverse impact on in-centre investment (that is investment within the primary shopping area) and the overall vitality and viability of any defined centre. In so doing, it is now necessary to take account of the Council's recent granting of planning permission for the SRP scheme – indeed, whether or not there would now be cumulative impacts arising from

the Council also permitting the proposed discount foodstore at BSP. The cumulative impact of two discount foodstores is considered to be a material consideration for the determination of the current application. It is considered that the key questions for the Council to consider in respect of the current application are therefore:-

- (a) Would the BSP discount foodstore proposal be likely to have any significant adverse impact upon the viability (and thereby deliverability) of the approved town centre SRP discount foodstore scheme? Could the proposed BSP foodstore jeopardise the implementation of the proposed SRP foodstore?
- (b) Would the BSP discount foodstore combined with the approved SRP discount foodstore cumulate significant adverse impact through diversion of convenience goods turnover from the existing established Town Centre foodstores (predominantly Asda and Sainsburys)? And
- (c) Would the BSP discount foodstore proposal have any other significant adverse impacts upon the vitality and viability of any defined centre?

The conclusions of the further Lichfields advice in terms of retail impact in these respects are as follows:-

“4.1 Quod argues there is no policy requirement to assess cumulative impact, in this case the implementation of two discount food stores in Farnborough. However, cumulative impact is a relevant material consideration that the decision-taker may take account and attach weight to.

4.2 In terms of retail impact, the key concern is the impact of the convenience goods (food and grocery) sales within the proposed discount food stores. Farnborough town centre is expected to be the most affected centre.

4.3 Lichfields review of Quod’s assessment suggests cumulative trade diversion and impact on Farnborough town centre has only been marginally under-estimated. Quod’s figures suggest an impact of -8.2%, whilst Lichfields’ sensitivity analysis suggests a cumulative impact of -9.4%.

4.4 Most of the cumulative 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.

4.5 The two proposed discount food stores are expected to marginally increase the comparison goods turnover of the town centre because the proposals will result in a net reduction in the comparison goods turnover of BSP and SRP. The combined (direct and indirect) comparison goods impact are not expected to be significant.

4.6 The impact on planned investment within the town centre needs to be considered. Quod disputes the SRP scheme is 'in-centre' investment. However, SRP is within the Farnborough town centre boundary and, as covered by Policy SP2, is planned investment within a designated town centre. The impact on this planned investment is a material consideration.

4.7 The key issue is whether Lidl considers that a new store at SRP would trade at an appropriate and viable level with the added competition from the Aldi store at BSP. The retail capacity figures suggest there is a convenience goods expenditure deficit in Farnborough,

which will increase with the implementation of two new stores by 2024. It is possible Lidl may decide not to occupy the proposed store at SRP if Aldi implements their proposals at BSP, but this is difficult to quantify.

4.8 Even if Lidl were to withdraw from the SRP scheme, then the significance of this impact on the vitality and viability of the town centre needs to be considered. In terms of consumer choice, the town centre would still retain its existing choice of food stores and in our view, it would be difficult to demonstrate Lidl's withdrawal from the SRP scheme would cause significant adverse harm to the vitality and viability of the town centre as a whole. However, if Lidl has no interest in the SRP scheme then the opportunity clearly becomes available to Aldi, which is a sequential test issue.”

The applicants' agents responded to the Lichfields advice to argue that the Lichfields further critique is too narrowly focussed and that, in reality, there is sufficient capacity in terms of projections of retail expenditure for food for both the BSP and SRP discount foodstores and without impacting significantly upon other town centre foodstores. Indeed, the spare capacity for foodstore expenditure is argued to be the reason why both Aldi and Lidl are targeting the area for new investment.

It is considered that, on balance, the evidence for potential harm to town centre retail investment arising from the BSP scheme is not compelling and does not demonstrate sufficient material harm to justify the refusal of planning permission of retail impact grounds. The evidence that is available and has been obtained by the Council indicates that the impact in terms of trade diversion is not significant; and existing town centre foodstores would continue to trade within the range they can trade viably. It is also considered that the proposals would marginally increase town centre turnover in durable (i.e. non-food) goods due to the reduction in the extent of durable retail floorspace at BSP as a result of the proposals. In terms of the potential impact upon the planned investment in a new discount foodstore at SRP, it is also considered that there is no evidence demonstrating that the proposed SRP unit would be so significantly impacted by the BSP scheme that the SRP would not proceed – indeed, the evidence that Lidl are in the process of acquiring a lease on the SRP foodstore unit indicates otherwise. In the circumstances it is considered that the retail impact of the proposals is acceptable.

2. Visual Impact -

It is considered that the proposals would have limited and localised visual impact. The proposals seek to re-use floorspace to provide a new retail foodstore and a mixed A1/A3 outlet within an existing substantial building and retail park containing existing retail outlets. The physical changes to the existing building are the provision of some new shopfronts and provision of trolley storage/dispensing bays to the front; and provision of a recessed lorry unloading dock to the rear of the building. None of these features are considered to be unusual or inappropriate in the visual context of the Shopping Park. The proposed alterations to the vehicular access to the Shopping Park would result in minimal loss of some adjoining landscape planting. It is considered that the proposals would have no material and harmful visual impact.

3. Impact on Neighbours -

The immediate neighbours to the proposals are the commercial occupiers of the retail outlets, the Costa coffee shop and the drive through McDonalds within the Shopping Park. There will be an impact in relation to the proposed widening of the Shopping Park's vehicular access, but this is not considered likely to be negative, since it is intended to ease traffic

movements leaving the Shopping Park.

The introduction of the proposed Aldi foodstore is expected to attract additional customers to the Shopping Park and, as such, potentially also visiting the 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 Shopping Park management relating to the servicing requirements of a foodstore, the nature and volume of refuse and recyclables requiring disposal and the management of shopping trolleys.

Noise emanating from the service bay and the adjoining air-conditioning and cooling plant for the proposed foodstore has the potential to cause nuisance to neighbours. 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 numerous and may need to be operated around the clock. The applicant's submitted Noise Assessment report focusses on the noise impacts of lorry deliveries and unloading of full freight cages and the loading of empty cages. In this respect it is noted that the proposed foodstore would need to receive deliveries on Sundays, in the evening and early in the morning to ensure that fresh food is on the shelves whilst the foodstore is open. The current permitted delivery hours for the Shopping Park are 0700-1900 hours Mondays to Saturdays with no deliveries allowed on Sundays and Bank Holidays. It is, therefore proposed that permitted delivery hours for the foodstore be extended to 0600 to 2300 hours Monday to Saturday (including Bank Holidays) and 0700 to 2000 hours on Sundays. The submitted Noise Assessment considers the impact of these proposed additional delivery times and recommends that, notwithstanding the nearest residential properties (in Ringwood Road) being approximately 95 metres distant on the far side of the adjoining motor vehicle repair works, it would be appropriate to replace the existing mesh boundary fence on the Shopping Park boundary with a 2 metre high acoustic fence.

The Council's Environmental Health Team consider that, without suitable mitigation, there would be likely to be some adverse noise impact to some Ringwood Road residents on Sunday mornings : those properties that are not shielded by the large motor vehicle repair workshop building. However, the recommended acoustic fence would, provided it is of suitable construction and long enough, adequately mitigate noise at these residential properties to a level that should not cause undue disturbance. This is also provided that delivery vehicle refrigeration plant is switched-off during deliveries and general best practice in terms of noise control is employed. It is considered that the proposed acoustic fence would also have the added benefit of minimising noise from other activities on site not related to the application site i.e. commercial waste collection noise that is not considered by the submitted Noise Assessment report. It is additionally considered that it would be possible to install acoustic screening for any external plant. Subject to an appropriately-worded condition in respect of means and measures of noise suppression and prevention (including the installation and retention at all times of the proposed acoustic fence) it is considered that the proposed extended servicing hours for the proposed foodstore would have an acceptable impact on the nearest residential neighbours.

Although there are other nearby residential properties at Lancaster Way and on Farnborough Road north of the Shopping Park and the link-road, these are located further away from the likely noise sources arising from the current proposals. As such, it is not considered that any material and adverse noise nuisance impacts would arise in respect of these properties.

In the circumstances, it is considered that noise emissions from the site could be adequately

controlled to prevent any undue noise nuisance affecting nearby residential properties.

4. Air Quality –

The Government has identified the A331 as being non-compliant with the statutory annual mean EU limit value for Nitrogen Dioxide [The UK Plan for tackling roadside nitrogen dioxide concentrations (2017)]. Rushmoor, along with Surrey Heath Borough Council, and Hampshire and Surrey County Councils, have been served with a Ministerial Direction to develop and implement measures to bring about compliance in the shortest possible time. The Blackwater Valley's Local Air Quality Plan was approved by the Secretary of State earlier this year, and in June the speed limit between a point just south of the Coleford Bridge Junction and the Frimley Road junction was reduced from 70 mph to 50 mph. In addition, improvements to the Bradfords (Hawley) roundabout are planned that aim to reduce congestion and queuing for northbound vehicles exiting the A331, thereby improving flows from the A331 onto the local highway network. With these measures in place, it has been shown that compliance with the annual mean NO₂ EU limit value along the A331 will be achieved by 2021.

With respect to the current planning application, the question that arises is whether or not the proposals would undermine or prevent achievement of the air quality improvement objective as a result of the anticipated additional traffic generation on roads in the vicinity, including the A331 and A325 Farnborough Road in the vicinity of the Bradford's (Hawley) Roundabout. The margins are very small. The concern is that any significant increases in traffic in these locations could negate any reduction in emissions that measures within the Air Quality Local Plan are designed to bring about. Environmental Health are currently monitoring and evaluating the effectiveness of the measures introduced and are required to regularly report on progress in achieving compliance to Defra and DfT's Joint Air Quality Unit. Given the importance the Government has placed in meeting its air quality responsibilities, it is vital to demonstrate that emissions that may arise as a result of any new development would not impede achieving compliance.

The Council's Environmental Health Team consider that sufficient detail has been provided in the submitted Air Quality Assessment (AQA) to assess the impact of the proposed development on measures being implemented to improve air quality along the A331. The submitted AQA has considered air quality in 2020 at a number of receptor locations, with and without the development in place. Four of these receptor locations are along the A331 and, as such, are relevant to considering impact upon the Bradford's (Hawley) Roundabout improvement works that were specifically funded with the aim of improving air quality along the A331. The AQA report has used trip traffic data from the applicant's Transport Assessment, which states that the development is expected to generate an additional 247 AADT (Additional Average Daily Traffic) movements when compared with the existing use of the site. Environmental Health advise that traffic movements would need to be at least 4-5 times higher than this figure to begin to have any adverse impact on air quality by the measure adopted by the Government. Accordingly, based on the provided data, the submitted AQA report concludes that there would be negligible impact on air quality along the A331 the subject of the ministerial direction as a result of the proposed development.

Environmental Health accept the conclusions of the applicants AQA report and raise no objections to the proposals on air quality grounds.

5. Highway Considerations -

Blackwater Shopping Park is located adjoining busy road junctions that are prone to traffic congestion : the Bradford's (Hawley) Roundabout on Farnborough Road (A325) and the A331 Blackwater Valley Relief Road approximately 800 metres south of Junction 4 of the M3 motorway. All of these routes are major strategic road links used by both through-traffic, but also by significant local traffic daily, both on workdays and at weekends. The Shopping Park has a single vehicular access onto the link-road connecting Farnborough Road and the A331 serving all customer, staff and delivery vehicle traffic in and out of the Park. This includes significant traffic frequenting the McDonalds restaurant and drive-through and Costa Coffee. The Shopping Park has in excess of 14,000 sqm of floorspace and a car park containing 547 customer parking spaces : it is a busy well-frequented place. The interaction between traffic approaching and departing the Shopping Park with traffic using the surrounding roads clearly has the potential to impact significantly upon traffic congestion on the important strategic road intersections in the vicinity.

The Shopping Park vehicular junction with the link-road has limited functionality : it is not an "all ways" junction. Vehicles seeking to enter the Shopping Park must do so by filtering and/or turning left from the west-bound side of the link-road from the A331 junction, in doing so receiving traffic from both the north- and south-bound sides of the A331, but also from Frimley to the east and Farnborough and beyond via the Bradford's (Hawley) roundabout to the west. Vehicles leaving the Park must turn left onto the west-bound side of the link-road to approach the Bradford's (Hawley) Roundabout with the option of then turning left, going straight ahead into Hawley Lane (B3272), turning right or turning completely around to travel back along the link-road towards the A331. Vehicles entering or leaving the Shopping Park will often have to change traffic lanes in potential conflict with other traffic. Traffic movements associated with the vicinity of the Shopping Park are, therefore, busy and complex; with opportunities for impacts upon traffic flow through conflicting vehicle movements, queuing and congestion.

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 highways issues would have upon people seeking to get to and from work and, by extension, the consequential impact upon business costs to the economy.

The proposed Aldi foodstore is expected to attract a significant additional quantum of customers to the Shopping Park, either simply to use the foodstore, but also by attracting and encouraging an amount of linked shopping trips to benefit other retailers within the Park. The submitted Transport Assessment considers that the proposed Aldi foodstore would generate an additional 247 AADT (Additional Average Daily Traffic) movements compared with the existing use of the site, covering both McDonalds and the remainder of the Shopping Park. Although the applicants note that the Shopping Park is accessible by a range of different modes of transport, the predominate mode of traffic used to travel to and from the site is by private car. Servicing of the Shopping Park is also entirely by road transport using the same sole vehicular access . The proposals therefore have the capacity to cause highway safety and convenience impacts. Accordingly a key consideration for the Council in determining this planning application is to determine the likely extent of additional traffic that might be attracted to the Shopping 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 parking provision available within the site is also a factor in terms of highway safety and convenience impact since inadequate on-site parking provision could give rise to queues both entering and leaving the site if demand for parking spaces exceeds the number of parking spaces that are available for use at any one time.

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

Proposed Vehicular Access Improvement : It is proposed that the outbound portion of the Shopping Park vehicular access be modified to become of two-lane width along its entire length. This involves only a minor re-alignment of the adjoining pedestrian pavement and loss of landscaping adjacent. At present the outbound access is partially two-lane, but narrows slightly for a short section. It is considered, and Hampshire County Council Highways agree, that this element of the proposals would enable more efficient flow of traffic leaving the Shopping Park. This element of the proposals is considered acceptable in highway terms and to be welcomed.

Parking : As existing, the Shopping Park has 547 customer parking spaces to serve a total floorspace of 16,015 sqm including the new Halfords unit; an existing overall parking ratio of 1 space/29 sqm of floorspace. This ratio of parking falls below the Council's current adopted maximum Parking Standard for general and non-food retail, (which is the predominate use of the existing floorspace) and is 1 space/20 sqm, but is, nevertheless, the current lawful quantum of parking provision of the Shopping Park. This reflects the addition of significant additional floorspace into the Shopping Park since it was originally permitted in 1994, plus losses on parking spaces arising from the new Halfords unit and the alterations to the car park to improve vehicle circulation. The Shopping Park was originally permitted with 10,330 sqm and 652 parking spaces and, as such, had an overall parking:floorsspace ratio of 1 space/15 sqm initially.

The current proposed development would result in the loss of 17 existing parking spaces to provide space for the Aldi foodstore trolley bays, comprising the loss of 10 staff parking spaces in the service yard and 7 customer parking spaces. The overall complement of customer parking spaces would be reduced to 540 spaces. But the proposals would also result in the loss of 1532 sqm of existing mezzanine retail floorspace, such that the resultant overall parking ratio would marginally improve to 1 space/27 sqm of floorspace. As a consequence, it is not considered that the physical aspects of the proposals would have any material and harmful impact upon the level of parking provision within the Shopping Park.

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. However, this does not necessarily reflect the level of actual parking usage that would occur. In such instances it is usual for parking surveys to be undertaken to establish how actual usage of the car park compares with the parking standards and, as such, to establish the extent of actual spare capacity within the car park, from which to consider whether parking provision would be adequate with the introduction of the proposed new foodstore retail use.

The applicants have undertaken parking surveys at the Shopping Park, initially in support of their previous withdrawn planning application 19/00517/FULPP, but also following the submission of the current application. A Technical Note submitted to the Council by the applicants on 4 May 2020 summarised the overall findings of the parking surveys as follows:-

“The car park survey information shows that the peak occupancy in January occurred on Saturday 4th January 2020 when 522 vehicles were within the Shopping Park between 15:00-16:00. There were only two other hours in the month when parking demand exceeded 500 spaces. On normal weekdays (not including bank holidays), the parking demand within the Park never exceeded 400 spaces throughout January.

Throughout February 2020, there were only three hours when the parking demand exceeded 500 spaces. Two of these hours occurred on Sunday 29th February 2020, and it is likely that the parking levels reflected increased buying patterns in response to the COVID-19 pandemic. There was one hour on Sunday 2nd February 2020 when the parking levels reached 513 spaces. On weekdays throughout February the parking demand did not exceed 400 spaces on any occasion.

Throughout January and February the car park operated well within capacity at all times, and the peak weekday demand never exceeded 400 spaces on any occasion.”

The parking surveys indicate that usage of the car parking has generally, at most times, fallen well below the total number of customer parking spaces that are available for use (547 currently, and 540 spaces as proposed), although at peak times lasting for perhaps a few hours on some weekends that may have been exceptional circumstances, the usage of parking spaces within the Shopping Park may have been close to effective full capacity. This is the pattern of car park usage that has been observed, particularly during various visits to the Shopping Park over the last year during the consideration of the current and previous withdrawn applications, and may also be familiar to Members if they have visited the Shopping Park.

The applicants have agreed a suitably robust methodology with Hampshire County Council Highways for the calculation of predicted changes in parking demand considered likely to arise as a result of the proposed discount foodstore, which includes assumptions concerning the likely additional traffic that may be attracted to the site, peak shopping times at foodstores and the likely dwell times for foodstore shoppers. The applicants’ therefore predict that the peak weekday parking demand within the Shopping Park (on a Friday, as it is usually the peak weekday foodstore shopping day) could increase by up to 60 vehicles. However, the parking surveys of existing parking usage demonstrate that the typical weekday parking demand currently never exceeds 400 spaces, such that there should normally be spare parking capacity retained within the Shopping Park at any time on weekdays of some 80 spaces (540-460). It is considered that this is sufficient margin that the weekday operation of the proposed foodstore would not be likely to result in parking demand exceeding what is available.

The applicants have also considered the impact of the proposed development on a Saturday, being the peak weekend day for parking demand. In this respect, given the increased likelihood of linked shopping trips then, the applicants predict the maximum increase in parking demand at weekends to be 20 vehicles in the morning period and 10 vehicles in the afternoon period. It is argued that, since the parking survey results demonstrate that the existing peaks in parking demand occur in the afternoon, the additional vehicle parking demand in both the morning and afternoon periods would not be likely to result in the existing capacity of the Shopping Park being exceeded at any time. Whilst this analysis does not take account of more occasional and exceptional peaks in parking demand that have been observed, it is considered that these events are relatively infrequent and, as such, cannot be considered to amount to a severe on-going impact through potential queuing in and out of the Shopping Park that would justify and sustain a highways reason for refusal.

Changes to the access, circulation and management arrangements for the car park approved with the new Halfords unit planning permission and subsequently implemented are intended to encourage use of parking spaces to be spread more evenly across the whole extent of the car park, rather than being concentrated in those sections nearest the retail outlets. However, a possible negative consequence of this change is that any available parking spaces are spread across the whole car park and, at busy times, they can be more difficult for people to find and utilise. Poor or inconsiderate parking can also result in a proportion of empty parking spaces being unusable by all but the smallest cars or more skilful/determined drivers. Vehicles manoeuvring into or out of tight parking spaces can be seen to hold up traffic seeking to move around the car park, sometimes resulting in the creation of some queues within the car park. The additional sections of roadway within the car park area introduced with the new Halfords unit parking area amendments increase the capacity of the Shopping Park to accommodate queuing on site and, thereby, reduce the likelihood of significant queuing on the adjoining public roads. Whilst queuing on site is certainly inconvenient for customers and a problem for the Shopping Park management and retailers, it is not, in itself, dangerous when confined within the Shopping Park.

Shopping trolleys are not used within the Shopping Park in any significant numbers 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 Shopping Park.

It is considered that it would be appropriate to impose a suitably worded planning condition to require the submission of details of parking management measures to be operated within the Shopping Park to deal with both trolleys, poor/inconsiderate parking and to help customers find parking space at the busiest periods.

Traffic Generation and Impact upon Road Congestion : The applicant's TA seeks to assess the traffic impact of the proposed foodstore, but also taking into account the additional parking demand of the new Halfords retail outlet, together with the number of vehicle trips theoretically 'lost' as a result of the proposed removal of the mezzanine floorspace from Units 2A and 3. The estimates of traffic generation are derived from a calculation of the parking requirements for the floorspace involved based on examples of similar developments nationwide. The traffic generation figures are considered then in the context of a survey of existing traffic associated with the Shopping Park.

The applicants' TA has provided manual traffic counts for just two days : Thursday 31st January 2019 and Saturday 6th April 2019. Weekday traffic flows on the link-road were observed to be 1299 and 1438 vehicles in the AM and PM peaks respectively. Traffic generation of the existing retail outlets was 128 and 324 vehicles in the weekday AM and PM peaks respectively. The weekday peak for the Shopping Park was between 1300 and 1400 hours, with 503 vehicle movements. The Saturday peak was between 1400 and 1500 hours with 648 vehicles. This suggests that the Shopping Park can contribute approximately a third to a half of the traffic on the link-road.

However, as specifically noted by HCC Highways, no traffic modelling of the adjacent road network had originally been carried out to assess the impact of the proposed foodstore on the adjoining roads in terms of overall traffic movements and traffic queuing. Although the TA indicates that the impact of the additional traffic flows on the operation of the local road network had been modelled, it was not considered that this assessment was convincing or,

indeed, that the methodology used was appropriate. As a consequence HCC Highways requested that micro-simulation be undertaken of the operation of the Shopping Park vehicular access with the Link Road. This work was submitted by the applicants on 10 June 2020 and HCC Highways re-consulted. The following response was subsequently received from HCC Highways:-

“The applicant has submitted a Transport Technical Note along with a VISSIM Transport Model Assessment Report which is dated June 2020. This follows the highway authority's last correspondence dated the 15th April which suggested that microsimulation is a logical method for modelling dynamic traffic phenomenon. This would give a more accurate model for the anticipated development impact on the local highway network (Bradford's Roundabout and site access) than the previous traffic modelling that had been carried out.

The VISSIM model assessment report and the technical note have been reviewed. Figure 1.1 in the assessment report displays the model extents which includes the retail park access and Bradford's Roundabout which was agreed with the highway authority prior to this work taking place.

Having reviewed the validation and calibration information in the assessment report the highway authority is satisfied that model meets the required Geoffrey E. Havers (GEH) and journey time statistics for the flows. It appears that mostly default settings have been followed which is acceptable.

Table 5.1 displays that Bradford's Roundabout east approach arm operates within capacity in the VISSIM model during the Saturday peak hour (11:00 - 12:00). Likewise Table 6.1 displays that this arm of the roundabout also operates within capacity during the weekday PM peak (17:00 - 18:00). The development flows have been applied onto the base year without any further background growth.

For the Saturday peak with the development flows added there is no or very little change to the queue length and delays for the east approach and retail park access. The model shows that the PM peak operates no worse than the base scenario. The travel time performance is slightly higher with the development but this would not constitute a severe impact.

Table 6.1 shows that Bradford's Roundabout experiences poor performance on some arms with a Level of Service (LOS) rating of E and F. The performance of the east approach and car park access however, is acceptable and this also correlates with the previous ARCADY modelling work carried out by the applicant.

Overall the VISSIM model that has been presented by the applicant demonstrates that the proposed development traffic would not result a significant increase in queue length or journey times on the Bradford's Roundabout or car park access. The Highway Authority is satisfied that the development would not result in a severe detrimental impact on the operation or safety of the local highway network. For this reason the remaining highway objection can be removed and a recommendation of no objections subject to the following condition [relating to submission of a construction method statement] given”.

HCC Highways are now clearly 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 and, indeed, that no ‘severe’ impact would arise in this respect.

Transport Contribution : It would be usual for an increase in traffic generation arising from a proposed development to trigger a requirement for a Transport Contribution provided that

there is an appropriate highway improvement scheme to which the contribution could be used. However, in this case HCC Highways do not indicate a requirement for a Transport Contribution.

Servicing Arrangements : The proposed foodstore and separate A1/A3 unit would be serviced from the existing generously proportioned service yard area to the rear of the building. In the case of the proposed foodstore, this is shown to have an unloading dock recessed into the ground in order to facilitate movement of goods trolley cages and pallets with direct level access into the foodstore storage warehouse : a 'dock-leveller'. The proposed dock-leveller is provided for a single lorry to be unloaded at any one time and necessitates lorries to manoeuvre precisely when approaching and leaving the dock in order to get in and out of it. Indeed, when leaving the dock, it will be necessary for lorries to drive further down the service yard to a turning area adjacent to the rear of Unit 5 in order to be able to leave the site in a forward gear. Tracking diagrams have been submitted that demonstrate that these manoeuvres are possible without impacting upon the operation of the remainder of the servicing facilities for the Shopping Park.

It is considered that deliveries would be managed and, indeed, an element of the applicants' request for less restricted servicing times is to enable deliveries to be made outside times of peak traffic flow into and out of the Shopping Park. 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.

Travel Plan : The application was submitted with a Framework (i.e. draft) Travel Plan (FTP) in order to introduce measures to . HCC Highways has confirmed that the necessary Travel Plan financial contributions would total £5,750.00 payable to HCC. This can be secured with a s106 Planning Obligation to be completed with HCC.

HCC has also 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 BSP 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 Shopping 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 works involved.

Conclusions : Whilst some 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 be likely to be limited to the weekend peak periods and not amount to severe highways impact overall sufficient to justify refusal on highways grounds. The proposals are therefore considered to be acceptable in highway terms.

6. Flood risk and the water environment -

The application is supported by a brief flood risk assessment on account of the east side of the Shopping Park being at moderate risk of flooding. However, the portion of the Shopping Park the subject of the current application is on land at low 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.

7. Access for People with Disabilities –

The proposed development should 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 a party promoting a proposal of a similar nature in another location. Those matters of principal raised by objectors 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 Blackwater Shopping 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); 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 with Hampshire County Council to secure £5,750.00 for the implementation, evaluation and monitoring of the Travel Plan 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: 1001-PL-B; 1002-PL; 1003-PL; 1004-PL-A; 1005-PL; 2001-PL-A; 3001-PL; 3501-PL; & 4001-PL; and Agents' covering letter; Flood Risk Assessment; Air Quality Assessment; Environmental Noise Survey; Framework Travel Plan; Noise Assessment; Planning & Retail Assessment; and Transport Assessment.

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 amalgamated retail outlet hereby permitted shall not be brought into use until details for the management of (a) shopping trolleys; (b) the customer parking area; and (c) the modified service area (including the amended 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, the customer parking area and the service area shall all 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 amenities of nearby residential properties. *

- 5 The acoustic fence hereby permitted shall be fully installed on site in accordance with the details as recommended and set out in the Cole Jarman Noise Assessment report submitted with the application and hereby approved prior to the first use of the amalgamated retail outlet hereby permitted and retained in perpetuity thereafter. Furthermore, the other noise emission mitigation/control measures also recommended in the submitted Cole Jarman Acoustic Report relating to the switching-off of lorry refrigeration units whilst in the service area and restricted noise emission levels from plant and equipment at the premises shall also be implemented in full prior to the first use of the amalgamated retail outlet hereby permitted and these measures retained in perpetuity thereafter.

Reason - To protect the amenities of nearby residential properties.

- 6 No vehicle shall enter, leave or remain within the site for the purposes of servicing the proposed amalgamated retail outlet hereby permitted outside the following times:-
0600 to 2300 hours Monday to Saturdays (including Bank Holidays); and
0700 to 2000 hours on Sundays.

Reason - To protect the amenities of nearby residential properties.

- 7 With the exception of designated refuse containers/storage areas, pallet storage areas, or hereby approved plant enclosure, 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 Shopping 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 Blackwater Shopping 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); 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).

- 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.**

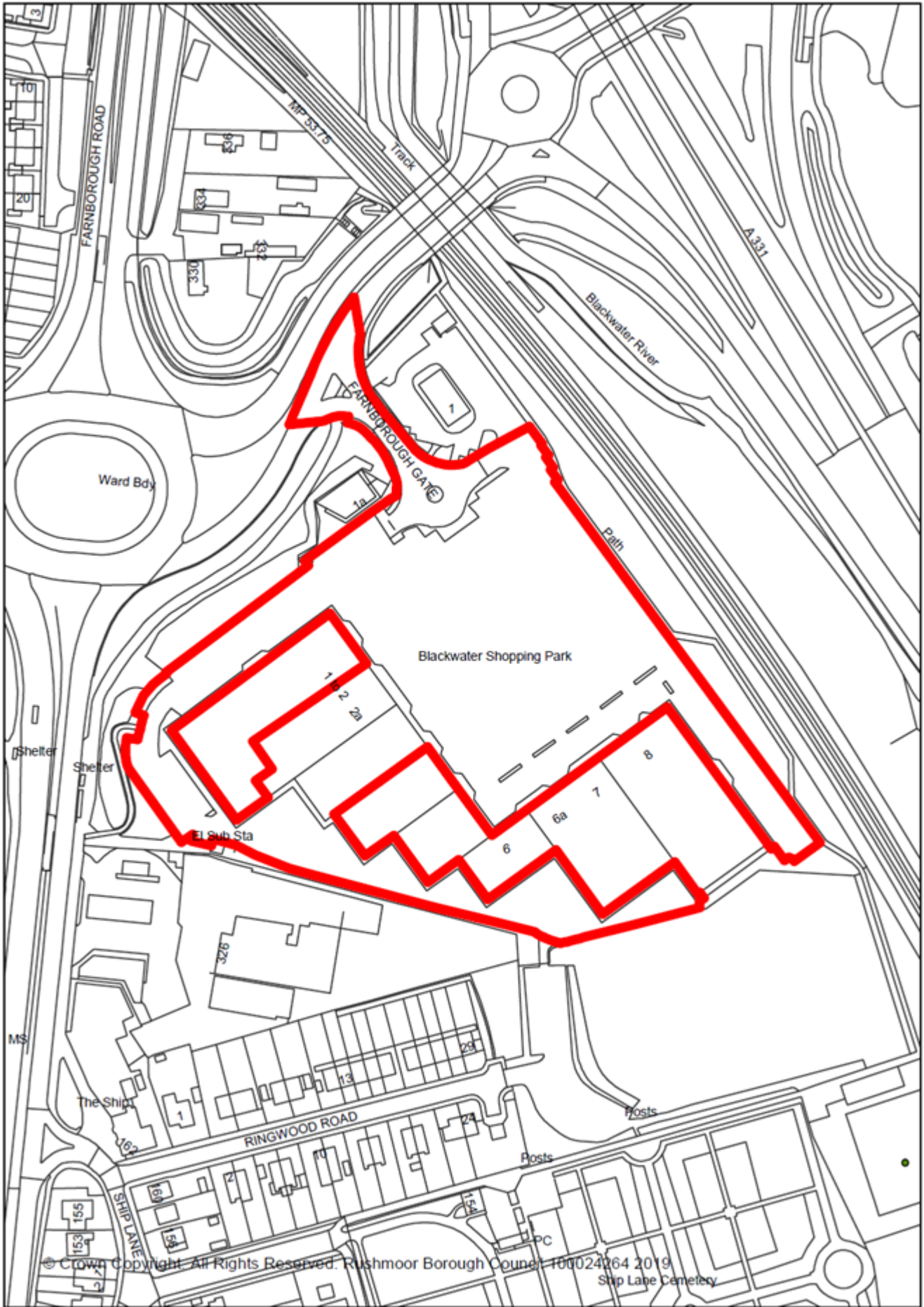
The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must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





NOTES

- The following survey data is to be used in this drawing. All rights reserved. The following survey data is to be used in this drawing. All rights reserved. License number 10002142.
- Topographical survey, including services information, shown from Survey Services Ltd drawing no. 01189/11, 12, 13 & 14, dated 23.06.11.
- Car park layout shown from Matt Macdonald drawing no. 187797/AMD/BCP/XX/04/C/0005, 2, revision 02, dated 04.04.11.
- Tree spreads to south-eastern corner of site shown from CBA Trees drawing ref. CM/03/02/01/156, dated 26.07.10.
- Site parking layout to western corner shown from Broadbroke drawing no. 17-0214/03, revision 12, dated 16.02.14.
- Excavation shown from Broadbroke drawing no. 17-0214/03, revision 12, dated 16.02.14.
- Building and floor plans shown from 30th level drawings 10/000-1, 001 to 010, revision B, dated 24th July 2014.

Car Parking Schedule

Spaces to retail park (including service yards)	615
Spaces to McDonald's (included from above)	26
Net change in spaces	-18
Total spaces for car park following construction of new units (22) Unit 11 (17) (20066) (24/249)	627

Existing access road allowed to remain and join with footpaths - to specialist's details

Existing general services to be retained

Existing covered canopy to be retained and engaged to the ground

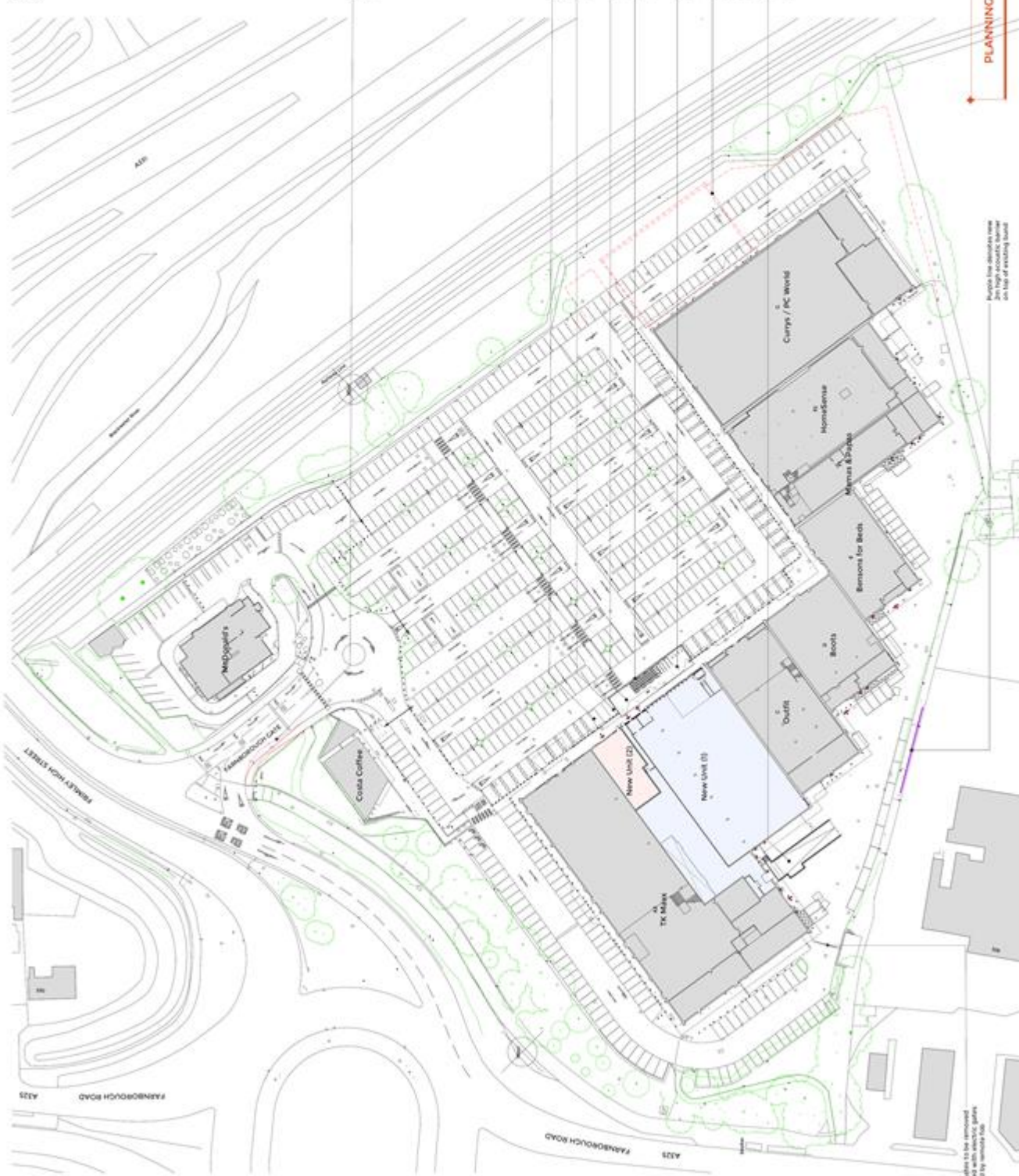
New paved area to store entrance / exit

New utility (gas, water) and cycle parking areas with an additional canopy over

Existing covered canopy to be retained and engaged to the ground

Existing and new canopy to be retained and engaged to the ground

New dock table with retaining walls, access steps, perimeter lighting and bollards to be retained for future storage



Existing paths to be removed or replaced with electric gates controlled by security firm

Purple line denotes new 2m high acoustic barrier on edge of existing layout

PLANNING

BOYLE SUMMERS
Landscape Architecture

Client: Lumbury Property Trust Company
Project: Units 11 & 12, Broadbroke Shopping Park, Broadbroke

Time: Proposed Site Plan

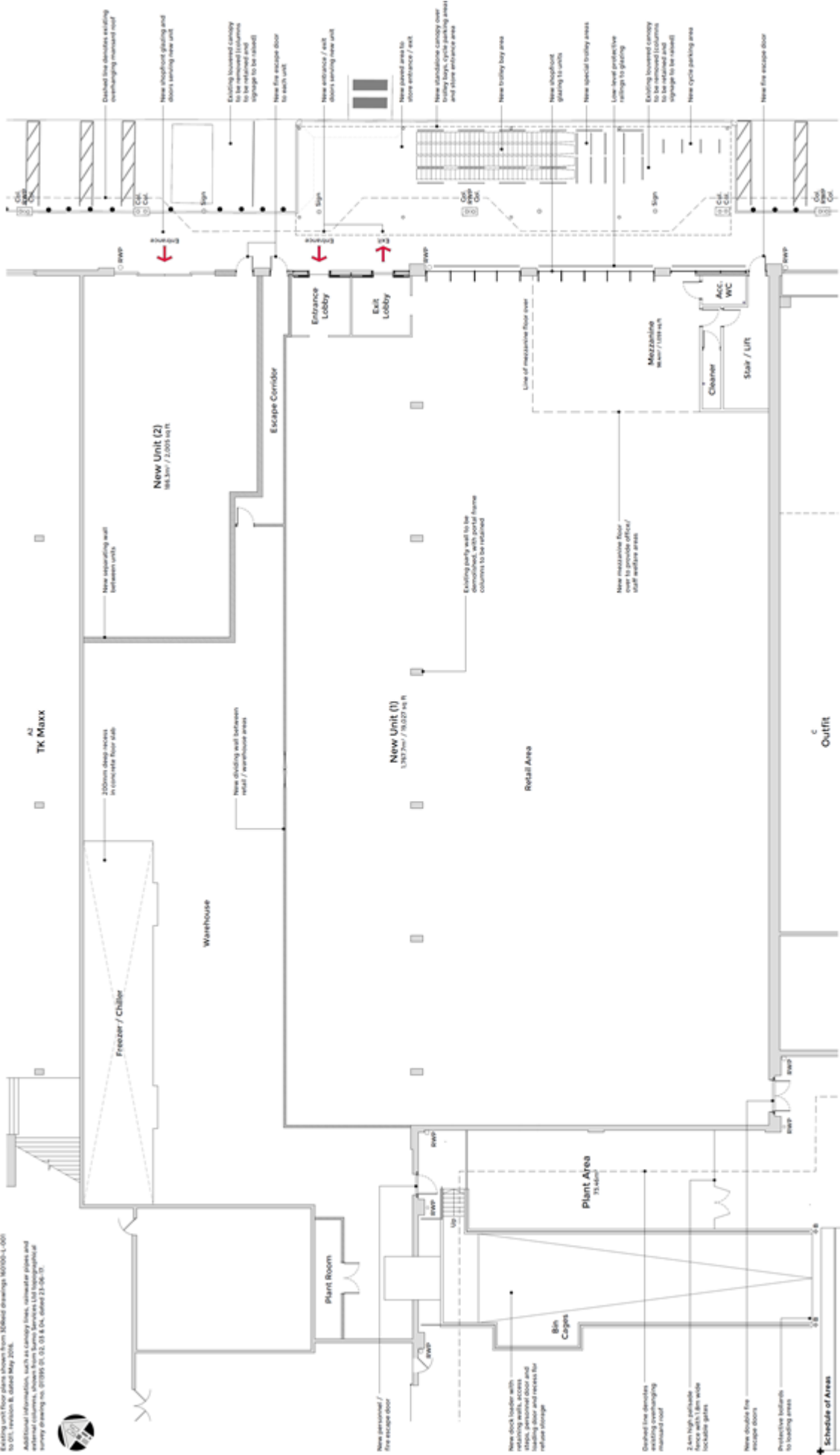
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B/S Ref	Date	Scale	Drawn	Checked
1070	Jul 2015	1:500	GD	TR

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Tel: 01235 8585 1432 | www.boylesummers.co.uk

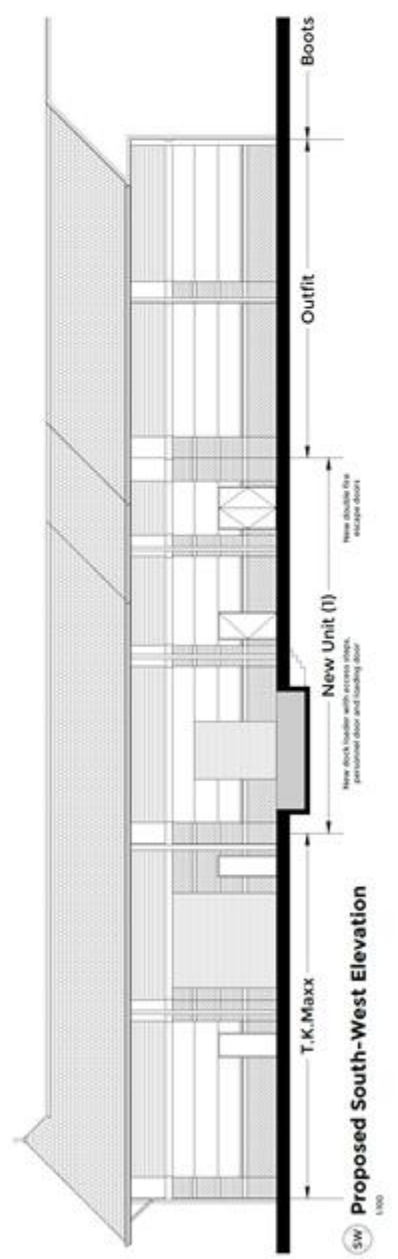
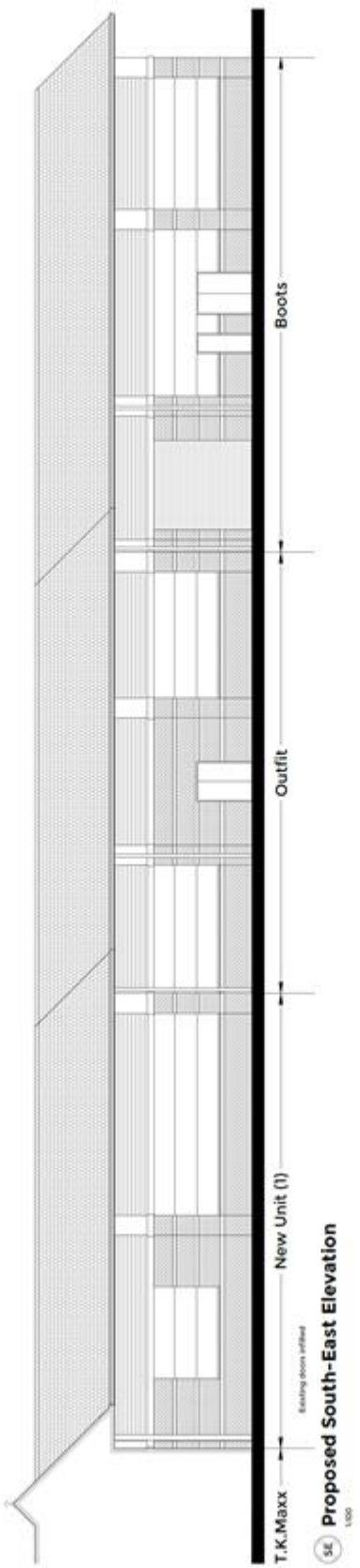
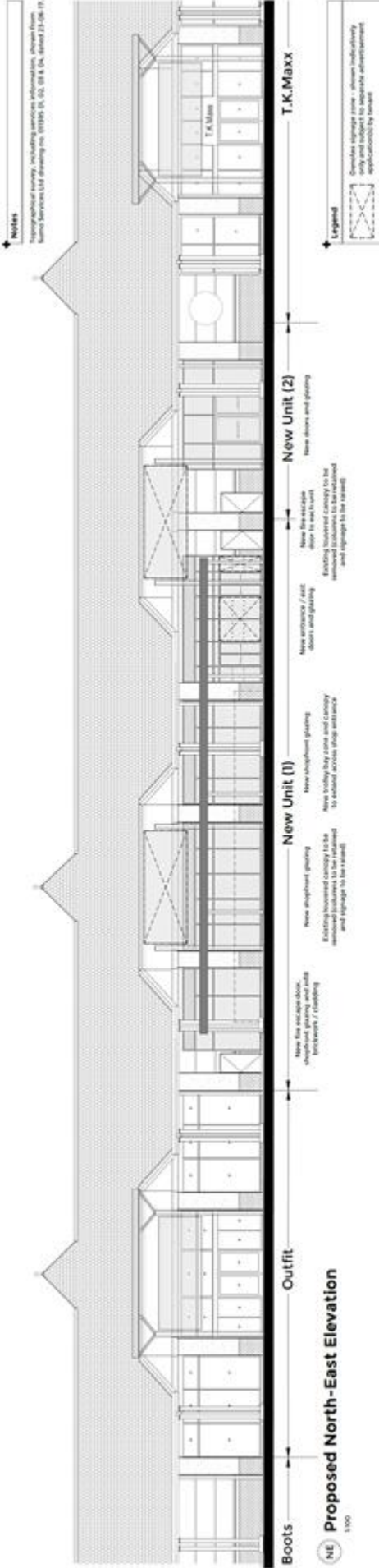
Notes

1. New unit floor plans taken from Sited drawings 160000-L-000
 2. All units to be finished to Grade May 2018
 3. All units to be finished to Grade May 2018
 4. All units to be finished to Grade May 2018
 5. All units to be finished to Grade May 2018
 6. All units to be finished to Grade May 2018
 7. All units to be finished to Grade May 2018
 8. All units to be finished to Grade May 2018
 9. All units to be finished to Grade May 2018
 10. All units to be finished to Grade May 2018



PLANNING

BOYLE SUMMERS ARCHITECTS AND INTERIORS		Client: Lockbury Property Trust Company Project: Units A1 & B Blackwater Shopping Park, Farnborough Title: Proposed Floor Plans		Tel: 013 8543 1432 www.boylesummers.co.uk After 5pm for the evening of projects, the work will be available via email: enquiries@boylesummers.co.uk All drawings are subject to the terms and conditions of our standard terms and conditions of sale.	
LPT - BSL - ZZ - 00 - 00 - A - 3001 - PL B's Ref.	Date: 3rd 2018 Scale: B1A1	Drawn:	Checked:	160000	300



BOYLE - SUMMERS
 CONSULTANTS
 ARCHITECTS AND INTERIORS
 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

PLANNING

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.	20/00508/FULPP
Date Valid	27th July 2020
Expiry date of consultations	19th August 2020
Proposal	Redevelopment of the High Street Car Park, The Galleries Shopping Centre and the Arcade Shopping Centre to provide a phased development comprising 596 flats (330no. one bedroom and 266no. two bedroom), flexible commercial uses within Use Class E (commercial, business & service uses) and/or Use Class F.1 (learning and non-residential institutions; excluding schools and places of worship), public car parking and residents' car and cycle parking, together with external amenity areas including roof gardens and public realm
Address	The Galleries High Street Aldershot
Ward	Wellington
Applicant	Shaviram Aldershot Limited
Agent	D. Rose Planning LLP
Recommendation	Grant subject to s106 Planning Obligations

Executive Summary

It is considered that the proposed development would deliver significant planning benefits in accordance with the Council's adopted Local Plan policies in pursuance of the Council's key town centre regeneration objectives by providing for:-

- The replacement of underused and vacant buildings and structures blighting Aldershot Town Centre with a new urban quarter that will transform a significant portion of the Town Centre;
- 596 residential units of an appropriate mix of unit sizes making a significant contribution towards RBC's housing requirements within an accessible location, all to be provided with an allocated parking space within the development in full accordance with the Council's adopted parking requirements;
- An appropriate quantum and flexible mix of commercial/community uses to boost the

viability and vitality of the area and complement the wider Town Centre;

- Creation of a new pedestrianised town square and walkways providing a setting for civic activities, events and entertainment;
- Accessible public car parking provision for shoppers, visitors and workers within Aldershot town centre;
- An adaptable and durable design with buildings and spaces which are easy to maintain, acceptable relationships and impacts upon neighbours, and making a positive contribution to the established character, heritage and appearance of Aldershot Town Centre;
- Communal residents' roof gardens (in addition to private balconies/terraces) measuring 3,652sqm, together with green roofs (a further 4,209sqm) and biodiversity improvement measures, thereby providing both ecological and recreational benefits; and
- A further catalyst for the regeneration of Aldershot town centre as a whole alongside the Council's own nearby town centre regeneration scheme approved for the Union Street East site.

Description

Site Description and Context

In total the application site measures approximately 1.85 hectares and is located within the heart of the Aldershot Town Centre to the east of Wellington Street and Court Road; and also south of Wellington Avenue (A323), north of Victoria Road and west of Station Road. Within the bounds of these surrounding roads, the application site comprises (and is presented with the submitted plans) three adjoining elements as follows:-

1. **The Galleries (GA) Site** : This is the central element of the application site and primarily consists the footprint of The Galleries Shopping Centre, but also encompasses the adjacent older shop premises at Nos.99 and 101 High Street to the east side. Neighbouring properties at Nos.103-109 High Street (No.109 is Aldershot Library) and 41-51 (odd inclusive) Station Road adjoin to the north-east and east respectively. Little Wellington Street bounds the south side of The Galleries, with Stafford House flats, Aldershot Conservative Club and Aldershot Arcade located on the opposite side of this service road and footpath link. The Galleries Shopping Centre turns the corner from Little Wellington Street into Wellington Street and has a frontage that terminates against the side of No.6 Wellington Street to the north. The Galleries element excludes the triangle of mainly older properties to the north-west in a mix of commercial and residential uses at the corner of Wellington Street with High Street : these are Nos.2, 2a, 2b, 4 and 6 Wellington Street; 59-61, 61a, 63, 65, 67-79, 81 & 83 High Street; and Bakehouse Mews. No.83 High Street directly abuts the west side of The Galleries where it fronts High Street. The Wellington Shopping Centre is located on the opposite side of Wellington Street to the west of The Galleries. The Council's proposed Union Street East (USE) re-development site is located to the north-west of Wellington Street.

The Galleries Shopping Centre is a two-storey purpose-built shopping mall building with the mall mainly situated at first-floor level, with servicing on the ground floor level below. It was built in the late 1980's, but not completed and opened until the mid-

1990s. It was last configured to provide 21 retail units and is now entirely vacant and the Mall closed and boarded-up. There is a bridge link across Wellington Street physically connecting the first-floor mall to the Upper Mall Level of the Wellington Shopping Centre (opened in the mid-1970s). Although, a side staircase from the first-floor Galleries mall also provided a pedestrian route directly down to street level in Wellington Street. The Wellington Street bridge link has been blocked-off where it adjoins the Wellington Shopping Centre since autumn 2017 as it no longer serves any useful purpose following the closure of the Galleries mall. The Council approved an application for demolition of the bridge link under ref: 20/00232/DEMOPP earlier this year, although this work has not yet been implemented. The current planning application site does not include the bridge link.

There are some independently accessible ground floor shop units located in the High Street and Wellington Street frontages of The Galleries building. Nos.16-18 Wellington Street (formerly Poundworld) is vacant and boarded-up; and 12-14 Wellington Street (Bright House) closed at the end of March and is not thought likely to reopen.

The adjoining shop properties at Nos.99 & 101 High Street (formerly a sports shop and a 'Zanussi MegaCentre') that are also included within the current application site are both vacant and boarded-up.

2. **High Street Multi-Storey Car Park Site** : Is located opposite the High Street (north) entrance into The Galleries and is an elongated triangular shaped area of land extending from the wider end to the west at Court Road (opposite Gala Bingo); and the NAAFI Roundabout at the narrower end to the east. This element of the site is bounded to the north by Wellington Avenue (A323), with Burger King, a car wash and MoD housing at Anzio Close opposite. The car park building itself is roughly rectangular in footprint and is situated within the wider part of the land. The car park is nominally of 5-storey height and has 9 parking levels. However, due to structural problems, only the lowest 4 levels of the car park remain in use, with the remainder inaccessible to the public. The narrower end of the Car Park Site contains a small stand of trees (the only trees within the entire site; none the subject of a Tree Preservation Order), an area of grass, a bottle bank and an access ramp into the car park. The Car Park site is in the freehold ownership of Rushmoor Borough Council.
3. **The Arcade Site** : This adjoins The Galleries Site (1 above) on the south side of Little Wellington Street. It is a smaller late 1980s modern shopping mall development with offices at first-floor level created from the re-development of a previously existing Victorian shopping arcade in the late 1980's. It is bounded by Wellington Street to the west; Victoria Road to the south; Nos.122-128 Victoria Road and the car park boundary of Aldershot Conservative Club to the east. The Arcade remains occupied (currently 74% occupancy level) by a number of small shops, especially along the frontages of Wellington Street (Nos.20-28) and Victoria Road (Nos.130-138). The active units comprise of a mix of Class A1, A2, A3 and Sui Generis (betting shop and tattoo parlour). The majority of the internal element of the Arcade, now only accessible from the Victoria Road end, is vacant. Excluded from, and inset into the south-west corner of The Arcade Site and the junction of Wellington Street with Victoria Road, is No.30 Wellington Street, which is an Edwardian turn of the 19th Century building (1896), occupied by National Westminster Bank.

Figure 1 (below) is a recent aerial view showing the overall application site (outlined) in relation to the remainder of Aldershot Town Centre as seen from the north-west. The central outlined section is The Galleries Site, with the Car Park site outlined to the left and the Arcade Site to the right.



Figure 2 (below) is another aerial view from the north. The Car Park site is in the foreground, with the glazed roofs of the malls for The Galleries and the Arcade Shopping Malls beyond.

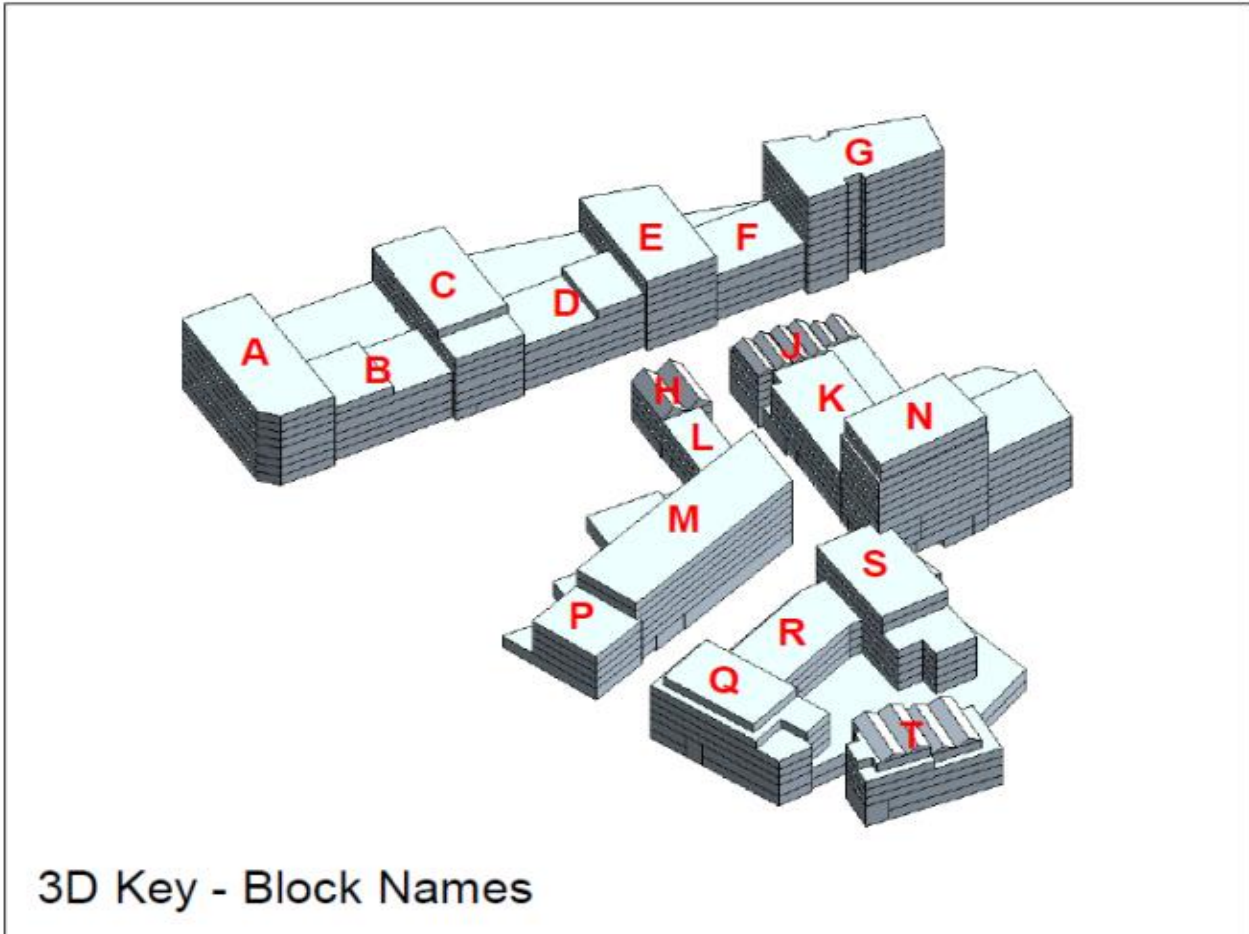


There is a noticeable fall in levels across the overall application site of approximately 6 metres from Wellington Street adjoining the Arcade to the NAAFI Roundabout.

The Proposals

The proposals are the single largest element of the planned regeneration of Aldershot Town Centre as initially envisaged by the Council with the Aldershot Town Centre Supplementary Planning Document (SPD) in 2009. This was subsequently replaced with the current adopted Aldershot Town Centre Prospectus SPD (January 2016); and the objectives then enshrined into formal planning policies within the current Development Plan for the area, the New Rushmoor Local Plan (2014-2032), adopted in November 2019. The proposals are a residential-led mixed-use scheme for the demolition of all of the existing buildings within the application site; and the comprehensive re-development of the site with a total of 18 distinct building blocks ranging from 4- to 12-storeys in height. Blocks A-G inclusive are proposed for the High Street Car Park element of the site; Blocks H-P (but excluding I and O) for The Galleries site; and Blocks Q-T inclusive for the Arcade site. Collectively these are designed contain a total 596 flats (330 X 1-bedroom 2-person occupancy; 150 X 2-bedroom 3-person occupancy; and 116 X 2-bedroom 4-person occupancy units of a mix of single level units, duplexes and penthouses.) on the upper storeys; together with 4,320 sqm (GEA) of flexible commercial, medical and/or civic floorspace at ground floor level, mainly within the Galleries portion of the scheme. These units vary in size from approximately 100 sqm to 600 sqm and some are double height and, as such, have potential for provision of mezzanine levels.

Figure 3 (below) illustrates the general location, arrangement and massing of the proposed buildings within the proposed scheme, together with the identity of the 18 various building blocks that make up the proposed scheme.



In respect of the proposed flexible commercial/community floorspace, the application description was amended with the agreement of the applicants in early September 2020 to reflect changes in the Use Classes Order that came into effect from 1 September 2020 as a result of the Town & Country Planning (Use Classes) (Amendment) (England) Regulations 2020. This new legislation has, inter alia, introduced new Use Classes E (Commercial, Business & Service) and F1 (Learning & Non-Residential Institutions). These have replaced various existing Use Classes and grouped various commercial uses together so that commercial premises can now, generally, be used more flexibly and for a combination of different commercial activities, without the need for planning permission. The application description was therefore amended in respect of the proposed flexible uses from “flexible commercial uses within Classes A1-A3 (retail and cafe/restaurant), B1a and D1 (medical and civic)” to “flexible commercial uses within Use Class E (commercial, business & service uses) and/or Use Class F.1 (learning and non-residential institutions; excluding schools and places of worship)” as set out in the title header of this report. It is, however, worth noting that this legislation is currently the subject of Judicial Review that may, if successful, modify or set back the implementation of the Use Class amendments. Members will be updated in respect of this matter as necessary. Nevertheless, a key feature of the proposals is that the proposed non-residential floorspace is intended to be used as flexibly as possible.

The proposals also involve the creation of some 3,252 sqm of new public realm space, largely in the form of a new public street and Square to link Wellington Street with High Street. The proposed new street would be of variable width between a minimum of 11.5 metres up to a maximum of Over 28 metres wide where it broadens out into the new Square.

On-site parking is to be provided at a ratio of 1:1 for all of the proposed flats, together with significant cycle parking provision (862 bicycle spaces overall) distributed throughout the scheme. The proposals are privately-funded and The Galleries and the Arcade are privately owned by the applicants. However, in order to bring forward the proposals, the Council has agreed, in principle, to relinquish its land interest in the High Street Multi-Storey Car Park so that this land can also be re-developed as part of the scheme. The Council is, as compensation, to take a long-term lease on a new 250 space public car park, which is also incorporated centrally into the proposed redevelopment within the eastern part of Block N. As a result, it is proposed that the scheme provides a total of 846 parking spaces. A total of 862 cycle parking spaces are also to be provided.

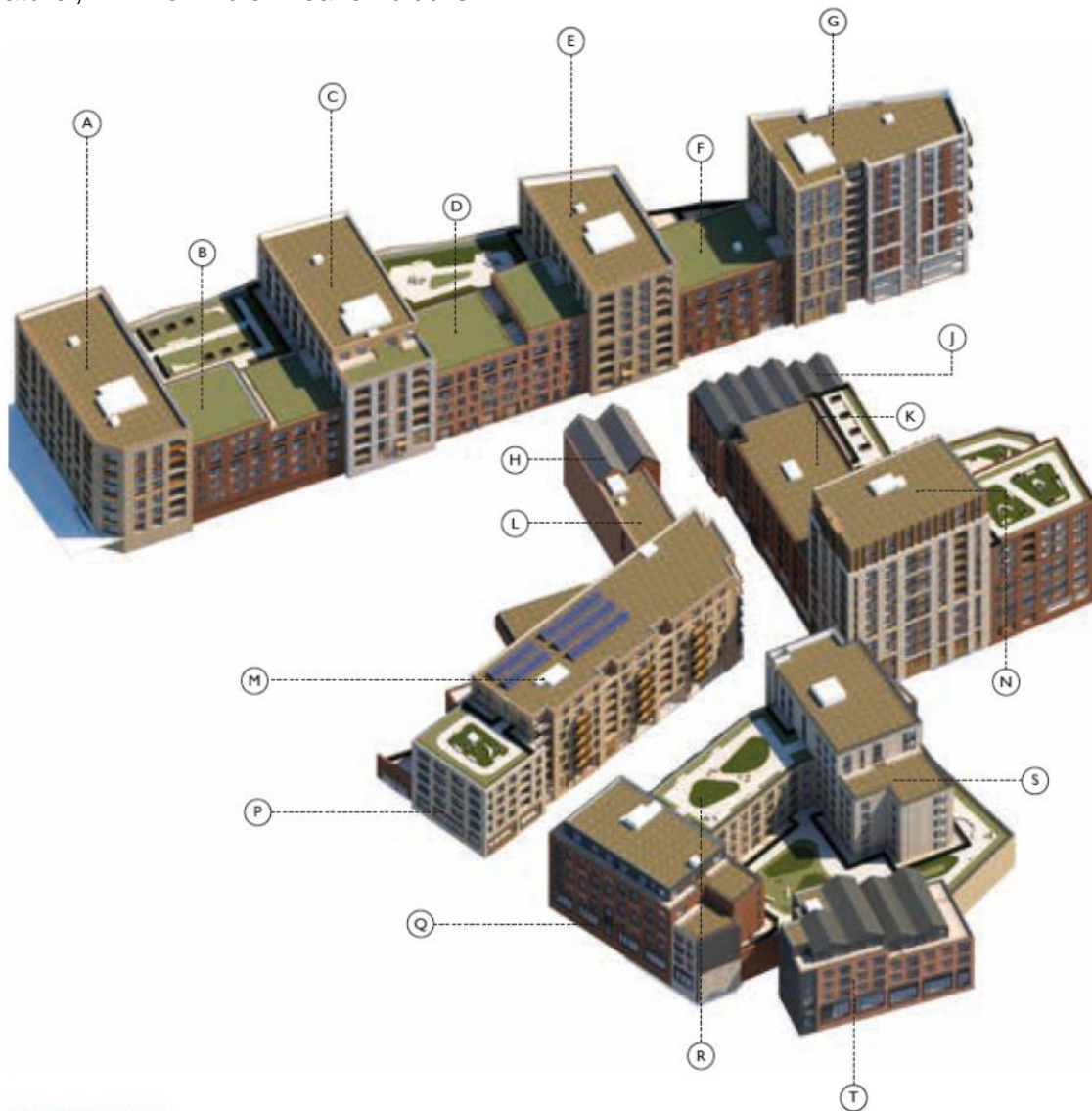
All blocks have been designed to have street level access. Vehicular access to the Car Park site is via Wellington Avenue with egress on to the High Street. Vehicles enter and exit both the Galleries site (Block N) and the Arcade site (Block R) via Little Wellington Street. The pedestrian entrance/exit to/from the public car park leads directly into the Square at the heart of the proposed scheme.

A comprehensive detailed Design & Access Statement has been submitted with the planning application. This sets out the evolution and rationale for the architectural design of the proposed scheme. The overall architectural character of the proposed development draws from the varied architectural palette existing within Aldershot. This includes utilising brick, masonry and brick together with multi-pitched roofs. External materials have been selected and detailed which are durable and require minimal maintenance.

The proposed building heights range from 4-12 storeys, with some buildings also having some lower elements – for example to the rear of Blocks M & P and Q, R, S & T reflecting larger lower floor areas. The following table summarises the variety of building heights across the proposed scheme:-

	Block	No. of Storeys		Block	No of Storeys
Car Park Site	A	7	Galleries Site	K	5
	B	Part 3, 4 & 5		L	4
	C	8		M	Part 7 & 8
	D	Part 4, 5 & 6		N	Part 8 & 12
	E	8		P	5
	F	Part 4 & 5		Q	Part 4 & 6
	G	11		R	6
Galleries Site	H	4	Arcade Site	S	9
	J	Part 4 & 5		T	Part 4 & 5

Figure 4 (below) shows the overall architectural function of each block is identified as either 'Corner', 'Feature', 'Link' or 'Rule-Breaker' blocks.



BLOCK TYPOLOGIES

- Block A
 - Block H
 - Block J
 - Block P
 - Block Q
- Corner Blocks

- Block E
 - Block G
 - Block N
 - Block S
- Feature Blocks

- Block B
 - Block D
 - Block F
 - Block L
 - Block K
 - Block R
 - Block T
- Link Blocks

- Block C
 - Block M
- Rule-Breaker

In total, some 3,716 sqm of private communal amenity space for the use of residents is to be incorporated into the proposed scheme in the form of gardens on some of the roofs of the proposed buildings. These are situated on top of the link blocks of the Car Park site (at level 3), interspersed on the Galleries site (at levels 1, 4, 5 and 7) and on the Arcade site (at level 1). The following table summarises the basic function and scale of the proposed development and how the proposed development would be distributed within the application site:-

Scheme Element	Dwelling Units	Resident Parking Spaces	Public Parking Spaces	Bicycle Spaces	Notes
Car Park (CP)	114 X 1-bed; 76 X 2-bed 3-person; 40 X 2-bed 4-person 235 flats in total	425 (including 46 disabled spaces)	0	344	190 surplus resident spaces for use of GA site residents.
Galleries (GA)	130 X 1-bed; 37 X 2-bed 3-person; 46 X 2-bed 4-person 213 flats in total	21 (including 20 disabled spaces)	250 (including over 10% disabled spaces)	312	192 space resident parking space shortfall provided by CP and AC sites. GA site provides all public parking.
Arcade (AC)	86 X 1-bed; 37 X 2-bed 3-person; 25 X 2-bed 4-person 148 flats in total	150 (including 7 disabled spaces)	0	206	2 surplus resident spaces for use of GA site residents.
Totals	330 X 1-bed; 150 X 2-bed 3-person; 116 X 2-bed 4-person 596 flats in total	596 (including 73 disabled spaces)	250 (including over 10% disabled spaces)	862	
		846 Parking Spaces in total (including 98 disabled spaces)			

The proposed development is to be phased, with The Galleries and Car Park portions of the site to be re-developed first as Phase 1; with Phase 2 to comprise the Arcade site to follow later:

Phase 1	Phase 2
<ul style="list-style-type: none"> • Existing MSCP to be demolished • Existing Galleries Shopping Centre to be demolished • Blocks to be built on Galleries Site (including replacement public car parking) • Public realm to be started and Phase 1 of the public realm to be completed • MSCP site blocks to be built 	<ul style="list-style-type: none"> • Arcade Shopping Centre to be demolished • Blocks to be built on Arcade Shopping Centre site • Phase 2 of the public realm to be completed

The phasing is deliberate in order to limit disruption to existing town centre businesses currently occupying the Arcade and also in order to reduce the construction impact of the development. Members may also be aware that there are also preliminary works to undertake in the vicinity of the development site to divert an existing main sewer, which are works to be funded by a HIF grant. The indicated phasing of the proposed development not only matches the expectation of the site allocation policy of the adopted New Rushmoor Local Plan (2014-2032), but also the Council's contractual requirements for the re-provision of the town centre public car parking to be lost by the re-development of the High Street multi-storey car park.

Green roofs are also proposed on Blocks A, C, E and G on the Car Park site, Blocks K, M and N on the Galleries and on Block Q and S on the Arcade site, measuring a total of over 4,000sqm.

The application is accompanied by a Design & Access Statement incorporating Landscape Statement; a Planning Statement; Transport Assessment; Framework Travel Plan; Public Consultation Statement; Daylight & Sunlight Study; Air Quality Assessment; Acoustic Report; Phase 1 Site Investigation Desk Study; Financial Viability Report; Flood Risk Assessment including Drainage Strategy; Tree Report; and Ecological Impact Assessment.

The applicants provided an on-line virtual presentation of the application site and proposals to Members on 20 October 2020 in lieu of a formal Members' Site Visit being undertaken.

Relevant History

Galleries and Car Park Site Combined : Planning permission was granted in June 1988 for the "Wellington Centre Phase II" : a new shopping centre (9,005 square metres gross internal floorspace) comprising two major space users; 33 standard units; a mall cafe seating 100 people at Little Wellington Street; a bridge link over Wellington Street to link with the original Wellington Centre; and a multi-storey car park at the former police station site", RSH05325. This planning permission was sought by Sibec Developments Ltd, whom were also the developers of the original Wellington Centre. However, after constructing the High Street multi-storey car park and a practically watertight shell to the shopping centre building, Sibec filed for bankruptcy. Although the multi-storey car park was brought into use and owned and operated by the Council, the incomplete mall development was mothballed and eventually completed and the shop units let once sold into different ownership in the mid 1990's. Together with the bridge link, the Phase 2 mall was built approximately 20 years after the original Wellington Centre, but is most recently known as "The Galleries". It has now been vacant and unused for approximately 10 years; and has been in separate private ownerships from the Wellington Centre since it was completed. Most recently the property was acquired by Shaviram Aldershot Limited, the current applicants, from Threadneedle Property Investment Ltd.

Prior Approval for the demolition of the redundant Wellington Street bridge link was granted in April 2020, 20/00232/DEMPP. To date the demolition has not taken place, but has the necessary planning consent from the Council.

Arcade Site : Planning permission was refused by the Council in March 1988 for the "Wellington Centre Phase II : demolition of existing Arcade shops and offices and construction of new Arcade and shops" (RSH5063/1), together with an accompanying application seeking Listed Building Consent for the demolition of the existing Arcade, which was a Grade II Listed Building (RSH5062/2/LB). However, the subsequent appeals against

these refusals were allowed at appeal in September 1989, thereby granting planning permission for the loss of the original Victorian Arcade building and its replacement with the modern facsimile that currently exists. Since then the New Arcade has been the subject of a variety of applications for shopfronts, signage and changes of use of individual units. In May 2013 an appeal was allowed and planning permission granted for the amalgamation of existing retail units with internal and external alterations to facilitate the change of use of part of the building from A1 (retail) to A4 (public house) with creation of a larger A1 retail unit – with this last element of the proposals subsuming a section of the Arcade mall to enlarge a shop unit and, thereby, permanently closing off the Wellington Street end of the Arcade; (12/00565/COU).

The Council formally confirmed in October 2020 that the current proposals did not require an Environmental Impact Assessment (20/00667/SCREEN).

At the 24 June 2020 meeting of the Council's Development Management Committee Members will recall that it was resolved to grant planning permission subject to the completion of a s106 Legal Agreement for the re-development of the nearby Union Street East (USE) site. This other proposed regeneration scheme for Aldershot Town Centre is described as *“Demolition of existing buildings and construction of 100 residential planning units (Use Class C3) and 128 student units (Sui Generis) together with 2,237sqm (GEA) of flexible retail/commercial/business/community floorspace (Use Classes A1-A5/B1/D1), public realm enhancements including hard and soft landscaping and associated access, servicing, car parking and cycle parking”* (20/00171/FULPP). Planning permission has yet to be granted for this other major town centre regeneration scheme pending the completion of the s106 Agreement.

Consultee Responses

Lead Local Flood Authority (Hampshire County Council)	No objections subject to conditions.
County Archaeologist	No objections.
Aldershot Garrison	No response received during the consultation period, thereby presumed to have no objections.
Aspire Defence Services Ltd	No response received during the consultation period, thereby presumed to have no objections.
Hampshire Bat Group	No response received during the consultation period, thereby presumed to have no objections.
RBC Contract Management (Domestic Bin Collection)	Enlarged bin storage rooms with adequate bin collection facilities. More information also required in respect of bin lorry manoeuvring spaces.
Parks Development Officer	No objections and provides details of Public Open Space schemes that can be related to the proposed development for which s106

contributions totalling £100K should be secured.

Conservation Team	No objections, but makes a number of comments : The High Street Car Park, The Galleries Shopping Centre and the Arcade Shopping Centre are not within a Conservation Area or have listed or locally listed buildings within, therefore no heritage assets are directly affected. There are three listed buildings on Station Road : the former Palace Cinema, The Post Office, and the Masonic Hall; all Grade II, that are within the adjacent surroundings to the application sites. There are also a number of locally listed buildings adjacent to the site; George Pub, 115 and 117 Victoria Road, 41 Station Road, 3-11 Wellington Street, 49-51 Union Street. The proposed mix use is welcomed. The design and layout forms strong boundaries and useable spaces; public, private and communal. The space in between buildings; hard and soft landscaping could be more intensely planted and for the location/aspect; shade or sun, and for all year interest. More planting and at all canopy levels, more 'leafy', preferably less contained within pots/planters and seats, forming a green corridor through the blocks within the communal areas and walkways.
HCC Highways Development Planning	No highway objections subject to conditions.
Ecologist Officer	More information required concerning bat surveys and biodiversity gain proposals.
Scottish & Southern Energy	No response received during the consultation period, thereby presumed to have no objections.
Environment Agency	No objection subject to conditions.
Hampshire Fire & Rescue Service	No objections, but provides generic fire safety and precautions advice.
Southern Gas Network (Formerly TRANSCO)	No response received during the consultation period, thereby presumed to have no objections.
Environmental Health	No objections subject to conditions:
Planning Policy	No policy objections.
Aboriginal Officer	No objections subject to conditions
Natural England	Further information required to determine impacts on designated sites. As submitted, the application could have potential significant effects on nearby European designated sites, such as the Thames Basin Heaths Special Protection Area (SPA). NE advises that this application could contribute additional road traffic movements to

roads in close proximity to European designated sites, causing potential impacts particularly though increased nitrogen oxide (NOx) emissions.

[Officer Note: a revised response from NE is awaited and Members will be updated at the meeting in this respect.]

Hampshire & I.O.W. Wildlife Trust	No response received during the consultation period, thereby presumed to have no objections.
RBC Housing	No comment.
Police Crime Prevention Design Advisor	No response received during the consultation period, thereby presumed to have no objections.
Thames Water	No objections subject to conditions.
South East Water	No response received during the consultation period, thereby presumed to have no objections.
The Victorian Society	No response received during the consultation period, thereby presumed to have no objections.
RBC Employment & Skills	No response received.

Neighbours notified

In addition to posting a total of six site notices and the usual press advertisement, 769 individual letters of notification were sent to properties in High Street, Wellington Street, Wellington Avenue, Victoria Road (including The Arcade), Pickford Street, Union Street (including The Wellington Centre), Station Road, Artillery Road and also the military housing at Alamein Road, Anzio Close, Cassino Close, Falaise Close and Salerno Close. This includes all properties adjoining the application site.

The application has also been the subject of a number of articles in the local press both pre and post the submission of the application. The applicants undertook public engagement exhibitions pre-application in July 2019 and shortly before the current application was submitted.

Neighbour comments

A total of 33 third-party representations have been received.

Objections: Whilst generally expressing support for the general principle of, and the need for, the proposed regeneration of Aldershot town centre, the proposed public realm provision; and the proposed investment in the Town; 21 are objections, primarily received from people in Aldershot. In this respect objections have been received from the occupiers of domestic properties at: 92 Bell Close, 37 Cranmore Gardens, 62 Coronation Road, 23 Fawn Drive, 62 St. Georges Road, 93 Haig Road, 196 & 206 Holly Road, 254 Lower Farnham Road, 5 Rock

Gardens, 14 Sheridan Close, 47 Station Road, 1 York Crescent (email #1). Objections have also been received from the occupiers of 29 Ellison Way, Tongham outside the Borough. London & Cambridge Properties (leaseholders and operators of the Wellington Centre); Princes Gardens GP Practice (2A High Street); North East Hampshire & Farnham Clinical Commissioning Group (CCG); Aldershot Civic Society; The Aldershot Conservative Club; a member of the Rushmoor Cycle Forum; and Councillor Roberts also raise objections. The following summary objections have been raised:-

- (a) The proposals are contrary to policy : the adopted New Rushmoor Plan envisages provision of 500 dwellings and the proposals exceed this by 96 dwellings, such that community infrastructure such as doctors etc may not be able to cope. It is much more than the community could have ever anticipated;
- (b) Gross over-development : the proposed scheme should be radically reduced in scale, height and density;
- (c) The proposed buildings are too tall, especially Blocks G and N. The applicant's justification for the heights of the proposed buildings is based upon the comparison with the existing tallest buildings in Aldershot – which are not the best exemplars and should not be copied. The inappropriate height also results in buildings of significant volume and mass. Locating a 12-storey building at the centre of the development doesn't mean it is acceptable, that it is hidden or won't be seen from around town : it will have a significant impact on the nature and feel of the town centre, and on protected views;
- (d) Whilst it is appreciated that the Car Park site is identified in the Local Plan as a location to provide a 'focal point', what is proposed in these designs is an oversized voluminous mass that does nothing to connect the town centre to the surrounding area or with movement along key arteries, Naafi roundabout, or with the large-scale Wellesley development to the north. Block G is far too tall for this site and is out of proportion to the buildings on the other side of the High Street, which will be swamped and diminished by this building. This prominent location is crucial to the experience and perception of Aldershot town centre. There is so little originality, shape, or detailing in the proposed building. Far from being a welcoming "gateway", what is proposed is more like a barrier fortress to the town centre, which will give a very poor first impression to anyone entering the town from the east;
- (e) High-rise flats do not work as places for people to live. Fire-hoses may not be long enough to reach the top of the proposed new buildings – this was a problem at the Grenfell Tower;
- (f) Whilst the redesign of Block Q to step down in height so that it appears less dominant and enables a fuller appreciation of the NatWest Bank building (30 Wellington Street) along Wellington Street, the relationship of this finely detailed historic building with the proposed larger blocks surrounding it remains of concern;
- (g) It will be important to make sure the public spaces don't become a lifeless and used by people simply to transit between places, and that elements to support a vibrant town centre are built into the designs at this stage. Further design and development is required to make it useful beyond a transit route (e.g. for town events). Given the existing issues around antisocial behaviour in the town centre, it is not clear how the design for the public realm and open space facilitates a positive change and discourages anti-social behaviour, for example through the use of lighting, access, 'eyes on the street, etc. and without defaulting to CCTV which comes with a raft of maintenance and operational issues and rarely results in resolutions;
- (h) Inadequate Parking Provision : although a ratio of 1 space per flat is good for reducing traffic pollution, it is unrealistic since even 1-bedroom flats can have two persons with cars living in them. Underground parking is provided routinely in developments in

Europe, but is presumably not cost-effective in the UK.

- (i) Of the 250 parking spaces to be provided to the Council to compensate for the proposed loss of the High Street multi-storey car park, 43 spaces are already committed to provide for some of the parking needs of the nearby Union Street East re-development scheme, leaving a net loss of public parking for the Town. People will not be encouraged to visit Aldershot if there is not sufficient parking;
- (j) Poor design and material : these are bland, poorly detailed and generically modern, so do little to complement the historic character and appearance of Aldershot. The proposals lack local distinctiveness and could be designed for 'anywhere' : they have the appearance of being office buildings. The proposed development is considered likely to date quickly. Blocks A to G are considered particularly bland in appearance and will date quickly. The balconies proposed for Block G look 'stuck-on'. There is inadequate visual separation between the residential storeys of the proposed development from the street-level proposed commercial uses – they look the same;
- (k) Over-provision of flats in the Town Centre;
- (l) Detrimental impact upon the Victorian and military heritage of the Town, which has already been denuded by previous developments. The heritage of the town is not celebrated : the proposed modern buildings are considered to be completely out of character with the local Victorian heritage that surrounds the site. There is no identifiable coherence or originality in the proposals. The Nat-West Bank building at the corner of Wellington Street and Victoria Road will be adversely affected. It is difficult to see any obvious link between the design of the proposed development and the Victorian heritage of the town. A 'heritage pastiche' is not wanted, but contemporary high quality designs that support and underline the heritage qualities that are already present in the town are needed;
- (m) The adopted Aldershot Town Centre Prospectus SPD clearly identifies a large number of locally listed buildings and 'Other buildings of heritage quality' that are adjacent to proposals, as well as statutorily listed buildings and identified important views in the immediate vicinity : these have not been addressed;
- (n) Lack of affordable housing provision;
- (o) No provision is made for motor-bike/scooter parking and for charging of electric vehicles. This is a serious omission that must be addressed;
- (p) Inadequate provision is made for cycling in Aldershot. A modal-shift towards more sustainable modes of transport, such as cycling, will not happen unless the proposed development provides financial contributions to enable the necessary improvements to be made, such as junction and road crossing improvements, provision of cycleways (separate from pedestrian paths), new signage etc.
- (q) The proposed development needs to be made permeable to cyclists : the provision for cycle access, cycle parking and integration of cycle routes in Aldershot is poor;
- (r) Cycle parking provision for visitors to the development is poor in terms of security and shelter;
- (s) Some of the proposed flats have no outdoor space, which is now even more important following the Covid-19 lockdown;
- (t) The public realm elements of the proposed scheme need to be designed and developed in consultation with the Council;
- (u) Loss of trees in the town centre is concerning. Green space should be an integral part of this development. A landmark tree is required at the street corner adjacent to Block G;
- (v) Aldershot Town Centre has been mis-managed for decades and great care needs to be taken in considering the current proposals to ensure that they do not replicate the mistakes that have been made in the past;
- (w) Insufficient evidence has been provided with the application to support the promises

made in the submitted supporting material : The proposals are not a sustainable new approach to the regeneration of Aldershot and are considered unlikely to be any more acceptable than previous efforts at improving the lot of the Town and its people : the fundamental flaws and contradictions in the principles of town centre regeneration remain. It is considered likely that the proposed commercial units will remain unlet and vacant. It is unclear how the proposed scheme can possibly attract more retailing and employment opportunities when the development of considerably more new dwellings with the Wellesley development has resulted in further retailers leaving the town. The proposals will not improve the vitality and viability of the Town : any new residents of the scheme that are economically active are considered likely to spend most of their disposal income outside the Town;

- (x) The proposals should provide accommodation for service-based businesses (rather than for retailing), since this is the type of economic activity that is needed and has been lost from the Town to date by the conversion of many commercial buildings into residential flats;
- (y) The proposed development would only be of benefit to the developers and provide none to the Town – for whom profit is the primary motive; and
- (z) Possible loss of access to business, noise, dust and pollution arising from the demolition and construction phases of the development : no-one has been consulted about this and it would be likely to have a disastrous impact on businesses in Aldershot Town Centre, particularly on top of the impacts of Covid-19.

In raising their objections, Aldershot Civic Society, additionally express the view that there is still an opportunity to make modifications that show that community feedback is listened to and a legacy can be created of which residents of the whole town will be proud. The Civic Society therefore look forward to seeing updated designs taking into account the representations that have been submitted.

London & Cambridge Properties (LCP : leaseholders and operators of the Wellington Centre) strongly object on the following grounds:-

- (aa) The proposed provision of over 40,000 sqft of flexible/retail commercial space would be harmful to the vitality and viability of the Wellington Centre : the proposed development (unlike the Wellington Centre) is not located within the primary shopping area (and frontage) of the Town Centre – it is located in a secondary frontage where a more diverse mix of town centre uses are considered more appropriate. As such, it is suggested that the proposed development restrict the proposed commercial uses to exclude A1 retail activity;
- (bb) Lack of Affordable Housing : the proposed scheme fails to provide affordable housing in line with the Council's adopted planning policy : in this case 119 affordable units would be 'lost' exacerbating the existing under-delivery of what is needed in the Borough;
- (cc) Due to the scale and siting of the proposed development, it would be prominent from several medium and long terms views, partly due to the elevated nature of the Town Centre as whole. It is therefore considered that a more thorough assessment of the impact of the height of the development is required. It is also considered that there may also be medium distance views from the Aldershot West Conservation Area that need to be carefully considered.
- (dd) Permanent Removal of the Bridge Link to the Wellington Centre: Whilst granted by the Council earlier this year as a result of a Prior Approval for Demolition submission (20/00232/DEMOPP) [so not the subject of the current application], there has been inadequate co-operation from the applicants with LCP concerning this

matter. LCP have expected the applicants to work with them to come to an agreeable solution : the removal of the bridge link is asserted to have caused a permanent loss of footfall at the first-floor eastern end of the Wellington Centre and a significant drop in the trading and vitality to the first floor retail units in particular. LCP request that the applicants provide an additional escalator/lift/stairwell access to the first-floor mall level to restore footfall to this part of the Centre. It is argued that LCP has legal rights of access over the Bridge Link and therefore, the applicant is prevented legally from removing the bridge without LCP's consent.

[Officer Note: this particular matter is clearly solely a private legal matter of dispute between the applicants and LCP and is not an issue that can be taken into material account by the Council in the consideration and determination of the current planning application. Indeed, the removal of the Bridge Link does not form any part of the proposals the subject of the current application and, indeed, already has all the planning consent necessary from the Council to be implemented. Whether or not the demolition works can actually proceed for other reasons is not a matter for the Council as Local Planning Authority.]

The North East Hampshire & Farnham Clinical Commissioning Group (CCG) support, in concept, the redevelopment & regeneration of Aldershot town centre; and recognise the benefits that these proposals will bring to local residents and businesses. *However* objection is raised because, as a result of a number of large new housing developments, the number of patients in Aldershot is due to increase by 29%; over 13,000 new patients. The 4 GP practices are currently deemed to be "right sized" for their existing patient numbers and there is insufficient existing GP practice capacity to accommodate the anticipated population growth. Princes Gardens GP Surgery (2A High Street) reiterate these comments and add that they want to work with the Council and partners to improve healthcare and the health inequalities that exist in the Borough. They further comment that they are already at capacity for our current list size and do not have sufficient space within their current building to provide service to occupiers of the proposed development without support.

Aldershot Conservative Club raise objection solely on the basis that access to the Club must not be blocked during the construction period.

Councillor Roberts raises objection of the basis that the impacts of the Covid-19 pandemic and the climate emergency must be taken into account in considering the proposals in terms of: pollution arising from the construction of the development, flexible spaces should be provided, the development should be self-supporting in energy use from renewable sources, use of green roofs for urban cooling, use of grey water recycling, be carbon neutral, provide housing that meets the needs of the area (not the needs of the developer), be an exemplar for the Council in terms of movement planning, and only green modes of transport supported by the development.

Support: 8 expressions of support for the proposals have been received from the occupiers of 56 Brighton Road; 11 Caitlin House, 77a High Street; 83 Campbell Fields; 1 Cargate Hill; 50 Roberts Road; 4 South Walk, North Lane; 1 York Crescent (email #2); and 8 Young Way, Wellesley. In expressing support for the proposals, some do so on a conditional basis. The comments received are as follows:-

"These plans look fantastic and will help create a nice town centre for the people of Aldershot. And it's good to see all the green areas being put in. I really like how they blend the old building with the new and should match in well with the Union Street development and giving Aldershot a nice modern town centre."

"I broadly support this redevelopment with the caveat that we really do not need more retail space included. The Government has killed retail and the Council is wrong to think it can continue to rely on business rates as a source of revenue."

"Love the proposal and thoughtful changes since July 19. Block N too high; visual harm to skyline. Block B very wide; design consideration: where it's got two roof heights, could it look like two separate buildings instead of 1 long one? Also honeycomb brickwork looks like its 1960 wrong time period. I dislike that style. Otherwise beautiful, thoughtful and responding to residents' opinions."

"The proposal looks sound as far as I can see. Aldershot desperately needs something to be done to improve it, not endless promises and nothing happening. I have lived in Aldershot for a long time, and am very proud to do so, but the centre seems to be crumbling before my eyes and has been for some time. I know that town centres gave problems in most places, not helped by the pandemic. However, the Galleries in particular has been a disgrace. We have all been let down."

"We have waited far too long for the re development of Aldershot, This looks a great combination of Retail, Residential and open space. Time to crack on and get developing."

"I like very much the fact that the indoor centre goes and it is now an open street with shop units and residential on top. Nice use of materials and brick colours in design, roof gardens nice feature. I would like to see something more imaginative done with the open street however, areas for public performance, seating located relevant to performance areas eg. amphitheatre (tiered steps/seating), huts for small temporary food or retail, overspill from commercial units, etc."

"Redevelopment of High Street is very important for us, because we need urgently a park space, and provide adequate living areas places and flexibility commercial utilities, medical, and civic places to make the Aldershot a beautiful place to live and visit."

"I strongly support this application. Aldershot is in desperate need of redevelopment and these plans will enable what is a dying town centre to become vibrant and attract development. With the creation of over 3,000 new homes on the Wellesley site, new residents need somewhere to relax and be social. This development will create new jobs and bring a new lease of life to the town centre. Attracting more young people to the area. The site as it stands today is ugly and needs redeveloping urgently."

Neutral Comments: Have been received from Rushmoor Cycle Forum; 8 Dukes Close, Farnham (representing Hampshire Ornithological Society); Hampshire Swifts (another County-based charitable ornithological organisation); and 21 Honnington Mews, Farnborough.

Rushmoor Cycle Forum make a number of comments concerning the application. A substantial S106 contribution is needed to provide cycling infrastructure in order to meet the NPPF and HCC Cycling Strategy policy requirements given in the submitted Transport Assessment (para. 2.2.2 and 2.2.3) and to meet the Travel Plan targets of 10% modal share for cycling. The minimum requirement is that residents, workers and guests can ride safely and conveniently from the entrance of their building to local destinations. It is stated that none of the immediately surrounding roads, A323, Station Road, Victoria Road and High Street meet current standards for safe cycling infrastructure. They are all busy 30mph roads

and the NAAFI roundabout is particularly hazardous for cyclists. The one-way system prevents Station Road from providing a direct connection from the sites to the railway station. The immediate area is threatening to all but a hard core of dedicated cyclists, and so only a small minority are willing to take the risk. Without changes it will be impossible to increase the modal share of cycling. The upsurge of cycling during the recent COVID-19 lockdown, due to the quiet roads, demonstrates that there is no need to encourage cycling if the roads feel safe. Families have felt able to venture out on bikes for the first time. A Local Walking and Cycling Strategy Plan (LCWIP) for Rushmoor is planned to be produced by Hampshire County Council during this financial year. The LCWIP will need to comply with LTN 1/20, the current standard for cycling infrastructure in England. LTN 1/20 has a core design principle (1.5.2): "Networks and routes should be Coherent; Direct; Safe; Comfortable and Attractive." and has as the first of 22 summary principles (1.6.1 1)): "Cycle infrastructure should be accessible to everyone from 8 to 80 and beyond: it should be planned and designed for everyone. The opportunity to cycle in our towns and cities should be universal." The connections to the development need to meet LTN 1/20 standards and to be able to be approved by Active Travel England, the new inspectorate promised in "Gear Change". In conclusion, the Rushmoor Cycle Forum note that a substantial S106 contribution needs to be provided towards implementing the Aldershot Town Centre part of the Rushmoor LCWIP.

The Hampshire Ornithological Society : Applaud the decision to install nest-boxes for Peregrines. However, since they are highly territorial you need only put a box on the tallest building because they never nest less than 2km apart. However disappointment is expressed that only 10 Swift bricks are being suggested, which is considered to be a missed opportunity : there is surely room for more like 50 boxes to create a decent-sized colony?

Hampshire Swifts : is a charity devoted to the conservation of Swifts in Hampshire and part of a national network of Swift groups throughout the UK. It is requested that consent for the proposed development should include a requirement for multiple internal nest sites for Swifts. The recommendation of the applicants Ecologists that ten integrated swift bricks should be installed is welcomed, demonstrating a clear commitment to biodiversity enhancement. However, when reviewed in the context of the large scale of the development, it is considered that this allocation needs to be amended in order to best match current good practice which is for one integral nest site per dwelling. Hampshire Swifts therefore strongly recommend the installation of at least 600 integral Swift bricks – and that this is secured by the imposition of a planning condition.

The occupier of 21 Honnington Mews, Farnborough comments that it is essential that all homes and businesses proposed within the development have fibre broadband installed at the time of building in line with Government Policy on infrastructure to avoid the problems now experienced on the Queensgate development in Farnborough. Given the transformational change occurring at this time between conventional high street and online shopping, the development should also include flexible use building techniques to avoid a possible "lots of empty shops" scenario [*Officer Note: the proposals are, indeed, seeking flexible use for the proposed commercial floorspace.*]

Policy and determining issues

The site is located both within the defined urban area of Aldershot and the town centre of Aldershot as defined by the New Rushmoor Local Plan (2014-2032), adopted November 2019. The site is not located within a Conservation Area, nor adjoins one. The site does not contain any Listed Buildings and none are located immediately adjacent : the nearest Listed Buildings are the former Palace Cinema and the Post Office Buildings on Station Road.

There are some Buildings of Local Interest (BOLI) are located at No.41 Station Road; 1-11 Wellington Street and 49- 51 Union Street; and the Former George Hotel; and Nos.115 & 117 Victoria Road at 'Bank Corner', at the junction of Wellington Street, Victoria Road and Gordon Road.

Within the defined Town Centre area, the Galleries and Arcade portions of the application site are identified as being within the 'Primary Shopping Area'. However, within this, the Wellington Street frontage of The Galleries portion of the site is then more specifically identified as 'Primary Frontage'. However, the street frontages of the Arcade site onto Wellington Street and Victoria Road are 'Secondary Frontage'. The whole of The Galleries is identified as 'Additional Secondary Frontage (Aldershot)'. These policy designations amount to a hierarchy of protection and encouragement for the pre-dominance of retail uses, with the primary frontages subject to less tolerance of the introduction or creation of concentrations of non-retail uses.

New Local Plan 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), SP1.4 (The Galleries), IN1 (Infrastructure and Community Facilities), IN2 (Transport), IN3 (Telecommunications), HE1 (Heritage), HE3 (Trees), 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), and NE8 (Sustainable Drainage Systems) are considered relevant to the consideration of the current application.

Also relevant are the Councils adopted Car and Cycle Standards Supplementary Planning Document (SPD) adopted in 2017, Aldershot Town Centre Prospectus SPD (2016), Affordable Housing' SPD (2019) and Buildings of Local Importance (BOLI) SPD (2012). Although there is a draft replacement for the BOLI SPD (the draft Locally Listed Heritage Assets SPD 2020), this emerging document currently carries little weight in the consideration of planning applications.

Given that the proposal includes the provision of town centre uses on the ground floor, the 'Shop Front Design Guide' SPD (adopted in February 2015) is also relevant to the consideration of the proposal. The SPD provides detailed design guidance on the alteration or installation of shop fronts and shop signage in order to maintain or raise the design quality of these features in the townscape.

The advice contained in the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG) is also relevant.

The Aldershot Town Centre Prospectus SPD (2016) set out the Council's emerging policy for the redevelopment of the Galleries site as a supporting document to the current adopted Rushmoor Local Plan (2014-2032). It sets out a strategy for revitalising the town centre and surrounding areas, based on objectives for improvements linked to key development areas and opportunities for public realm enhancements. The application site is central to the Council's regeneration objectives for Aldershot Town Centre. At the time that the Prospectus

was adopted, the Galleries Site did not include the Car Park and Arcade portions of the current site. Nevertheless, the Prospectus describes the prospects for the redevelopment of The Galleries as 'transformational' and that the potential regeneration scheme could involve other adjoining properties. The Prospectus states the following:-

"The Galleries

The Galleries has remained almost vacant for many years now and its redevelopment is a high priority for the Council. The centre was built in the 1990s, but a major redevelopment project being planned in 2007 was a victim of the recession and so the site has remained unoccupied.

The site is unusual as the main internal arcade is at an upper level, connected to the Wellington Centre via a bridge over Wellington Street and with a cascade of escalators required to return shoppers to street level on to the High Street. This configuration makes it difficult to redevelop as a gradual, organic process and is likely to require a more comprehensive approach.

The bridge itself is a major imposition on Wellington Street. It blocks views to the Art Deco cinema building at the northern end of the street and to the late Victorian bank on the corner of Victoria Road. The street level is also artificially lowered to create headroom on the street, creating a gloomy space.

The opportunity created by the removal of the bridge would be a new street-level entrance into the Wellington Centre facing across Wellington Street to new shops around a public space created on the site of the Galleries. This would create a street-level route through to the High Street car park and deliver new town centre housing above shops.

The eastern part of the site provides the opportunity for a larger use fronting onto the new square. This could provide a suitable location for new retail development and new residential development.

Potential also exists for a commercial leisure centre within new development. Visitors would be able to make use of the existing car parking capacity in the High Street car park and the facility would act as a non-retail draw for the town centre, with potential to attract people seven days a week.

The Arcade block to the south of the Galleries could be usefully redeveloped or remodelled to take advantage of the new public space and create additional active frontage. If this option is not pursued then a new slim block of development should be provided to ensure that active frontages are created onto the square.

Cycle parking should be included in any scheme here."

Policy SS2 (Spatial Strategy) states in connection with new residential development that "At least 4,000 new homes [be provided within the Plan period (2014-2032)] from the remainder of the urban area, with: About 1,700 of these from within Aldershot (outside Wellesley)..." Policy SP1 (Aldershot Town Centre) provides an overarching framework for development in the town centre and 'prioritises the redevelopment of the Galleries and Union Street East to support town centre regeneration'.

In this respect the proposed development at The Galleries is a specific allocation for new residential development, with Policy SP1.4 (The Galleries) stating:-

“The Council will work proactively with developers to achieve a comprehensive redevelopment of the site as set out below. It is anticipated that at least 500 residential units can be provided in total across the three phases.

Phase 1 - The Galleries (short-term)

Proposals will be granted planning permission where they:

- a. Enhance retail provision along Wellington Street (primary frontage) and High Street (secondary frontage) and provide new frontage on to a public space focused on the area currently known as Little Wellington Street, comprising a mix of active town centre uses;*
- b. Provide a new public space of an appropriate size to accommodate civic/community events;*
- c. Deliver improved connectivity at ground floor level between High Street and Wellington Street via the new public space;*
- d. Provide residential development in the form of 1- and 2-bedroom units on upper floors, seeking to make best use of the south-facing elevation;*
- e. Provide public car parking provision, accessed via Station Road, of a minimum of 250 spaces to offset the proposed loss of the High Street multi-storey car park. The delivery of these spaces will be a prerequisite to Phase 2 being implemented;*
- f. Provide affordable housing in accordance with the requirements of Policy LN2 (Affordable Housing).*

Phase 2 - High Street Multi-Storey Car Park (short-term)

Proposals will be granted planning permission where they:

- a. Provide residential development in the form of 1- and 2-bedroom units and should seek to make best use of the south-facing elevation;*
- b. Provide affordable housing in accordance with the requirements of Policy LN2 (Affordable Housing);*
- c. Make best use of the gateway opportunity presented off the Naafi Roundabout in respect of the design of new buildings. It may be acceptable to depart from established building heights in order to create a focal point at this location; and*
- d. Reinforce existing linkages from the north of the town through Court Road and into the Town Centre.*

Phase 3 - The Arcade (medium-term)

Proposals will be granted planning permission where they:

- a. Enhance retail provision along Wellington Street (secondary frontage) and provide new active frontage onto the public space delivered as part of Phase 1;*
- b. Respect the setting of 30 Wellington Street;*
- c. Provide residential development in the form of 1- and 2-bedroom units;*
- d. Provide affordable housing in accordance with the requirements of Policy LN2 (Affordable Housing).*

Contemporary materials and articulate designs will be welcome as part of the scheme in order to create an engaging and attractive part of the Town Centre.

The redevelopment proposals will be required to contribute towards the creation of a high-quality public space network within the Town Centre with an improved sense of place and a focus for community and civic activity. Mature tree planting and other landscaping will be required to assist the greening of the Town Centre.

Proposals should deliver a high-quality, distinctive built form. As such, it may be acceptable to depart from established building lines and heights in order to create focal points.”

The supporting text to Policy SP1.4 at Paragraph 7.26 of the Local Plan describes The Galleries development site allocation as follows:-

“The Galleries

7.26 *The Galleries site allocation comprises a purpose-built retail development, which has experienced high levels of vacancy in recent years, and extends to incorporate the High Street multi-storey car park to the north and the Arcade to the south. It is considered that the Galleries site presents an excellent opportunity to provide a residential-led mixed-use regeneration scheme in a key Town Centre location. Given the expansive footprint of the site and the anticipated demolition of a number of buildings, it presents the opportunity to consider a more flexible approach to building heights and building lines that will not appear incongruous within an established street scene. In particular, the redevelopment of Phase 2 [High Street multi-storey car park] should seek to reflect the gateway opportunity presented by the Naafi roundabout as an arrival point from the east into the town centre. The site is likely to come forward as a passed development, with the first phases in the short term (next five years) and the later phase in the medium term (five to ten years).”*

The main planning considerations in the determination of this application are considered to be:-

1. Principle;
2. Visual Impact upon Character & Appearance of the Area, including impact on trees;
3. Impact upon the Vitality and Viability of the Town Centre;
4. Impact upon Heritage Assets;
5. Impact upon Neighbours;
6. The Living Environment Created;
7. Highways considerations;
8. Affordable Housing;
9. Community Infrastructure Provision;
9. Public Open Space;
10. Flood Risk & Drainage;
11. Air Quality;
12. Biodiversity & Ecology considerations;
13. Archaeology;
14. Sustainability; and
15. Access for People with Disabilities.

Commentary

1. Principle -

The National Planning Policy Framework (NPPF) advises that the purpose of the planning system is to contribute to the achievement of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These roles are defined as

- *"contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and co-ordinating development requirements including the provision of infrastructure;*
- *supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*
- *contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy."*

The NPPF also advises that these roles should not be taken in isolation because they are mutually dependent, and the planning system should play an active role in guiding development to sustainable locations. Furthermore, it also advises that housing applications should be considered in the context of the presumption in favour of sustainable development to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

The proposal relates to three adjacent sites located within the defined urban area of Aldershot. The proposal is for the comprehensive redevelopment of The Galleries shopping centre, the High Street Multi-Storey Car Park and the Arcade across two phases to provide 596 new dwellings (comprised of 330 one-bedroom and 266 two-bedroom flats) and 4,320 sqm of flexible commercial, medical and/or civic floorspace at ground floor level across 13 units, with associated car parking, amenity space and landscaping to the public realm. In this respect, the proposals are considered to closely accord with the objectives and requirements of New Local Plan Policy SP1.4, which is the specific Local Plan policy allocating the overall Galleries site for comprehensive re-development. In this respect it should be noted that the Policy SP1.4 development allocation includes the adjacent properties at Nos.99 & 101 High Street that are also incorporated into the current proposed development.

The Local Plan recognises the significance of the three sites for town centre regeneration and that they provide *'an excellent opportunity to provide a residential-led mixed-use scheme'* (para. 7.26). The proposed development is seeking to make more efficient use of previously developed land, which is also a clear objective of the NPPF and local planning policy.

Policy LN1 requires *'a target of 5% of homes to be provided as serviced plots for self-build and/or custom-build homes'* : for the current proposals this would equate to 30 self-build or custom-build dwellings. The applicants address this policy by stating that self-build and custom build are *"wholly unfeasible' for a regeneration project of this type"* and that this *"should be regarded as a material consideration which ... outweighs the requirements of Policy LN1"* (Planning Statement, para. 4.72). Whilst the Council's self-build and custom housebuilding register can form *'a material consideration in decision-taking'* (National

Planning Practice Guidance, para. 014, ref. ID: 57-014-20170728), it is considered that the potential difficulties of delivering custom build units are significant and to be avoided in this case. Indeed, given the town centre location; detailed and coherent design approach; and importance of the proposed development to the regeneration of Aldershot, it is not considered that it would be desirable to encourage a degree of customisation of some of the proposed units in the way envisaged by Policy LN1.

Policy DE10 (Pollution) of the New 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. In this respect, the submitted Phase 1 Desk Study has identified a moderate to low potential for contamination to be present across the site. As such, it is considered that the risk of ground contamination affecting future residents is low and that there is no evidence that the site is unsuitable for the proposed development end-users having regard to the proposed mix of land uses involved. Based on the findings of the desk-top study the applicants' consultants recommend that a Phase 2 intrusive investigation be undertaken to provide a greater understanding of the risks posed by the development. Environmental Health agrees with this recommendation and requests the implementation of the standard site investigation conditions to deal with this matter. In addition, Environmental Health recommend that an asbestos survey be undertaken prior to demolition to ensure that any asbestos present is identified and dealt with in an appropriate manner. Whilst separate legislation covers the removal and disposal of asbestos, the Council's standard site investigation condition requires an asbestos survey to be undertaken.

The Galleries is a key site allocation, and the Rushmoor Local Plan supports the comprehensive redevelopment of the site to support the regeneration of Aldershot Town Centre. It is considered that the proposals are acceptable in principle (subject to all usual development control issues being satisfactorily resolved in detail) since the proposals are in line with Government objectives and the overall objectives of the Council's own adopted planning policies.

2. Visual Impact upon Character & Appearance, including impact on trees -

The site is not located within a Conservation Area nor directly adjoining Listed Buildings. The appropriate test for the consideration of impact upon the character and appearance of the area is therefore whether or not the proposed development would cause material harm to the visual character and appearance of the area as a whole. And whether it does this to such an extent that this would justify and sustain the refusal of planning permission. In this respect, it is necessary to consider the visual harm likely to be caused by the proposed development over and above any harm already considered to be caused by the existing buildings on the application site. Indeed, it is considered that the existing Galleries mall building and High Street multi-storey car park have a poor character and appearance; and give Aldershot a poor image, of course not helped by disuse, long-term closure and lack of maintenance.

In addition to the development criteria for the site allocation set out in Policy SP1.4, Local Plan Policy DE1 is a key consideration and requires new development *"to make a positive contribution towards improving the quality of the built environment"*. Amongst other things, it requires proposals to *"include high-quality design that respects the character and appearance of the local area"*; to *"respect established building lines"*; to *"take account of adjacent building heights, fenestration, roof and cornice lines"*; and to *"use materials sympathetic to local character"*. Proposals should also *"include a level of architectural detail that gives the building visual interest for views both near and far"*; *"make a positive*

contribution to the public realm”; and “give appropriate consideration to the relationship between public and private space”.

The Government’s National Design Guide, which was published in October 2019 and forms part of National Planning Practice Guidance, highlights that well-designed tall buildings can play a positive urban design role in the built environment, but that various issues *“need to be resolved satisfactorily in relation to context and local character”*. This includes *“their location and siting; relation to context; impact on local character, views and sight lines; composition – how they meet the ground and sky; and environmental impacts, such as sunlight, daylight, overshadowing and wind”* (para. 70). In the latter regard, it is noted that the applicant has submitted a Daylight and Sunlight Study in support of the application, which is considered primarily in the context of the impacts upon neighbours later in this report.

The vicinity of the application site has a mixed-use densely urbanised character very typical of a town centre, with a variety of land uses and buildings of different types, ages, scale and heights of development, conventional external materials; and extensions and alterations. Whilst there are examples of Victorian and Edwardian buildings dotted throughout the town indicative of the origins and history of the town, they do not predominate or define the character and appearance of the town centre as a whole, which is more mixed. In this overall context, the existing buildings at the application site are of modern design and built using conventional modern external materials and are, indeed, of designs not untypical of many town centre shopping centre developments nationwide.

Due to their size, height and central town centre location, some existing buildings within Aldershot Town Centre, such as Victoria House, the Wellington Centre multi-storey car park, Stafford House and Alexander House are readily visible from a variety of short, medium and long-distance publicly accessible vantage points from most directions within and beyond the town centre. Indeed, the existing Wellington Centre complex is widely visible, notably including even from the A31 road near Runfold, from where it is evident that the entire Aldershot town centre area has an elevated position in the wider landscape as seen from the south. The Town Centre is not generally seen in longer-distance views to the north because it is located behind the Hospital Hill ridge.

Despite their notable size and mass, the existing Galleries Mall and the High Street multi-storey car park are much less readily visible in medium- and longer-distance views of the town centre. Although they have a significant impact and presence in the street scene, this is in more localised views from within the adjoining roads in the immediate Town Centre area, albeit they are seen by many people on a daily basis.

In this context, there is no denying that the proposed development would appear very different from what it would replace and, indeed, the taller buildings would be more widely visible than the existing buildings in long-, medium and short-distance views. As such it will, as is clearly intended, ‘make a statement’ and, due to the overall scale of the scheme, also make its own contribution to the evolution of the character and appearance of the town. It is also important to consider that the proposals are intended to bring back into use a significant section of the Town Centre that has been unused and inaccessible to people for almost a decade. The question for Members to consider is whether the proposed development is a good design that changes the character and appearance of the Town Centre in a positive way and is sufficiently sympathetic to its surroundings.

Figure 5 (below) is a computer-generated image showing the proposed development from an aerial position to the north-east.



It is considered that there are distinct advantages in bringing forward regeneration proposals on a larger scale, since they are able to introduce a more consistent and coherent overall design than would be the case with more piecemeal developments. The proposed development has been designed based on clear adopted Local Plan policies; and the supporting documents submitted with the application provide a clear explanation of the design rationale of the scheme. As demonstrated by the Design and Access Statement, the architects' proposals are carefully considered and informed by an in-depth understanding of local context and character and analysis of the constraints and opportunities for development. This includes an appreciation of Aldershot's Victorian architecture and historical context. The proposed buildings are made up of 'feature blocks', 'corner blocks', 'link blocks' and 'rule breakers' which are intended to provide a degree of variation in terms of architectural detail, the material palette used and building scale.

The proposed scheme ranges from between four and twelve storeys in height, with the tallest elements of the scheme comprising Block G at the Car Park site and Block N within the Galleries site at eleven and twelve storeys respectively. The applicant intends these blocks to act as features or landmarks. In this regard, Policy SP1.4 notes that *"it may be acceptable to depart from established building lines and heights in order to create focal points"* and that proposals at the multi-storey Car Park site should *"make best use of the gateway opportunity presented off the NAAFI roundabout"*. Given this clear invitation to incorporate taller buildings within the scheme within the Council's adopted planning policies it is considered that it would be difficult to deny the scheme on grounds of excessive building height. In any event it is further considered that there would be no material and harmful impact to the character and appearance of the Town Centre as seen in medium and longer-distance views given the coherent and quality design approach of the scheme.

Figure 6 (below) is a computer-generated image showing the proposed development from an aerial position to the south-west. This view clearly shows the proposed new public realm spaces forming a new pedestrian street and Square.



It is considered that it is the shorter-distance views of the proposed development that would have the most impact upon the character and appearance of the Town Centre as experienced by most people. In this respect it is considered that the proposed public realm improvements would be the most readily visible and appreciated element of the scheme. Due to the relatively narrow width of the streets surrounding the proposed development the overall height and mass of the proposed buildings would be less obvious and would not be the focus of attention. Within the scheme the height and elevations of buildings is varied to provide visual interest; and the buildings would 'frame' the adjacent street spaces. Whilst the designs for the public realm are not necessarily finalised, the streetscape within the new street and Square, together with the new ground floor commercial/community units is considered likely to provide the most discernible improvements to the character and appearance of the Town Centre and are, indeed, to be welcomed.

The external design and indicated palette of external materials is considered to be complementary to the range of external materials already used for buildings within the Town Centre; and the applicants indicate that the dominant external material to be used would be brick, both for longevity and visual appearance, but also as a link to the character and appearance of some of the more traditional buildings found in the town. As such, it is considered that it would be difficult to argue that the proposed external materials are uncharacteristic, unsympathetic and unacceptable in planning terms.

Figure 7 (below) is an illustration of what the proposed Square could look like, with a view towards the Arcade site and the Wellington Centre beyond.



Given that the proposed development at the Arcade would surround 30 Wellington Street (currently occupied by National Westminster Bank), the relationship and integration of the proposal with this prominent existing corner building has been a focus within the feedback during the pre-application public engagement events. No.30 Wellington Street is a four-storey building which stands at the intersection of Victoria Road and Wellington Street. It was constructed in the late nineteenth century and has a striped façade of red brick and stone, intricate stone architectural detailing and top-floor dormer windows, and forms part of 'Bank Corner' with 115 and 117 Victoria Road and The George public house, all three of which, unlike No.30, are locally listed. No.30 has already been subject to significant change as a result of the demolition of the original Arcade building from around it; and the construction of the current modern Arcade building its place. As shown by the illustration at Figure 8, it is considered that the applicants have sought to sensitively re-frame No.30 with the proposed new buildings. It is considered that the approach taken demonstrates an appropriate commitment to ensuring both the preservation of the building, but also that the building would continue to be an undiminished townscape feature in the townscape at this prominent corner.

Figure 8 (below) is a view showing how the proposed development would relate to No.30 Wellington Street.



The proposals would require the removal of a collection of 21 trees, mainly located on the Car Park site and mostly near the Naafi Roundabout. The Council's Arboricultural Officer advises that none are subject to Tree Preservation Orders and that it is proposed that there would be significant new tree planting within the proposed new development. On this basis no objection is raised to the loss of the existing on-site trees as a result of the proposed development and the proposals are considered acceptable having regard to Local Plan Policy HE3. Imposition of the standard tree protection condition is requested in respect of 4 off-site trees to be retained : see suggested **Condition No.14**. Whilst the removal of the existing trees would clearly have a visual impact, it is considered that this is outweighed by the overall visual improvements arising from the proposed development.

This report notes that concerns have been raised in respect of the visual impact of the proposed development within the representations that have been submitted to the Council, most specifically in respect of the heights and mass of the buildings proposed within the scheme. Block G adjacent to the Naafi Roundabout has perhaps attracted the most attention in the representations. Nevertheless, it should also be noted that, despite the large scale of the proposed development, press attention for many months, and the thorough planning application publicity and neighbour notifications, the proposals have attracted only a relatively small number of representations. A number of these representations received simply appear to be a visceral reaction to the large overall scale and height of the development proposed, rather than identifying any specific physical reasons for their concerns.

Some representations clearly consider the proposals to be an unattractive and poor design that fails to enhance the overall quality of town centre architecture. Others are concerned that the proposed new buildings would neither be unsympathetic to, nor reflect, the Victorian heritage and buildings of the town due to their height, scale and what is described as a

generic modern design. However, what is considered to be an unacceptable design by one person will not necessarily attract the same opinion from another. Furthermore, since the character and appearance of the area is mixed and the proposals replace existing modern buildings, it is considered that it would be unreasonable to expect the proposed scheme to slavishly adhere to traditional building forms, heights and architectural styling. It is considered that, whilst undoubtedly the proposed development would have a significant visual impact, this would arguably, for many, be a substitution for visual harm that already exists. Furthermore, whilst introducing more and taller built development into the Town Centre, it is considered that the proposed development would remain sympathetic to its surroundings.

Some of the other concerns that are expressed are of a more aspirational nature : the proposed scheme is considered to lack ambition; or would not further the Council's ambitions for the regeneration of the town centre because they believe that they represent a failed model for town centre regeneration, especially since the Covid-19 pandemic. Other concerns focus on the legacy of the proposals, expressing concern about the projection of the image of Aldershot Town Centre in the future; a belief that an undesirable precedent or exemplar would be set for any future regeneration proposals for the town centre; that the proposals would not stand the test of time well; and the scheme would be a further 'landmark mistake' that, once made, would remain in place for many years to come to the detriment of the town.

Nevertheless, it is clear from many of the representations received that they accept the desperate need for the Town Centre to be re-developed, but are faced with the dilemma that the proposals would change the character of the area as, indeed, is expected and intended of a major regeneration scheme. In this case it is considered that the proposed development provides a modern interpretation of the Town's heritage and replaces existing modern buildings in poor condition such that it is considered that the proposed scheme would acceptably enhance the character and appearance of the Town Centre in accordance with the requirements of adopted Local Plan policies.

3. Impact upon the Vitality and Viability of the Town Centre -

The supporting text to Policy SP1 notes that there is extensive retail vacancy in Aldershot Town Centre and *"more than half of the vacant units and two-thirds of the vacant floorspace is located within the Galleries and the Arcade."* Accordingly, it is a core objective of the Council to support the delivery a residential-led development incorporating the enhancement of *"retail provision along Wellington Street (primary frontage) and High Street (secondary frontage) and provide new frontage on to a public space focussed on the area currently known as Little Wellington Street, comprising a mix of active town centre uses"* in accordance with Policy SP1.4.

The Galleries and the Arcade are situated within the Primary Shopping Area, but the High Street Multi-Storey Car Park is outside this area. Policy SP1 (Aldershot Town Centre) is relevant and aims 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 residential uses above ground-floor level in the primary shopping area and on development sites within and around the Town Centre"*. The Arcade and The Galleries shopping centre (including Nos.99 & 101 High Street) form part of the 'Secondary Frontage' as defined by Policy SP1.2, whilst The Galleries site also includes several units on Wellington Street (Nos.12-14 and 16-18) that are situated within the 'Primary Frontage' as defined by Policy SP1.1. Policies SP1.1 and SP1.2 state that development will be permitted which 'maintains or enhances' the vitality and viability of the Town Centre.

Whilst the Local Plan aims to protect a core of retail uses within the 'Primary Frontage', it takes a more flexible approach to the mix of retail and non-retail uses within the 'Secondary Frontage'. Within the 'Primary Frontage' [on Wellington Street], ground-floor uses should fall within Use Classes A1-A5 and retain an active frontage. Ground-floor uses within the 'Secondary Frontage' should similarly maintain an active frontage and be for a Town Centre use, which is defined in the Local Plan *"as a use falling within Class A (A1-A5), Class D (D1 or D2) or a similar sui generis use which attracts visiting members of the public"*.

The proposed development entails the widening of Little Wellington Street to create a new public square and pedestrian route and accordingly, the space broadly corresponding with the existing retail unit at 16-18 Wellington Street (vacant, but formerly Poundworld) would no longer exist. Nevertheless, a new flexible unit is proposed to be provided on the ground floor of Block P (approximating to the site of the existing 12-14 Wellington Street) of approximately 500sqm. This unit, which is capable of being sub-divided, would ensure that the primary frontage in Wellington Street would be maintained quantitatively and significantly enhanced in qualitative terms. The unit would be capable of accommodating a range of uses including Class A1 and, as such, it is considered that the objectives of Local Plan Policy SP1.1 would be maintained in this respect.

In the above context, notwithstanding the objection raised by the operators of the Wellington Centre, it is considered that the proposals for ground floor street frontage uses within the proposed development to have flexible uses is considered to fit well with Policies SP1.1 & SP1.2. Indeed, it is a stated objective of the applicants that their proposed development complements rather than competes with the primary shopping areas of the Wellington Centre and the adjoining portions of Union Street and Wellington Street. The proposal for flexible uses is also a response to uncertain market conditions, in particular in the retail sector, and reflects a desire on behalf of the applicant to ensure that scheme appeals to the broadest possible spectrum of potential tenants. It is further considered that the applicants' objective of making available commercial/community units with wide flexible use addresses some of the criticisms made by objectors in general about the scheme being too focussed on retail use : the proposed development does not focus narrowly on retail uses.

Lending further support for the applicants' approach in this respect, the NPPF highlights that planning policies and decisions should take 'a positive approach' to the growth, management and adaptation of town centres "by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries" (para. 85). In this respect, it should be noted that the NPPF includes offices within its definition of 'main town centre uses'. Moreover, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020, which come into force on 1st September 2020, absorb use classes A1-A3 and B1 within a new Class E (commercial, business and service).

In the case of the Car Park site, the proposed development is almost entirely residential, with the very limited exception of a small flexible commercial/community unit on the ground floor of Block G adjacent to the Naafi Roundabout. This latter unit is located outside the 'Primary Shopping Area', but the proposed floorspace falls below the threshold for a retail impact assessment to be carried out (1,000 sqm), such that there is therefore no conflict with Policy LN7 (Retail Impact Assessment).

4. Impact upon Heritage Assets -

It is not considered that the architectural and historical character and setting of the Listed Buildings at the former Palace Cinema and the Post Office Buildings on Station Road would be materially and adversely affected by the proposed development. Both of these historic buildings are located some distance from the application site and, although the proposed

development is large, these listed buildings are already located in a densely-packed urban setting and, as such, it is considered that the setting of these buildings would not be subject to any harmful or undue change.

There are some Buildings of Local Interest (BOLI) located near the application site at: No.41 Station Road (LL5078); at group of buildings at Nos.1-11 Wellington Street and 49- 51 Union Street (LL5080); and a group of BOLI at the junction of Wellington Street with Victoria Road ('Bank Corner') at the former George Hotel (LL5089); and Nos.115 Lloyds Bank : LL5086) & 117 Victoria Road (Former Bank, but now a restaurant : LL5086). Although also a prominent and distinctive bank building of similar age located on the fourth corner at 'Bank Corner' and actually physically adjoining the application site, No.30 Wellington Street (National Westminster Bank), is NOT designated as a BOLI. This is possibly because the historic qualities of this building were compromised by the demolition and re-development of the Arcade that surrounds this building to the sides and rear. All of the identified BOLI were designated as a result of their and townscape aesthetic and group value within the town and all are set within a densely-packed urban setting surrounded by other buildings of varying scales, ages and designs.

Policy HE1 states that the Council *"will support development proposals which do not adversely affect the significance, special interest and character or appearance of nationally and locally designated heritage assets"*. The Council's adopted BOLI SPD simply requires that the setting of locally listed buildings *"is safeguarded/enhanced and not compromised"* and notes that *"this can be achieved through appropriate positioning, layout, design and landscaping"*.

In this respect it is considered that the proposed re-development of The Galleries portion of the site would result in the provision of new development significantly better designed than the existing vacant shopping mall building it is proposed to replace. Similarly, it is considered that no material harm to the heritage value of the BOLIs at 'Bank Corner' would arise as a result of the proposed development. In all cases, these BOLI have a setting within a densely-packed town centre environment and it is considered that the proposed development would not change this.

It is considered that the proposed development would have no material and harmful impacts upon the architectural or historical character or setting of designated and non-designated heritage assets.

5. Impact upon Neighbours -

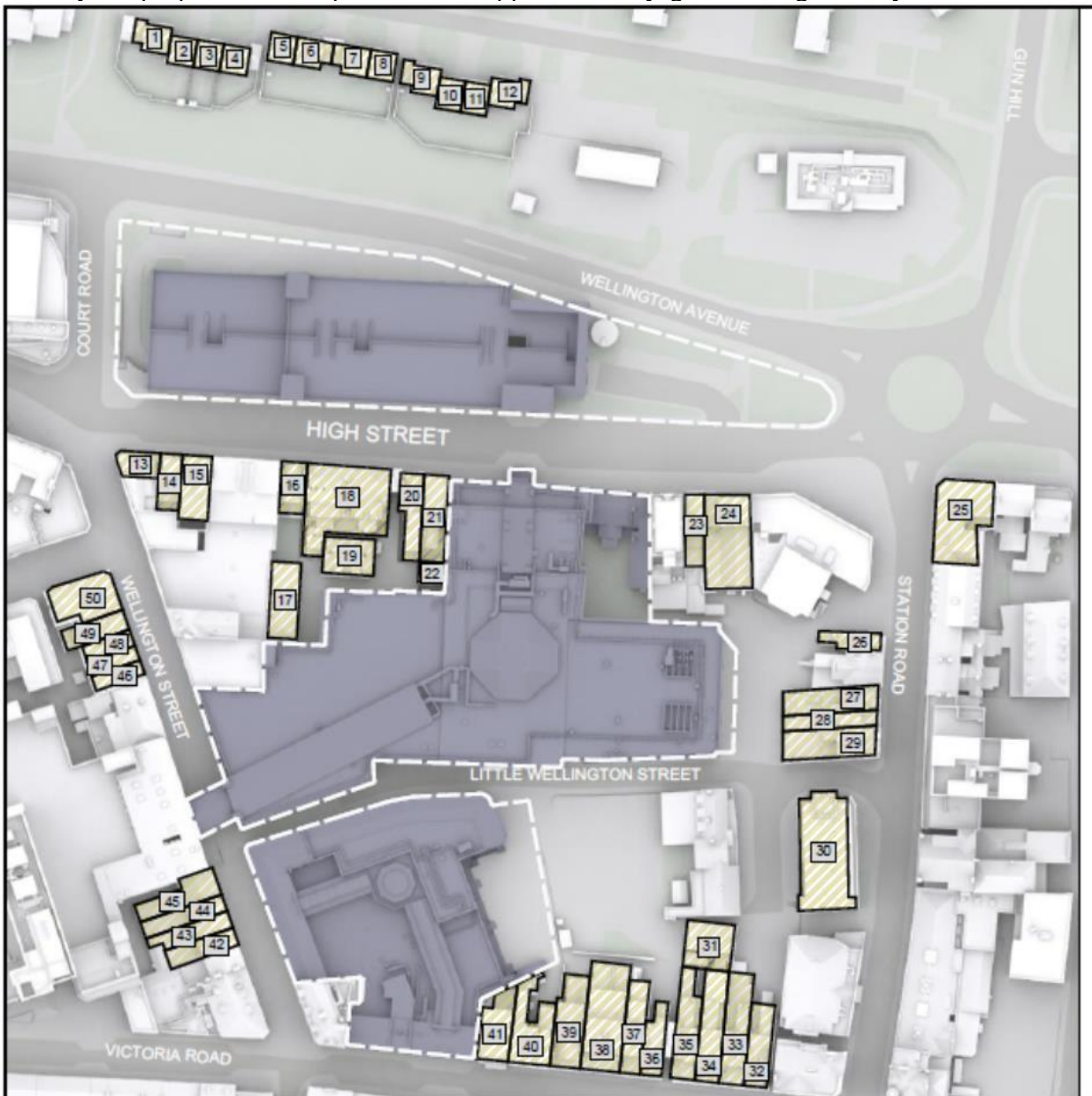
Although the proposed development would closely adjoin a number of properties, some of which are residential units, no issues have been raised concerning undue relationships between the proposed development and neighbours. Indeed, only two of the representations received by the Council in respect of the planning application have been from occupiers/owners of properties whom could be considered to be neighbours to the application site. This is despite the comprehensive neighbour notification and planning application publicity and notices undertaken by the Council; and the community engagement undertaken by the applicants at the pre-application stage. Indeed, the pre-application engagement would have been the ideal opportunity for a neighbour to raise any issues that they might have with the applicants seeking to encourage amendments to the scheme.

The existing commercial development and other uses of the application site have the clear potential to have a significant impact on adjoining and nearby neighbours. This would most

notably be the case in respect of small flatted dwellings located in proximity to the application properties. Although the Galleries mall is currently vacant and unused, the lawful commercial use could theoretically be resumed, and the consequences of this in terms of noise disturbance and activity, including the use of the car parking, traffic generation, lighting of external areas, operation of substantial roof-mounted cooling plant etc. are a material consideration in the determination of the current application.

Local Plan Policy DE1 requires that proposed development “*not cause harm to the proposed, existing and/or adjacent users by reason of (1) loss of light, privacy or outlook; and (2) noise, light pollution, vibration, smell or air pollution*”. The applicant has submitted a Daylight and Sunlight Study in support of the application in which the relationships of the proposed development on residential neighbours is considered. This study has been carried out using the assessment methodology recommended in Building Research Establishment (BRE) Report 209, ‘Site Layout Planning for Daylight and Sunlight: A guide to good practice’ (second edition, 2011)

Figure 9 (below) shows the location of those residential neighbours considered most likely to be affected by the proposed development in the applicants’ Daylight & Sunlight Study



The basic question for the Council to consider in terms of impacts upon neighbours is whether or not the impacts of the proposed development as submitted would be materially harmful in planning terms. The correct test in respect of daylighting/sunlighting and outlook of existing flats is not whether existing levels of day/sunlight and outlook would be maintained, but rather whether or not existing neighbouring dwellings would, as a result of changes arising from the proposed development, still receive an acceptable level of day/sunlighting and outlook to meet the needs of residential occupation. In terms of privacy concerns, a degree of mutual overlooking often exists between neighbours, accordingly it is necessary for the Council to consider whether or not occupiers nearby dwellings would be subjected to an unacceptable undue overlooking rather than any overlooking at all. Overall, it is the role of the Planning system to consider whether or not neighbouring and nearby residential properties would continue to possess an acceptable living environment for occupiers in planning terms as a result of a proposed development.

Nor is it the role of the Planning system to intervene in matters concerning legal rights to light, since, if it arises, this is a separate private property matter to be resolved directly between the developer and residents/owners of the neighbouring property(ies) concerned. Similarly, when considering loss of outlook, it is not the role of the Planning system to defend neighbours against the loss of any private views from their properties where these views are derived from over adjoining land not in their ownership.

Figure 10 (below) shows an oblique aerial view of the proposed development illustrating the form and massing of the proposed development and how this is reduced in height where necessary to address relationships with neighbouring properties.



Whilst some nearby residential units would be subject to some loss of light and outlook, some other units would experience an improvement in lighting arising from the new development replacing the existing buildings at the site with a different relationship. Daylight analysis demonstrates that 90% of all rooms in the identified neighbouring properties considered by the Study would comply with at least one of the primary daylight assessment criteria, with the average retained figures remaining in excess of the BRE target criteria. This is despite some isolated reductions beyond BRE guidance levels around the site. Sunlight analysis demonstrates 98% of all rooms in the identified neighbouring residential properties considered would comply with the assessment criteria; and a rooms considered would fully comply with the winter assessment criteria. Despite some relatively isolated infringements of the BRE guidelines around the site the Study concludes that the overall amount of retained daylight and sunlight levels would generally remain good for an urban location such as this. It is considered that the submitted report has used sound methodology and that all residential neighbours that could conceivably be materially and adversely impacted by the proposed development have been identified and appropriately assessed. Government guidance relating to daylighting and sunlighting assessment advises that the results provide guidance and should be applied flexibly having regard to the context of the site. It is considered that, on balance, the proposed development would have acceptable impacts upon residential neighbours having regard to daylighting and sunlighting.

In terms of privacy, having regard to the town centre location, due to a combination of design, degree of separation and the orientation of the flats within the proposed blocks it is considered that the proposed development would not give rise to any material and undue loss of privacy due to overlooking. Nevertheless, it is considered appropriate to impose a condition to require consideration to be given to provision of privacy screening to balconies and the balustrades of roof amenity areas should any particular issues in this respect become apparent as the development is under construction : see suggested **Condition No.38**.

There are clearly a number of neighbours to the proposed development that are non-residential uses. It is considered that none would be subjected to material and harmful impacts in planning terms.

The Council's Environmental Health Team recommend that a condition be imposed to require submission of a Construction Method Statement to set out the measures to be employed during the construction phase to minimise noise, vibration, dust and other emissions as far as practicable to protect neighbouring amenity. Likewise the parking and traffic generation impacts of the demolition, construction and fitting-out periods of the development. Although planning applications cannot be refused on account of the likely construction phase impacts, it is considered reasonable to require the submission of details of construction management measures given the large scale and likely duration of the development and the clear potential for this to give rise to nuisance and inconvenience to neighbours. The submitted Air Quality Assessment has provided a list of best practice measures in Table 17 of the report that will help reduce the impact of construction activities to acceptable levels. Environmental Health recommend that these measures, as a minimum, should be included as part of a Construction Management Plan. In addition, to prevent undue disturbance to local residents, construction activities should only be undertaken during reasonable hours and, as such, it is considered entirely appropriate to impose the usual construction hours condition. See suggested **Condition Nos 10 & 11**.

It has been customary for the implementation of large-scale developments within the Borough to be subject to a Development Monitoring Group. This is a forum organised by the

Council to arrange meetings to be variously attended by representatives of the developer, the demolition and/or building contractors, local Ward Councillors, Council Offices and other interested parties to be held on an as required basis with attendance as considered appropriate or necessary. Such meetings are intended to be a useful forum for promoting good dialogue and for identifying, discussing and resolving issues relating to the conduct of the development as it proceeds. Given the large scale of the proposed development for a significant site within Aldershot Town Centre this approach is commended to Members.

6. The Living Environment Created -

It is considered that the proposed development would provide 695 new dwellings of acceptable size, internal accommodation and relationships with neighbours. The majority of the flats would be provided with balconies and shared amenity space would also be provided within the site in the form of communal roof gardens/terraces.

The Ministry of Housing, Communities and Local Government's 'Minimum Internal Floorspace Standards' (2015) defines minimum floor areas and built-in storage for all new residential dwellings. These standards are reflected within Local Plan Policy DE2. The proposed dwellings are one-bedroom, two-person; two-bedroom, three-person; and two-bedroom, four-person units. However, whilst a small number of the proposed dwellings fall just below the required standard they are all considered to fall within an acceptable tolerance.

Policy DE3 requires new residential development 'to provide good-quality, useable private outdoor space in the form of gardens, balconies, and/or roof terraces'. For flatted developments, the minimum requirement of private outdoor space is a balcony of five square metres which is accessible from the main habitable room. From the Planning Statement, it is noted that the majority of the proposed dwellings are provided with private outdoor amenity space and that 155 dwellings are provided with additional living accommodation of 5 square metres or more in lieu of such space. An additional 142 flats have no private outdoor amenity space and are not provided with additional indoor space in compensation. However, all flats will benefit from access to a communal roof garden for each building. In this regard, it is noted that the Design and Access Statement provides detail on the long-term maintenance and management of the roof gardens and this matter can be secured by suitably-worded planning conditions : see suggested **Condition Nos.26 & 32**.

The submitted Acoustic Report (dated October 2019) provides an initial assessment on the feasibility of the proposal in terms of the proposed development being able to achieve a satisfactory noise environment for future occupants. The report concludes that the site is typical of town centre locations and does not present any substantial issues or constraints with regards noise. This is a scoping document and outline glazing specifications are provided for habitable rooms on all facades, although this is indicative only, intended to demonstrate the feasibility of the development at the planning stage. The report advises that additional long-term spectral survey measurements will be required to enable detailed noise mitigation specifications to be provided which would be capable of achieving the internal and external noise criteria identified. Environmental Health therefore require a more comprehensive noise monitoring and assessment exercise so that detailed mitigation measures can be determined for the various elements of the scheme, as well as appropriate ventilation provision for all dwellings. It is considered that this can be dealt with by imposing a suitably-worded planning condition : see suggested **Condition No.35**.

One issue that the Acoustic report does identify is that many of the balconies overlooking

High Street and Wellington Avenue (mainly from the CP Site) would be impacted by significant levels of road traffic noise and will therefore exceed the BS8233 upper guideline value of 55dB LAeq,16hrs for external amenity space. In addition, it should also be borne in mind that many of the existing bars and fast food establishments in the town centre in the vicinity have licensable hours that extend to 3am at weekends. Accordingly, Environmental Health do not consider that the proposed balcony spaces would, in themselves, provide good-quality usable private outdoor space. Nevertheless, it is noted that all the proposed flats within the CP Site would also have access to some significant communal private roof terrace garden areas. It is considered that, whilst further details of appropriate acoustic mitigation should be provided where feasible in order to achieve the lowest practicable noise levels in the proposed private and communal amenity areas, this arrangement of amenity space provision is considered acceptable. It is considered that this matter can be satisfactorily dealt with by condition : also suggested **Condition No.35**.

There are no dedicated service yards/bin storage areas for the flexible commercial units proposed with the development, so all service activity including bin collections would have to take place from the street. Any early morning/late evening deliveries and/or servicing would clearly have the potential to cause significant disturbance to residential amenity. This is likely to most impact the occupiers of the proposed new residential units whom would be located above the new streets within the scheme, although some existing nearby residents may also be affected. Environmental Health therefore consider that it would be appropriate to impose a restriction on the times that such deliveries can take place, limiting such activity to between 0700-2000 hours only : suggested **Condition No.21**.

The proposed flexible commercial units could, conceivably, be occupied and used for a wide variety of uses, including uses involving the preparation and cooking of food. There is little detail provided in terms of provision of external plant for refrigeration or air conditioning purposes, and no details of how kitchen odours would be dealt with if the use is a restaurant or café are evident. This lack of information is understandable given that a high level of flexibility for the use of the commercial units is being sought – they may be used for many other purposes that would not involve food and require consideration of any such measures. Nevertheless, some potential future tenants could require provision of a high level of abatement that could have significant space requirements within the unit and require other additions or alterations to the building block in which they would be located in order to mitigate impact on occupiers of nearby residential units within and/or outside the development. To an extent, it would be a matter for the owners of the development to manage tenancies to ensure that potential tenants are an appropriate fit for the commercial unit concerned in terms of both floorspace requirements, but also any need for specific plant, equipment and other installations that would be needed to enable the tenants intended use to proceed acceptably. It is also standard for tenancies to contain clauses that would enable the owner to sanction tenants causing undue nuisance to other occupiers of the development. It is considered that standard planning conditions can be imposed to cover the possibility of commercial uses involving preparation and cooking of food on the premises : see suggested **Condition No.19**.

In any event, to an extent, the internal layout and amenity space provision of a development is a functional matter between a developer and his client and is to some extent covered by the Building Regulations. It is therefore a matter for prospective occupiers to decide whether they choose to live in the proposed development. Nevertheless, it is considered that the living environment created would be acceptable in planning terms.

7. Highways considerations -

Local Plan Policy IN2 sets out a number of criteria on which proposed developments are to be assessed in terms of highways impacts, including that the proposal:-

- “b. provides safe, suitable and convenient access for all potential users;*
- d. provides appropriate parking provision;*
- f. does not have a severe impact on the operation of, safety of, or accessibility to the local or strategic road networks;”*

In order to raise reasons for refusal to planning applications on highways grounds it is necessary for the Local Planning Authority to demonstrate with clear evidence that the proposals would give rise to a ‘severe’ impact to the safety and/or convenience of highway users. Accordingly, it is not possible to merely cite an adverse impact on highway safety and/or convenience : the adverse impact must now be demonstrably ‘severe’ and this is reflected in the wording of Policy IN2.

The application is accompanied by a Transport Assessment examining, as it must, the detailed highway implications of the proposed development compared with the situation that would occur with the existing development/uses at the application site in operation.

The various elements of the proposals conceivably impacting upon highways issues, including matters raised by objectors, are considered in the following paragraphs:-

(a) Access/Egress Arrangements: The Highway Authority (Hampshire County Council) is satisfied that the proposed access and egress arrangements for the proposed development are adequate to serve the proposed development. Indeed, with the exception of a new proposed vehicular access onto Wellington Avenue from the Car Park site, the proposed vehicular access and egress arrangements for the scheme largely use existing connections into the highway network using High Street and Little Wellington Street with limited modifications required and adequate sight-lines and geometry demonstrated. With respect to the proposed Wellington Avenue access, HCC Highways are satisfied with the design and that this can achieve visibility sight-lines appropriate to the legal road traffic speed on the road.

With respect to any works required to the public highway, the applicants will be obliged to enter into an agreement with the highway authority in respect of any modifications needed to form the access points into the public highways, which will also consider the details of the design. Irrespective of the granting of a planning permission, no works can take place on the public highway without the Highway Authority's consent. Hampshire County Council can secure necessary agreements separately under highway legislation prior to works commencing on site.

Notwithstanding the representations raised about provision for cycle and pedestrian access within and outside the development being poor, the proposals are considered to make adequate provision for both within the scheme.

(b) Traffic Generation and Impact Upon Traffic Congestion: The submitted Transport Assessment considers the likely traffic generation and congestion impacts of the proposed development compared to that of the existing lawful uses of the site, including the Galleries and Arcade shopping centres and the High Street multi-storey car park. In terms of the assessment of trip rates, the proposal would result in a reduction in non-residential use

floorspace by approximately 70%, but an increase of 596 residential units. Nevertheless, 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. Whilst traffic modelling for the impacts of the proposed development has indicated a minor increase (approximately 5%) in traffic flows affecting the Wellington Avenue/Princes Way/Hospital Hill traffic-light junction, it should be noted that this work did not take full account of the potential traffic generation for the existing application site uses. HCC Highways has reviewed the proposals and is satisfied that the applicants' Transport Assessment has made reasonable assumptions and appropriate methodologies. HCC Highways raise no objections to the proposed development in terms of traffic generation and potential road congestion impacts on the basis that any impacts would be relatively minor and could not be considered to be 'severe'.

(c) Internal Site Layout: It is considered that the access and layout of the proposed development is satisfactory in terms of the arrangement and accessibility of parking spaces, sight-lines, accessibility for bin collections and the basic design of the proposed public realm spaces etc. It is considered that conditions can be imposed to require the submission of full details in these respects : see suggested **Condition Nos.15, 18, 25, 27, 28 & 39**.

(d) Parking: The application site is located within the designated Town Centre and in accordance with Principle 11a of the Parking Standards SPD, the proposal would provide allocated residential parking at a ratio of 1 parking space for each residential unit : a total of 596 parking spaces. The proposed development thereby meets the Council's adopted Parking Standards and Local Plan requirements in full in respect of the proposed residential development within the scheme.

The proposed development also provides a further 250 spaces to meet the obligations on the applicants to compensate the Council for the re-development of the High Street multi-storey car park. Of these spaces, 43 are to be used by the Council for the use of occupiers of the Union Street East regeneration scheme.

No parking is specifically allocated for the proposed flexible commercial/community units within the scheme. However, the proposed development would provide 4,320 sqm of flexible commercial/community use floorspace, but result in the loss of 14,734 sqm of existing commercial floorspace, thereby representing a substantial reduction in non-residential floorspace of 70%. The existing commercial uses on the site relied/rely almost entirely on the public car parks that serve the Town Centre and were not provided with their own allocated parking. Given that the proposed development would provide significantly reduced commercial floorspace over that of the existing site development, it is considered that the public parking provision within the town centre provided by a combination of the non-residential parking to be retained within the scheme and also within the town centre area generally would be sufficient to meet the functional parking needs of the development in this sustainable location.

Given the uneven distribution of parking within the proposed development it will be necessary for residents within the Galleries portion of the development to be allocated their parking spaces largely within the Car Park site. It is also envisaged that there will be a need to re-arrange the parking allocations from time to time to, for example, make appropriate accommodations for the parking needs for residents with disabilities; and to generally manage the parking provision of the scheme for the lifetime of the development. In order to provide flexibility for the allocation of the parking spaces within the scheme it is considered that it would be appropriate for requirements to secure the provision, retention and

management/allocation of parking spaces within the development for the lifetime of the development to be secured within the s106 Agreement.

(e) Bicycle Parking: It is considered that acceptable provision is made for bicycle parking on-site. In excess of 862 cycle parking spaces can be provided and this can be secured and retained using a planning condition – see suggested **Condition Nos.3 & 34**

(f) Refuse Collection and Deliveries: In terms of domestic refuse/recycling collection the Council's Operations Manager is concerned that the proposed bin collection areas for the proposed flats across the scheme may be too small. Nevertheless, it is considered that there is scope to make adjustments that would resolve this matter that can be satisfactorily dealt with by imposition of a suitable condition : see suggested **Condition No.39**.

With respect of refuse collection from the proposed flexible commercial/community uses, it is indicated that none would have designated bin storage, and instead would need to store refuse within their demise (based on their particular uses needs and the requirements) before collection by a commercial operator from the street. This is a matter for management by the developer/operators but is not unusual for town centre locations.

(g) Transport Contributions: The Highways Authority does not seek a Transport Contribution in this case because the traffic generation potential of the proposed development is not considered to be significantly different from that potentially arising from the existing uses of the application site. Nevertheless, in respect of the submitted Framework Travel Plan, HCC Highways request the usual provision of a full Travel Plan prior to occupation along with associated approval, monitoring fees (£1500 for approval and £3000 per annum for 5 years for monitoring : £16,500 in total) and bond to be secured within the necessary s106 Agreement.

(h) Construction Access and Arrangements : Although the construction and other impacts of the implementation of a planning permission cannot be taken into material account in the determination of a planning application, the Highway Authority recommend that the preparation and submission to the Council for approval of a Construction Management Plan to be required by condition. It is considered that this is entirely appropriate given the large scale and likely duration of the proposed development. See suggested **Condition No.10**.

Conclusions :

The Highway Authority are satisfied that the proposed development would be not have a severe impact on the operation of, safety of, or accessibility to, local or strategic road networks. Accordingly it is considered that the proposals comply with the requirements of Local Plan Policy IN2 and are acceptable in highways terms.

8. Affordable Housing -

Policy LN2 requires a minimum of 20% of homes to be provided as affordable homes on sites of 11 or more dwellings within Aldershot and Farnborough town centres, subject to site viability. For the proposal in question, there is therefore a requirement to provide a minimum of 119 affordable dwellings, although the applicant has noted that this would be reduced to 16.8% (so 100 affordable dwellings) with the vacant building credit also applied.

Nevertheless, the applicant has submitted a financial viability assessment which concludes that the development cannot viably support any affordable housing. In this respect it is clear

from the Applicants' appraisal that current market conditions, a significant s106 financial contributions for SPA and POS, together with the obligation to provide 250 public spaces alongside residents' parking at a ratio of 1:1 within the scheme in a manner which preserves the design quality of the development has a significant impact upon the scheme's viability to the extent affordable housing provision is not currently viable. Nevertheless, the Applicant has committed to further stages of review during the course of the development programme so that affordable housing can be provided if deemed viable at future stages.

In such cases, the Local Plan states that proposals which do not meet the affordable housing policy requirements *"will only be acceptable where the viability case is supported by the independent review and accepted by the Council"* (para. 10.21). The Council's 'Affordable Housing' SPD (adopted in September 2019) supports Policy LN2 and provides further detail in this regard. The application is accompanied by a Financial Viability Report carried out on behalf of the applicant making the case that the current proposed could not sustain any affordable housing provision on viability grounds. The applicant's submissions in this respect have been assessed independently on behalf of the Council by BPS Chartered Surveyors of Dorking, whom have produced an Independent Viability Review report. BPS report as follows:-

"In respect of the nil affordable housing offer, we consider the scheme to be challenged and only marginally viable (+£1.9M), with the main issue from a viability test perspective being the requirement for the onsite car parking being quite onerous i.e. a 1:1 ratio, with requirement to reinstate the multi-storey council car parking.

Given the relatively small surplus land value of £1.9M (over and above the benchmark and developer's profits), it is unclear whether an onsite affordable housing contribution is a reasonable request of the applicant at this stage; whilst we would argue for on-site delivery we suspect the applicant will argue against it on points of pragmatism i.e. delivering and managing a small number of affordable housing units."

And, in respect of Review Mechanisms:-

"The applicant and their advisors have made reasonable assumptions based on the sales evidence available at the current date. With large Town Centre regeneration schemes built in phases, developers are likely to benefit from future capital growth as they are setting a new tone for sales values. Their advisor's point out the scheme will benefit from place making confirming this point. Also, the scheme benefits from onsite leisure facilities, cafes bars etc. all of which enhance the residential offering and which we consider are likely to set new values for this area.

In light of the above considerations we recommend a phased review mechanism (middle and late stage review) is incorporated into the S106 Agreement to capture a proportion of value uplift the benefit of additional affordable housing delivery, especially in instances where the developer is proposing 0% affordable housing."

PBS agree with the conclusions of the viability case submitted and, as such, it is considered that the proposed development complies with the requirements of Local Plan Policy LN2. Nevertheless BPS clearly recommend that, to ensure that the applicant does not benefit from any improvement in market value, or cost savings in the implementation of the development, without making a contribution to affordable housing, the development is subject to mid- and late-stage viability reviews to be secured by s106 legal agreement.

9. Community Infrastructure Provision -

Some objections have been raised to the proposals on grounds that existing problems with social infrastructure (such as access to healthcare and education) may be exacerbated. Whilst some objectors have expressed the view that the number of dwellings proposed significantly exceeds that envisaged by Local Plan Policy SP1.4, 596 dwellings is considered to be consistent with the development allocation expressed by this policy being for “*at least 500 dwellings*”.

No views or requests for s106 contributions have been forthcoming from Hampshire County Council concerning education provision. However, the North East Hampshire & Farnham Clinical Commissioning Group (the CCG) and the nearby Princes Garden GP Surgery have raised objections to the proposed development on the basis that it is likely to place additional pressure on local GP and primary care services and care facilities that are currently just matched to the existing demand for GP services in the area.

The Rushmoor Infrastructure Plan, which was key evidence for the New Local Plan, was the most appropriate place to identify capacity issues with healthcare infrastructure in Rushmoor in the light of future allocations for housing development in the Borough. The Rushmoor Infrastructure Plan sets out that the CCG Primary Care Strategy (2016) identifies the need for a new model of access to primary care services, but that there is currently no method of collating demand data. This meant there is an absence of robust evidence (rather than assertion) necessary to identify specific schemes and to justify a financial contribution. Nevertheless, as an example, it has been possible for the CCG, with the Council's assistance, to establish Voyager House at Southwood in Farnborough as a new community healthcare facility to meet an identified shortage in Farnborough. The Strategy states that the CCG will be working with GP Practices to implement a tool to map existing demand, measure capacity and utilise a trigger system for times of pressure. Furthermore, the adoption of the Rushmoor Local Plan in November 2019, within which the current proposed development is a specific development allocation, provides information to help the CCG to plan for future demand for GP and other healthcare service provisions within their area.

In this light, it is concluded that it is not appropriate to seek a financial contribution from this development towards healthcare and, indeed, other forms of social infrastructure. The site allocation for housing development has already been confirmed in the adopted Development Plan for the area following preparatory work that was unable to provide the necessary evidence to identify and justify seeking a financial or other contribution to support GP healthcare provision in the area. Nevertheless, the proposed flexible non-residential floorspace within the scheme could, possibly, provide accommodation for a healthcare facility should the CCG consider that it is necessary to provide additional GP facilities to cover the Town Centre area.

10. Public Open Space -

The New Local Plan seeks to ensure that adequate public open space (POS) provision is made to cater for future residents in connection with new residential developments. Policy DE6 allows provision to be made on the site, or in appropriate circumstances, a contribution to be made towards upgrading POS facilities nearby.

In this case it is considered that the proposed scheme is able to provide a significant addition to public open space in the town centre in the form of the proposed additions to the public

realm; and children's play areas for the use of new residents. It is considered that planning conditions can be imposed to require the retention, and submission of details of the proposed management, of the on-site play spaces and landscaping. However a financial contribution is still required towards the off-site provision/enhancement of the amenity open space to make up the balance to meet the full policy requirement.

This is a circumstance where a contribution (in this case the Parks Development Officer identifies POS projects requiring £100,000 towards the off-site provision of the POS amenity open space (comprising either (a) landscaping, park furniture infrastructure and footpath renewal (including renovation of historic hard/soft landscape features) and habitat improvements at Manor Park, Aldershot; OR (b) landscaping, park furniture infrastructure and footpath renewal and habitat improvements at Redan Hill Gardens, Windmill Road, Aldershot) secured by way of a planning obligation that would be appropriate. Subject to the applicant satisfactorily completing and submitting the s106 Agreement in this respect, the proposal is considered to be acceptable within the terms of Local Plan Policy

11. Flood Risk & Drainage -

Policy NE8 (Sustainable Drainage Systems) (SuDS) requires "the implementation of integrated and maintainable SuDS in all flood zones for both brownfield and greenfield sites". For brownfield developments, the peak run-off rate/volume from the development to any drain, sewer or surface water body for the 1-in-1-year and 1-in-100-year rainfall event must not exceed the greenfield run-off rate for the same event. Whilst the site is located on land at lowest risk of fluvial flooding, the Multi-Storey Car Park site is located close to an area at risk of surface water flooding. Nevertheless, the application site is an existing urban site with little land that is not already hard-surfaced.

A Flood Risk Assessment accompanies the application, which includes a Sustainable Urban Drainage Design Statement. This indicates that the proposals are to provide an attenuated and piped drainage system connecting into the Thames Water surface water drainage network at a limited rate with green roofs and permeable paving providing interception and water treatment. This arises because the water table in the area is relatively high limiting the potential for infiltration features. The drainage statement describes a number of SuDS options that will be included in the development to minimise surface water runoff, including soft landscaping, green roofs, porous paving, below ground storage and flow control devices. In terms of peak run-off volumes, it is noted that that the Flood Risk Assessment states that "*peak run-off rates from the site will significantly decrease following development compared to existing run-off rates*" (page 10) and that the attenuation and drainage network has been designed to accommodate the 1-in-1-year and 1-in-100-year +20% climate change rainfall events (page 7). The Lead Local Flood Authority (LLFA : Hampshire County Council) note that this amounts to a significant betterment over the existing situation. Accordingly the LLFA have indicated that they have no objection to the discharge of water into the existing surface water drainage system and consider that the submitted information is acceptable in principle and forms a sound basis on which to design a detailed scheme. In this respect it is acknowledged that some amendments to the currently envisaged drainage scheme are likely as the design progresses, although network calculations have been provided that demonstrate that the proposed design is feasible. The LLFA have drafted a planning condition in this respect (**Condition No.6**) and the applicants have indicated that they are happy to accept the imposition of this condition. Maintenance responsibilities have been identified as being the responsibility of a maintenance company and maintenance schedules have been provided. These maintenance schedules should also include the attenuation tanks and green roofs that may have specific requirements.

Thames Water have also commented on the proposed development and raise no objections subject to the imposition of a further planning condition. It is indicated that some upgrades to the surface water drainage network will be required. The applicants are asked to liaise with the LLFA in order to ensure that surface water discharges from the site are reduced as much as possible. The applicants have confirmed that the imposition of the Thames Water condition is also acceptable : **Condition No.7.**

Accordingly, subject to the imposition of the LLFA and Thames Water conditions to require the submission of details of the overall proposed drainage scheme for the development, it is considered that the requirements of Policy NE8 would be met.

12. Air Quality –

The submitted Air Quality Assessment has modelled the existing ambient air quality environment, as well as the future with-development scenario, with the emphasis on levels of nitrogen oxides and particular matter. The modelling demonstrates that with the completion of the development, the change in predicted concentrations of both these two pollutants will be negligible. In addition, the levels of both pollutants, with and without the proposed development in place will remain well below the relevant air quality objectives. Environmental Health are therefore satisfied with this assessment and have no further requirements in this respect.

13. Biodiversity & Ecology considerations -

(a) Special Protection Area : Natural England (NE) has requested additional information concerning whether *“the application could have potential significant effects on nearby European designated sites, such as the Thames Basin Heaths Special Protection Area (SPA).”* NE makes this request on the basis that they are concerned that the proposed development *“could contribute additional road traffic movements to roads in close proximity to European designated sites, causing potential impacts particularly though increased nitrogen oxide (NOx) emissions.”*

In this respect it would appear that NE have not taken account of the proposed development being a specific allocation within the adopted New Rushmoor Local Plan (2014-2032) (November 2019) as a result of Policies SS2 and SP1.4. As a consequence the proposals have, as a matter of principle, already been the subject of Habitats Regulation Assessment as part of the Local Plan formulation and adoption process. The Local Plan Habitats Regulation Assessment (June 2017) (HRA) specifically considered the impacts upon identified nature conservation sites/designations (including the Thames Basin Heaths SPA) of, inter alia, atmospheric pollution, urbanisation and recreational pressure as a result of the proposed allocations for new housing development to be incorporated into the Local Plan. Policy SS2 (Spatial Strategy) states in connection with new residential development that *“At least 4,000 new homes [be provided within the Plan period (2014-2032)] from the remainder of the urban area, with: About 1,700 of these from within Aldershot (outside Wellesley)...”* In this respect the proposed development at The Galleries is a specific allocation for new residential development (it is not a ‘windfall site’ or scheme), with Policy SP1.4 (The Galleries) specifically stating:- *“The Council will work proactively with developers to achieve a comprehensive redevelopment of the site as set out below. It is anticipated that at least 500 residential units can be provided in total across the three phases.....”*

Accordingly, the HRA clearly anticipated considerably in excess of the scale of new residential development proposed by the Galleries scheme : indeed, it considers a capacity

of up to 8,700 new dwellings in total within the Borough being delivered up to 2032. Policy SP1.4 (The Galleries) was one of a number of policies within the then draft Local Plan where the impacts of the policy were specifically considered as having a potential adverse impact. Transport modelling undertaken as part of the evidence base of the Local Plan determined that there would only be small increases in traffic flows, both on the two major roads that lie within 200 metres of the SPA in the Borough, but also in terms of expected increases in traffic flows on other roads within 200 metres of SPAs located outside the Borough. The HRA concluded in respect of impacts upon atmospheric pollution that *“Transport modelling and air quality analysis has been undertaken as part of the evidence to support the Local Plan [and thereby the proposals contained therein]. This indicates that the Local Plan will not result in likely significant effect upon the SPA in respect of air quality.”*

The current proposed development is considered to accord with the requirements of the New Local Plan. Furthermore, the issue of recreational pressure is to be addressed by the developer being required to enter into a s106 Agreement to secure the appropriate financial contribution for SPA mitigation and avoidance as required by the Council’s adopted Thames Basin Heaths SPA Avoidance & Mitigation Strategy (2020). In the circumstances, NE has been contacted to explain the situation and their further response is awaited. Members will be updated in this regard at the meeting.

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. In this case, as explained at the beginning of this section of the report, it is considered that the current proposals are within the scope of the adopted 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 (2020)], 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 596 new residential units within the Aldershot urban area. As such, the proposed development is located within the 5km zone of influence of the SPA but outside the 400-metre exclusion zone. The proposed development is neither connected to, nor necessary to the management of, the Thames Basin Heaths SPA. Furthermore, the proposed development would not result in a net increase in traffic movements in excess of 1000 vehicular movements per day in proximity to the SPA.

All new housing development within 5 km of any part of the Thames Basin Heaths SPA, of which the current proposals would make a contribution, is considered to contribute towards an impact on the integrity and nature conservation interests of the SPA. This is as a result of increased recreation disturbance in combination with other housing development in the vicinity of the Thames Basin Heaths SPA. This includes the student accommodation (PBSA), which whilst not C3 dwellinghouses, involve a form of habitation that may give rise to pressure on the Thames Basin Heath.

The current 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 within 5 km of a boundary of part of the Thames Basin Heaths SPA. In line with Natural England guidance and adopted New Rushmmor 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. In this respect, Rushmoor Borough Council formally adopted the latest version of the Thames Basin Heaths SPA Avoidance & Mitigation Strategy (AMS) in 2020. The AMS provides a strategic solution to ensure the requirements of the Habitats Regulations are met with regard to the in-combination effects of increased recreational pressure on the Thames Basin Heaths SPA arising from new residential development. This Strategy is a partnership approach to addressing the issue that has been endorsed by Natural England.

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

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

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

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

In this instance, the contributions amount to £3,293,300.00 towards SPA avoidance and mitigation and access management, comprising £3,021,714.00 SANGS and £271,586.00 SAMMS contributions) and the applicants have received an allocation of SANGS capacity from the Council's Southwood Country Park SANGS scheme sufficient for the new dwelling units proposed. However, it is possible that the allocation could, in the alternative, be equally met by the new Blandford House SANG scheme instead.

The attendant SPA financial contribution is to be secured by the applicants entering into a satisfactory s106 Planning Obligation to pay the contributions upon the implementation of the proposed development.

Conclusions of Appropriate Assessment.

On this basis, the Council are satisfied that, subject to the completion of the appropriate s106 Planning Obligation in this respect, the applicants would satisfactorily mitigate 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.

(b) Site Specific Protected Species : The planning application was submitted with an Ecological Impact Assessment report, which describes surveys that were undertaken to assess the biodiversity value of the site. The Council's Ecology & Biodiversity Officer has considered the application submissions and requested that the trees at the site be assessed for potential bat roosting. As a result, additional bat survey information in respect of the site

trees was submitted to the Council in October 2020, which reports that no evidence of roosting bats was found. The Council's Ecology & Biodiversity Officer confirms that this is satisfactory. As a result it is considered that no specific mitigation measures are required.

(c) Green Infrastructure and Biodiversity Gain : The NPPF states that planning policies and decisions should contribute to and enhance the natural and local environment by: “d) *minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures*” (Para.172); and, at Para.174: “*To protect and enhance biodiversity and geodiversity, plans should (inter alia): b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity.*” Further, at Para.175: “*When determining planning applications, local planning authorities should apply the following principles (inter alia): d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.*”

Local Plan Policy NE2 requires that development provides green infrastructure features within the development and maximises opportunities for improvement to the green infrastructure network, including restoration of fragmented parts of the network. Local Plan Policy NE4 requires that development proposals should seek to secure opportunities to enhance biodiversity and include proportionate measures to contribute, where possible, to a net gain in biodiversity. Due to the urban nature of the Borough, it is important that all opportunities are maximized to provide multifunctional green infrastructure within new development to decrease fragmentation and provide pleasant biodiverse places for people to live.

As existing, as the surveys have demonstrated, the existing site has very limited ecology and biodiversity interest given that it is largely covered by buildings. Nevertheless, in order to comply with the Council's Local Plan requirements, the proposed development seeks to introduce a variety of biodiversity enhancements with the scheme. These include landscape planting at street level, especially within the new public realm areas; but also the provision of green roofs and rooftop residents' communal amenity areas; and provision of a variety of nesting/roosting boxes and other features to encourage wildlife into the development. The Council's Ecology & Biodiversity Officer considers that, in principle, the proposals offer excellent opportunities for ecology and biodiversity enhancement. However they have reservations about specific elements of the proposals that have been submitted with the application and suggest the imposition of planning conditions to enable the proposals to be improved. It is considered that this is an appropriate approach – see suggested **Condition Nos.12 & 13.**

14. Archaeology -

Policy HE4 of the Local Plan states that the Council will support development proposals which do not adversely affect nationally significant features of archaeological or historic importance or their setting. In this case, all of the application site has been subject to previous modern development over practically all of its land area. As a result the County Archaeologist advises that, not only are there no archaeological sites recorded in this vicinity, but any inherent archaeological potential would, in any event, have already been severely compromised, if not entirely removed, by the existing modern developments that have

already taken place on the land. As a result no archaeological investigation or mitigation measures are required.

15. Sustainability -

Local Plan Policy DE4 requires all new homes to meet a water efficiency standard of 110 litres per person per day. It also requires new non-residential development of 1000 square metres gross external area or more to provide evidence on completions of achievement of the BREEAM 'excellent' standard for water consumption. In this respect it is noted that the submitted Planning Statement confirms that "*water fittings will be installed with restricted flow rates to meet the target water consumption*" standard and that the development will seek to ensure that the non-residential element will achieve the required BREEAM standard (para. 4.135).

The application is supported by a Sustainability and Energy Statement that proposes a site-wide energy strategy to create a sustainable, low carbon development. The submitted Planning Statement notes that "*passive and active energy efficiency measures are to be adopted*" (para. 4.133) and that the development "*will be future proofed to allow for [combined heat and power] connectivity in the future should they become available*" (para. 4.134). Criterion b of Policy DE1 requires new developments to "promote designs and layouts which take account of the need to adapt to and mitigate against the effects of climate change, including the use of renewable energy".

It is considered appropriate to deal with these matters through the imposition of a condition : see suggested **Condition No.43**.

16. Access for People with Disabilities -

Policy LN1 (Housing Mix) requires 'a target of 15% of market dwellings to be built to accessible and adaptable standards to meet the requirements of Building Regulations M4(2)'. In this regard, it is noted that the submitted Planning Statement outlines that in excess of 10% of the proposed units (60 units) will be designed as wheelchair user dwellings which meet the requirements of Building Regulations M4(3) and that the remaining dwellings will be 'capable of achieving Part M4(2)' (para. 4.72), thereby exceeding the requirements of Policy LN1. It is indicated that these units would be distributed between the three elements of the proposed development as follows: Car Park Site : 25 units; Galleries Site : 15 units; and Arcade Site : 20 units.

The proposed development also provides in excess of 10% of the total number of parking spaces within the scheme as mobility accessible spaces. It is considered that there is no reason why development would be unable to provide adequate access for people with disabilities, as necessary and appropriate, in accordance with the Building Regulations. In the circumstances it is considered that adequate facilities would be provided for people with disabilities using the proposed development.

Conclusions -

It is clear from both the representations received and from the Council's planning policies that there are lofty aspirations for the regeneration of Aldershot. The representations received in response to the current planning application are united in agreeing that regeneration of the Town Centre is desperately needed. However the objections received reflect the subjective nature of the choice that needs to be made between regeneration and

also having to accept that regeneration represents a new chapter in the evolution of the town.

The Council must objectively consider the planning merits or otherwise of the scheme that is submitted with the planning application. Planning permission cannot be refused simply because a 'better' scheme is imagined, might materialise in the future, and is considered preferable to what is being offered. Neither should planning permission be refused simply because a proposed development would be different in appearance or in respect of any other attribute. It is necessary to identify clear-cut, material and unacceptable planning harm that would be caused by the proposals.

Objectively it is considered that the proposals are a well-designed coherent and high quality scheme that will make a positive contribution to Aldershot Town Centre in terms of both its visual appearance, but also its function, vitality and viability.

The Council's adopted policies encourage both town centre regeneration and also high quality design. The site is a specific allocation in the Local Plan and forms a key component of the Council's regeneration strategy for Aldershot Town Centre. The proposal would be in general conformity with the Development Plan and the merits of the proposal are considered to be positive in the planning balance.

The proposal is therefore considered to be acceptable subject to appropriate conditions and s106 financial contributions.

It is considered that the proposals are acceptable in principle and in highway terms; to have an acceptable impact on the visual character, appearance and heritage assets of the area and the vitality and viability of the Town Centre shopping frontages; to have no material or adverse impact on neighbours; and to provide an acceptable living environment for future occupiers. On the basis of the provision of a contribution towards the enhancement of existing public open space in the vicinity of the site, the proposals are considered to comply with Local Plan Policy DE6. On the basis of the provision of a contribution towards an appropriate SPA mitigation and avoidance scheme, the proposals are considered to have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. On the basis of the independent assessment of the submitted Financial Viability Report, and subject to mid- and late-stage re-appraisal, the proposals are considered to comply with the requirements of Local Plan Policy LN2 (affordable housing). The proposals are also considered acceptable in terms of trees, flood risk & drainage, air quality, ecology & biodiversity, archaeology, sustainability and access for people with disabilities. The proposals are thereby acceptable having regard to the requirements of Policies SS1, SS2, SP1, SP1.1, SP1.2, SP1.4, IN1, IN2, IN3, HE1, HE4, DE1, DE2, DE3, DE4, DE5, DE6, DE10, LN1, LN2, PC8, NE1, NE2, NE3, NE4, NE6 and NE8 of the adopted New Rushmoor Local Plan (2014-2032); adopted Car and Cycle Standards SPD (2017); Aldershot Town Centre Prospectus SPD (2016); Affordable Housing' SPD (2019); Buildings of Local Importance SPD (2012); & Shop Front Design Guide SPD (2015); and the advice contained in the National Planning Policy Framework and National Planning Policy Guidance.

Full Recommendation

It is therefore recommended that:-

A. subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure the following:-

- 1) £3,293,300.00 (comprising £3,021,714.00 SANGS and £271,586.00 SAMMS contributions) towards SPA avoidance and mitigation and access management at Southwood Country Park; OR, alternatively, an appropriate payment to secure equivalent mitigation at the Blandford House/Malta Barracks SANGS site;
- 2) £100,000 for improvements to off-site Public Open Space comprising either (a) landscaping, park furniture infrastructure and footpath renewal (including renovation of historic hard/soft landscape features) and habitat improvements at Manor Park, Aldershot; OR (b) landscaping, park furniture infrastructure and footpath renewal and habitat improvements at Redan Hill Gardens, Windmill Road, Aldershot;
- 3) provision of a full Travel Plan prior to occupation along with associated approval, monitoring fees (£1500 for approval and £3000 per annum for 5 years for monitoring : £16,500 in total) and bond;
- 5) Both mid-term and late-stage financial viability re-assessment clauses in accordance with the recommendations of the PBS Independent Viability Review (3rd August 2020);
- 6) Requirements to secure the provision, retention and management/allocation of parking spaces within the development for the lifetime of the development; and
- 7) £5,000.00 Monitoring and Administration Fee;

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:-

B. a Development Monitoring Group be established to monitor the progress of the development as appropriate.

Conditions

1. Time for implementation

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

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

2. Approved Drawings

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

AC_PP_300 REV.P02, AC_PP_301 REV.P02, AC_PP_302 REV.P02, AC_PP_303 REV.P02, AC_PP_304 REV.P02, AC_PP_305 REV.P02, AC_PP_306 REV.P02, AC_PP_307 REV.P02, AC_PP_308 REV.P02, AC_PP_309 REV.P02, CP_PP_320 REV.P02, CP_PP_321 REV.P02, CP_PP_322 REV.P02, CP_PP_323 REV.P02, CP_PP_324 REV.P02, CP_PP_325 REV.P02, CP_PP_326 REV.P02, CP_PP_327 REV.P02, CP_PP_328 REV.P02, CP_PP_329 REV.P02, CP_PP_330 REV.P02, CP_PP_331 REV.P02, GA_PP_340 REV.P02, GA_PP_341 REV.P02, GA_PP_342 REV.P02, GA_PP_343 REV.P02, GA_PP_344 REV.P02, GA_PP_345 REV.P02, GA_PP_346 REV.P02, GA_PP_347 REV.P02, GA_PP_348 REV.P02, GA_PP_349 REV.P02, GA_PP_350 REV.P02, GA_PP_351 REV.P02, GA_PP_352 REV.P02, GA_PP_353 REV.P02, MP_PP_001 REV.P05, MP_PP_002 REV.P05, MP_PP_003 REV.P05, MP_PP_004 REV.P05, MP_PP_005 REV.P05, MP_PP_006 REV.P05, MP_PP_007 REV.P05, MP_PP_008 REV.P05, MP_PP_009 REV.P05, MP_PP_010 REV.P05, MP_PP_011 REV.P05, MP_PP_012 REV.P05, MP_PP_013 REV.P05, MP_BE_400 REV P02, MP_BE_401 REV P02, MP_BE_402 REV P02, MP_BE_403 REV P02, MP_BE_404 REV P02, MP_BE_405 REV P02, MP_BE_406 REV P02, MP_BE_407 REV P02, MP_BE_408 REV P02, MP_BE_409 REV P02, MP_BE_410 REV P02, MP_BE_411 REV P02, MP_PE_100 REV P05, MP_PE_101 REV P05, MP_PE_102 REV P05, MP_PE_103 REV P05, MP_PE_104 REV P05, MO_PS_201 REV P05, MO_PS_202 REV P05, MP_PP_014 REV P05, MP_PS_200 REV P05, MP_SC_001 REV P06, MP_SC_002 REV P02, MP_SC_003 REV P03, MP_SC_004 REV P02, XX_XP_X02 REV P02, XX_XP_X11 REV P02, XX_XP_X12 REV P02, XX_XP_X13 REV P02, XX_XP_X01 REV P02, XX_XP_X03 REV P02, D0302-001 REV.A, D0302-002 REV.A, D0302-003 REV.C, D0302-004 REV.A, D0302-005, D0302-006, D0302-007, D0302-008, D0302-009, EVOKE SK001 REV.A, EVOKE SK002 REV.A, EVOKE SK003 REV.A, & EVOKE SK004 REV.A; Clarke Saunders Acoustic Report; D.Rose Planning LLP Planning Statement; Delva Patman Redlar Daylight & Sunlight Study; FHP Engineering Research Solutions Sustainability & Energy Statement; Gem Air Quality Ltd. Air Quality Assessment; Holbury Ecological Impact Assessment & Additional Bat Survey Report; JM Enviro Ltd. FRA & Drainage Strategy; JTP Design & Access Statement; Lustre Consulting Site Investigation Desk Study; Neil Tulley Associates Tree Schedule & Arboricultural Constraints; Systra

FTPTransport Assessment & Framework Travel Plan; Montagu Evans Financial Viability Assessment; and Shaviram Public Consultation Statement.

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

3. Finer-Grained Phasing Details

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

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

4. Site Investigation

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

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

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

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

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

Reason – (1) To ensure that the site is safe for the development permitted and in the interests of amenity and pollution prevention; and to ensure that the development does not contribute to, and is not put at unacceptable risk from, or adversely affected by, unacceptable levels of water pollution; and (2) to ensure that the site does not pose any further risk to the water environment by demonstrating that the requirements of the approved verification plan

have been met and that remediation of the site is complete; in line with Paragraph 170 of the National Planning Policy Framework. *

5. Unforeseen Contamination

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

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

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

6. Surface Water Drainage details

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

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

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

7. Surface Water Network Upgrade Provision

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

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

8. Surface Water Infiltration Systems

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

Reason – At the request of the Environment Agency to ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants in line with paragraph 170 of the National Planning Policy Framework.

9. Piling Using Penetrative Methods

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

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

10. Construction & Environmental Management Plan

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

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

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

11. Construction Hours

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

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

12. Green Roof Details

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

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

13. Biodiversity Enhancement Details

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

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

14. Tree Protection Measures

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

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

15. Provision of Highway Access and Visibility Splays

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

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

16. No Overhead Servicing

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

Reason - In the interests of visual amenity.

17. Flexible Commercial/Community Units : Use

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

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

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

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

Reason - To safeguard the amenities of the area.

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

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

Reason - To safeguard the amenities of neighbouring property.

20. Flexible Commercial/Community Units : Opening Hours

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

- 0700 – 2300 Hours Mondays to Sundays

Reason - To safeguard the amenities of neighbouring occupiers.

21. Flexible Commercial/Community Units : Delivery Hours

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

Reason - To safeguard residential amenities.

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

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

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

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

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

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

24. Flexible Commercial/Community Units : Plant & Machinery

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

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

25. Public Realm : Hard and Soft Landscaping

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

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

26. Public Realm : Landscape Management Plan

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

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

27. Public Realm : Street Furniture & Lighting

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

Reason - To ensure satisfactory external appearance. *

28. Public Realm : Signage

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

Reason - To ensure satisfactory external appearance.

29. External Material Samples

Prior to each phase of development approved pursuant to Condition No.3 of this planning permission, no construction works above ground level pursuant to that phase shall start until a schedule and/or samples of the external materials to be used in the construction of that phase have been submitted to, and approved in writing by, the Local Planning Authority. The details so approved shall be implemented in full and retained thereafter.

Reason - To ensure satisfactory external appearance. *

30. External Design Details

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

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

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

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

31. Residential Communal Amenity Areas : Hard and Soft Landscaping

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

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

32. Residential Communal Amenity Areas : Landscape Management Plan

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

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

33. Residential Car Parking

No residential unit hereby approved within each phase of development approved pursuant to Condition No.3 of this planning permission shall be occupied until each residential unit within that phase has been allocated one parking space for the lifetime of the development that have been provided and made available for use. For the avoidance of doubt, no allocated residential parking space shall be used for the parking and/or storage of boats, caravans and trailers

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

34. Residential Cycle Parking

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

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

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

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

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

36. Residential Units : General Noise Attenuation Measures

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

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

37. Residential Units : Balcony/Terrace Privacy Screening

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

Reason - To safeguard the amenities of neighbouring property. *

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

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

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

39. Residential Units : Bin Storage & Collection Details

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

Reason - To safeguard the amenities of the area. *

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

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

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

41. Employment Skills Plan

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

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

42. Sustainability : Electric Car Charging Points Details

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

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

43. Sustainability : BREEAM

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

Reason - To ensure the development is sustainable.

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.

It is considered that the proposals are acceptable in principle and in highway terms; to have an acceptable impact on the visual character, appearance and heritage assets of the area and the vitality and viability of the Town Centre shopping frontages; to have no material or adverse impact on neighbours; and to provide an acceptable living environment for future occupiers. On the basis of the provision of a contribution towards the enhancement of existing public open space in the vicinity of the site, the proposals are considered to comply with Local Plan Policy DE6. On the basis of the provision of a contribution towards an appropriate SPA mitigation and avoidance scheme, the proposals are considered to have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. On the basis of the independent assessment of the submitted Financial Viability Report, and subject to mid- and late-stage re-appraisal, the proposals are considered to comply with the requirements of Local Plan Policy LN2 (affordable housing). The proposals are also considered acceptable in terms of trees, flood risk & drainage, air quality, ecology & biodiversity, archaeology, sustainability and access for people with disabilities. The proposals are thereby acceptable having regard to the requirements of Policies SS1, SS2, SP1, SP1.1, SP1.2, SP1.4, IN1, IN2, IN3, HE1, HE4, DE1, DE2, DE3, DE4, DE5, DE6, DE10, LN1, LN2, PC8, NE1, NE2, NE3, NE4, NE6 and NE8 of the adopted New Rushmoor Local Plan (2014-2032); adopted Car and Cycle Standards SPD (2017); Aldershot Town Centre Prospectus SPD (2016); Affordable Housing' SPD (2019); Buildings of Local Importance SPD (2012); & Shop Front Design Guide SPD (2015); and the advice contained in the National Planning Policy Framework and National Planning Policy Guidance.

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.

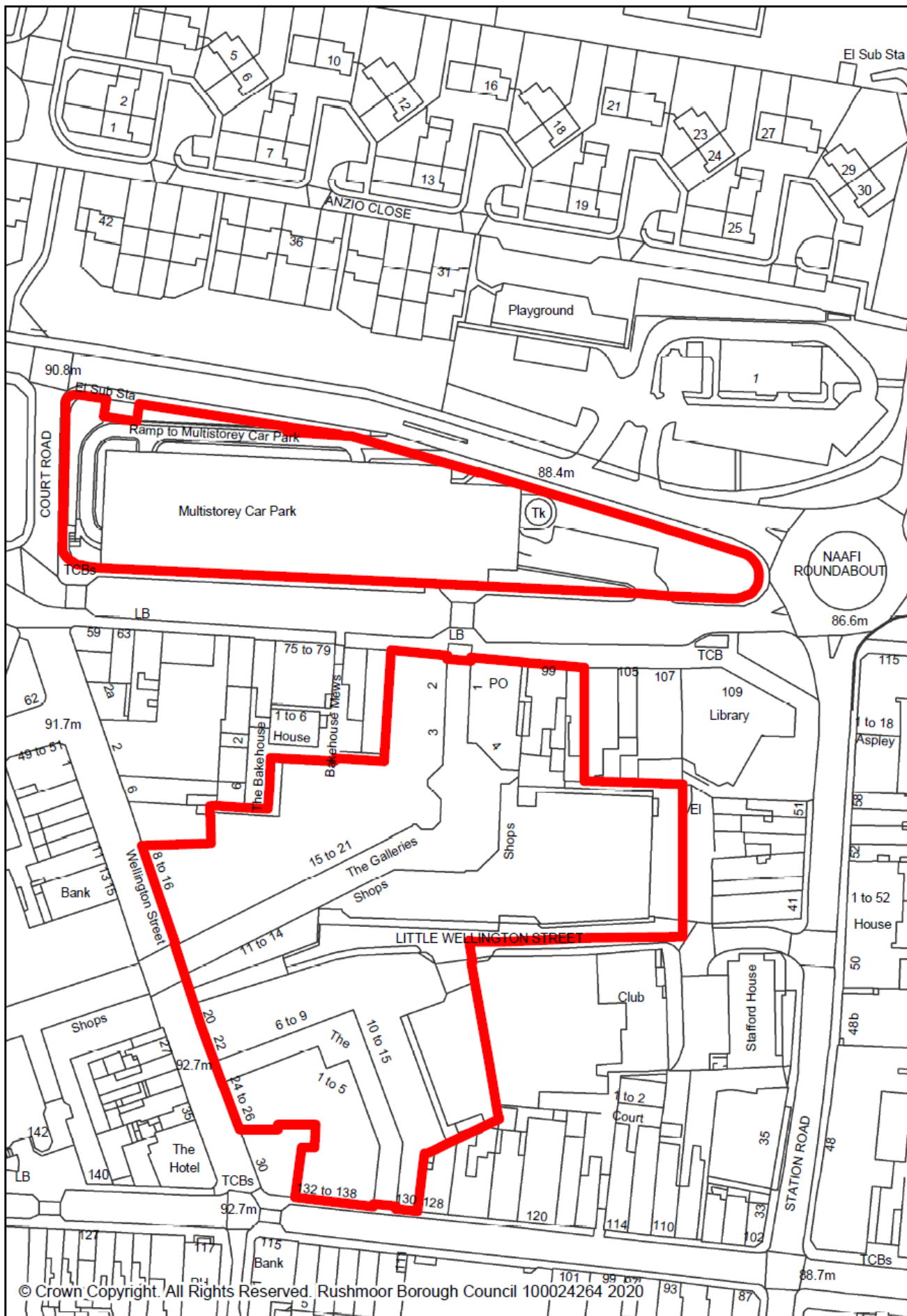
2. **INFORMATIVE** - This permission is subject to a Legal Agreement under Section 106 of the Town and Country Planning Act 1990 (as amended).
3. **INFORMATIVE** - Your attention is specifically drawn to the conditions marked *. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE WORKS START ON SITE 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.

4. 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.
5. 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 buildings are consistent with these aims; and
 - b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.
6. INFORMATIVE - The planning permission hereby granted does not authorise the applicant, or his agents, to construct a new/altered 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.
7. INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Council's Environmental Health Team for advice.
8. 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.
9. INFORMATIVE - The applicant is advised that during the construction phase 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 Council's Environmental Health Team.
10. 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 0845 850 2777.

11. INFORMATIVE - The applicant is advised to contact the Council's Environmental Health Team regarding the requirement to provide acoustic insulation. Any scheme of acoustic insulation must be in accordance with the specifications provided in Schedule 1 of the Noise Insulation Regulations 1975 and must include details of acoustic mechanical ventilation and, where appropriate, solar control.
12. INFORMATIVE - The applicant is advised to follow good practice in the demolition of the existing buildings on site including the re-use of all material arising from demolition as part of the redevelopment wherever practicable.
13. INFORMATIVE - The applicant is advised that there is a need to comply with the requirements of the Party Wall (etc.) Act 1996 before starting works on site. The Party Wall (etc.) Act is not enforced or administered by the Council but further information can be found on the Planning Portal website <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance> and you are able to download The party Wall Act 1996 explanatory booklet.
14. 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.
15. INFORMATIVE - The applicant is reminded that the flexible commercial/community use 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".
16. INFORMATIVE - The applicant is requested to bring the conditions attached to this permission to the attention of all contractors working or delivering to the site, in particular any relating to the permitted hours of construction and demolition; and where practicable to have these conditions on display at the site entrance(s) for the duration of the works.
17. 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.



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 Ingram
Application No.	20/00700/COU
Date Valid	1st October 2020
Expiry date of consultations	28th October 2020
Proposal	Continued siting of a portable cabin and change of use from cafe to day centre and enclosing area of public open space 12m x 15.5m to be used by the Parkside Centre
Address	Parkside Centre 57 Guildford Road Aldershot Hampshire GU12 4BP
Ward	Aldershot Park
Applicant	Chris Harris
Recommendation	REFUSE

Description

The Parkside Centre is a day centre providing services for children and adults with learning disabilities. The entire site lies within the designated open space of Aldershot Park. The site contains a single storey building with a garden area at the rear bounded to the south east by a beech hedge and the north east by reed fencing and Cypressa trees. Beyond the rear fenced boundary is an area 15m wide 12m deep which forms part of the Parkside Centre's lease with the Council. To the east and north east of the application site is the children's playground and the duck pond and a lightly wooded area. Land which adjoins the site to the north east and a stand of beech trees along the north western boundary of the site is designated as a Site of Importance for Nature Conservation. The application site and the Park are designated as the Countryside outside the built-up area boundary and as Public Open Space by Policies NE5 and DE6 of the Rushmoor Local Plan (2019) respectively.

In July 2010 planning permission 10/00298/FUL was granted for the erection of a portable building on the land to the rear of the fenced boundary, a pathway and wooden seating and tables to be used as a café and to provide a training experience for service users. The building was given permission for a period of three years due to its temporary nature and was conditioned to be painted dark green. In October 2013 planning permission 13/00307/EXT was granted to allow the continued siting of the portable building for use as a cafe for a further 5 years. This has now expired.

This planning application seeks permission to enclose the area of land on which the portable building is sited, and which forms the boundary line of the applicant's lease agreement with the Council. The area of land measures 15.5m wide x 12m deep and the fencing proposed is 2m high green palisade fencing. The application also seeks to change the use of the portable building from a café to an activity room / day centre use. The applicant writes that more secure space is required to meet social distancing requirements.

Consultee Responses

Parks Development Officer	Raises an objection due to the loss of public open space and impact on visual amenities of the Park
Arboricultural Officer	No objection subject to condition protecting tree roots

Neighbours notified and comments

Two site notices were posted and 41 letters of notification were sent to adjoining properties. No letters of representation have been received.

Policy and determining issues

The site is located in the Countryside outside the urban area boundary and designated as Public Open Space. Policies SS2 (Spatial Strategy), DE1 (Design in the Built Environment) DE6 (Open Space, Sport and Recreation), IN1 (Infrastructure and Community Facilities), IN2 (Transport), NE2 (Green Infrastructure), NE3 (Trees and Landscaping), NE4 (Biodiversity) and NE5 (Countryside) are relevant to the determination of the application as well as the Rushmoor Car and Cycle Parking Standards SPD (2017).

The main determining issues are the principle of development, impact on the character and appearance of the area, impact on neighbouring amenity, highways and parking considerations and impact on trees and biodiversity.

Commentary

Principle of the development –

The site is designated as being public open space by Policy DE6 (Open Space, Sport and Recreation) which states that *'development will not be permitted on areas of open space used for recreation or outdoor sport, or having visual amenity - unless the development is for sport and recreation provision, the need for which clearly outweighs the loss, or, an assessment has been undertaken which has clearly shown the open space to be surplus to requirements in meeting needs in Rushmoor over the plan period'*.

Enclosing the land and changing its use for use by the Parkside Centre would result in the loss of public open space. The use is not for alternative recreation provision and therefore the proposal is contrary to provisions of Policy DE6. The Rushmoor Open Space, Sport and Recreation Study (2014), which informed the Local Plan (2019), highlights that there is limited opportunity to create new open space in the Borough and the policy approach should be to protect against the loss of existing open space and enhance facilities. The erection of the portable building was granted permission in 2010 because it was for a café that was located within the Park boundaries which enhanced existing recreational provision for park users. The

principle of the proposed development therefore conflicts with the provisions and objectives of Policy DE6 and is unacceptable. The recommendation is that the application should be refused.

Impact on character of the site and surrounding area –

The Park in this location is characterised by the duck pond, an adventure playground, a lightly wooded area and a large oak tree. Policy NE5 (Countryside) states that development will be permitted, among other things, where it preserves the character and appearance of the countryside. The proposed 2m high green palisade steel fencing would have an industrial and utilitarian appearance which would be out of keeping with the more natural green character of the Park. The proposal would therefore be contrary to Policy NE5 of the Rushmoor Local Plan (2019).

Impact on neighbouring amenity –

The north western boundary of the application site is against the rear boundaries of properties on Whyte Avenue. It is considered that the incorporation of the public open space into the curtilage of the Centre would not lead to a material increase of activity levels above existing that would have a materially detrimental impact on neighbouring amenity. The application would comply Policy DE1 of the Local Plan (2019) in this regard.

Highways considerations –

There is an area of hardstanding at the front of the site for staff and visitor parking. The proposal would not result in additional staff so there no requirement under the Rushmoor Car and Cycle Parking Standards (2017) to provide for additional parking spaces. The proposal would have an acceptable impact on highway safety and comply with Policy IN2 of the Rushmoor Local Plan (2019).

Impact on trees and nature conservation -

The Arboricultural Officer raised no objection to the application provided that, in the event of permission, post holes for fences are hand dug with no severance of tree roots in excess of 25mm diameter and lined with plastic to prevent leaching of phytotoxic chemicals.

The beech trees along the north western boundary of the site and the area adjoining the site to the north east including the duck pond are designated as a Site of Importance for Nature Conservation. Biodiversity enhancements were proposed and installed as part of the original application 10/00298/FUL. Enclosing the rear part of the site would not result in any adverse effects to biodiversity and the application would comply with Policies NE3 (Trees and Landscaping) and NE4 (Biodiversity) of the Rushmoor Local Plan (2019).

Conclusions

The site is designated as being in Public Open Space and in the Countryside. Changing the use of the portable building and the land it is located on for the use now proposed by the Parkside Centre is contrary to the provision of the open space Policy DE6 of the Rushmoor Local Plan (2019). The proposed fencing is unsympathetic with the natural character of Aldershot Park. Although there are trees in the vicinity of the application site and the land adjoining the site the north east is designated as being located as a Site of Importance for Nature Conservation if a fence were erected the health of the trees could be protected by a

condition. The application fails to comply with the provisions of Policies DE6 (Open Space, Sport and Recreation) and NE5 (Countryside) of the Rushmoor Local Plan (2019) so the principle of development and impact on visual amenities are unacceptable and the application should be refused.

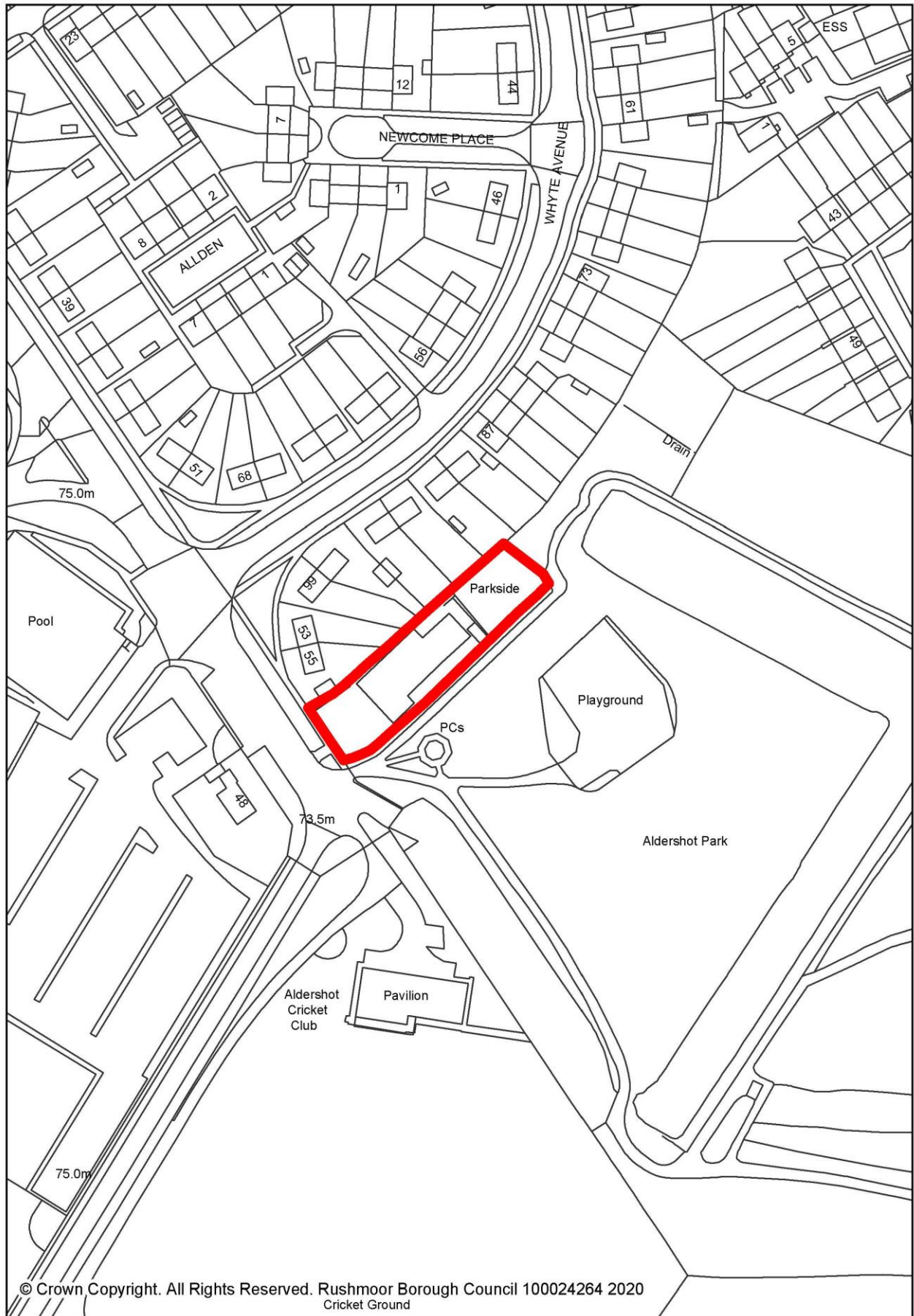
Full Recommendation

It is recommended that permission be REFUSED for the following reasons:

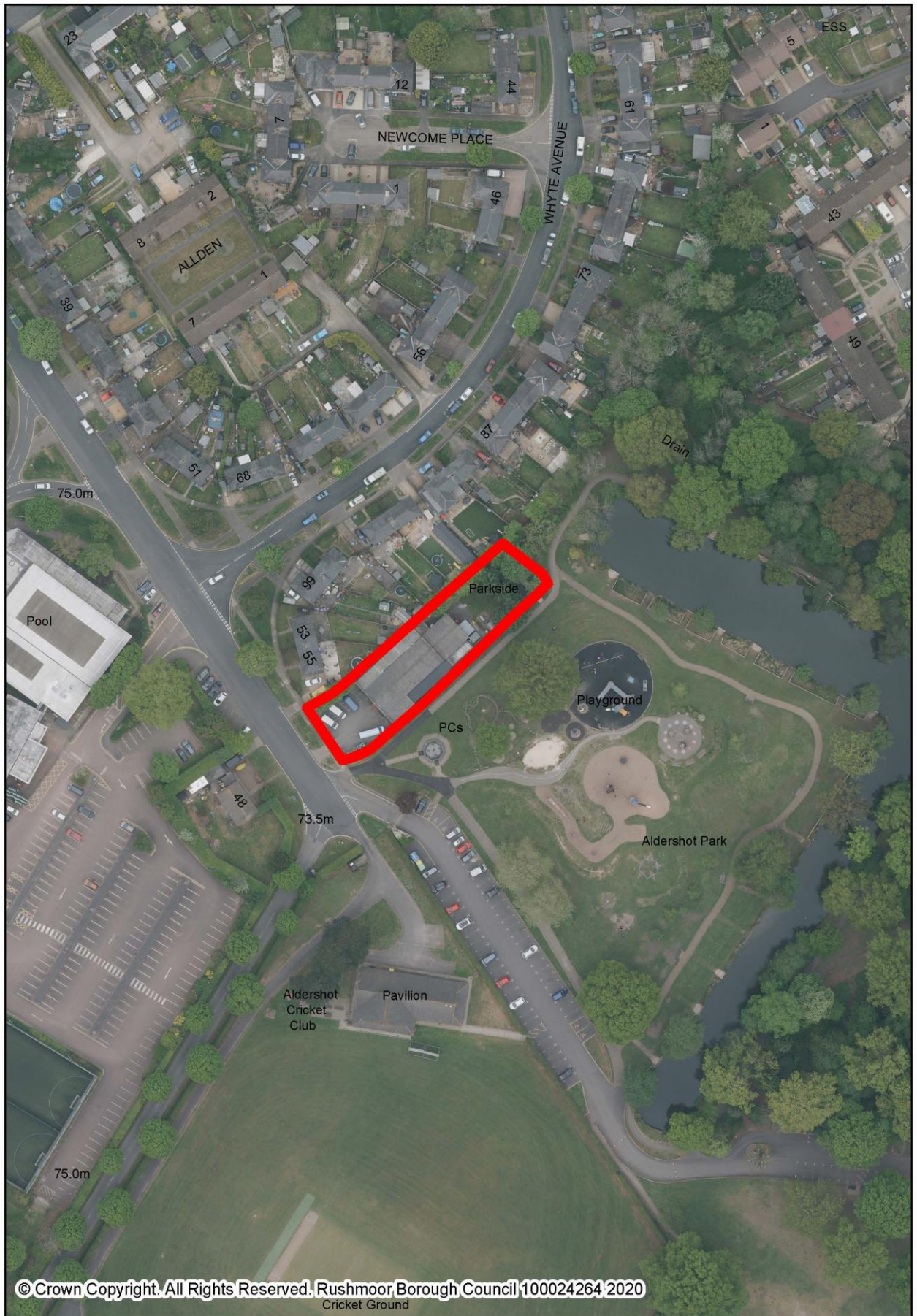
- 1 The proposed development results in the loss of an area of public open space used for recreation and is not for sports and recreation provision accessible to the public, and therefore conflicts with the provisions of Policy DE6 of the Rushmoor Local Plan (2019).
- 2 The proposed fencing, by way of its design and appearance, creates an incongruous form of development contrary to the green and natural character of Aldershot Park in this location and therefore fails to preserve the character and appearance of the Countryside, and conflicts with the provisions of Policy NE5 of the Rushmoor Local Plan (2019).

INFORMATIVES

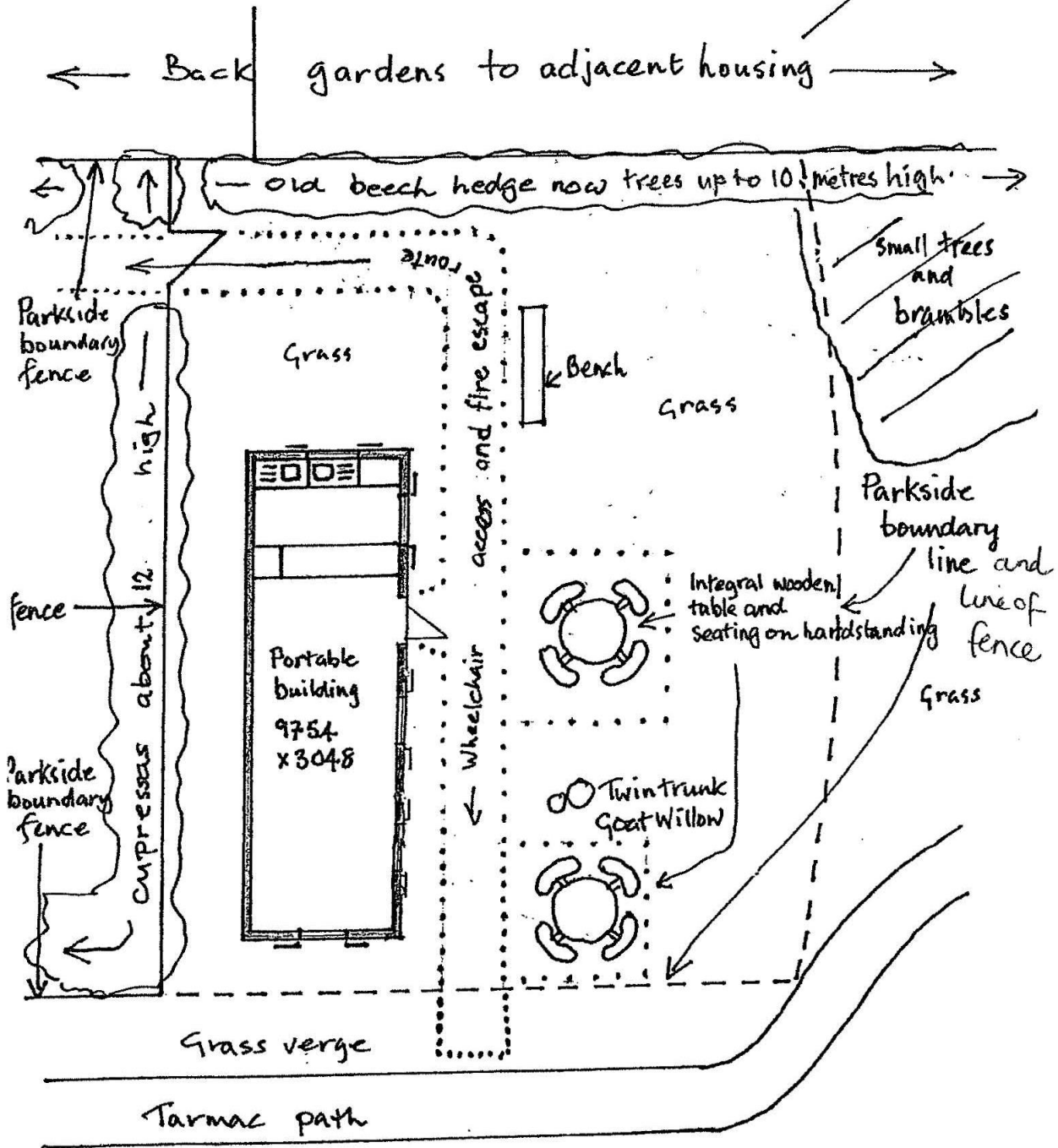
- 1 **INFORMATIVE** – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance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



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Cricket Ground



Portakabin floor plan showing external layout



Public Park

Site Plan Scale 1:100

Proposed fencing

PALISADE - steel palisade high-security fencing

System type	Steel palisade systems
Product accreditation	BS 1722-12
Overall height	1.2 - 3.0m
Wire / bar / pale size	5 pale options, 2 - 4mm thickness
Post centres	2.75m

Ask Barkers Fencing about
Palisade - GP and security grade steel palisade fencing

General enquiry

Your question

SEND ENQUIRY

COPY SPEC

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.

Application No	20/00318/CONDPP	Ward: Rowhill
Applicant:	Mr & Mrs Pelling	
Decision:	Conditions details approved	
Decision Date:	21 October 2020	
Proposal:	Submission of amended details in respect of Condition 4 -surfacing materials; and 5 -sustainable drainage; of planning permission 18/00765/FULPP for the demolition of existing dwelling and erection of replacement building to form 3No flats	
Address	Bens Cottage 9 Eggars Hill Aldershot Hampshire GU11 3NQ	

Application No	20/00359/NMAPP	Ward: Manor Park
Applicant:	Gordon Road Developments Limited	
Decision:	Permission Granted	
Decision Date:	12 October 2020	
Proposal:	NON-MATERIAL AMENDMENTS: Amendments to development approved with planning permission 18/00400/FULPP dated 13 July 2018 comprising (a) change to roof design of new-build section to rear; (b) replacement of lift with staircase; (c) changes to window sizes; and (d) consequential internal layout alterations including to bin and bicycle stores	
Address	69 Gordon Road Aldershot Hampshire GU11 1NG	

Application No 20/00365/CONDPP Ward: Manor Park

Applicant: Gordon Road Developments Limited

Decision: **Conditions details approved**

Decision Date: 12 October 2020

Proposal: Submission of details pursuant to Condition Nos.5 (communal aerial/satellite dish system) and 8 (external lighting) of planning permission 18/00400/FULPP dated 13th July 2018

Address **69 Gordon Road Aldershot Hampshire GU11 1NG**

Application No 20/00523/COND Ward: Aldershot Park

Applicant: Devonshires

Decision: **Split decision**

Decision Date: 16 October 2020

Proposal: Request for confirmation that all conditions of planning permission 16/00305/FULPP dated 18 November 2016 have been complied with

Address **Garages At Junction With Lyndhurst Avenue Selborne Avenue Aldershot Hampshire**

Application No 20/00548/FUL Ward: Empress

Applicant: Mrs Kelly Ann Condell

Decision: **Permission Granted**

Decision Date: 14 October 2020

Proposal: Retention of a single storey rear extension

Address **35 Marrowbrook Lane Farnborough Hampshire GU14 0BB**

Application No 20/00551/FULPP Ward: Knellwood

Applicant: Mr & Mrs Hughes

Decision: **Permission Granted**

Decision Date: 07 October 2020

Proposal: Erection of a first floor side extension

Address **156 Alexandra Road Farnborough Hampshire GU14 6RY**

Application No 20/00564/LBCPP Ward: Fernhill
Applicant: Mr Kevin Rose
Decision: **Permission Refused**
Decision Date: 23 October 2020
Proposal: Demolition of rear conservatory and outbuildings and the erection of a single storey rear/side extension.
Address **The Old Malthouse 5 Chapel Lane Blackwater Camberley Hampshire GU17 9ET**

Application No 20/00571/FUL Ward: North Town
Applicant: Mr R Blackman
Decision: **Permission Granted**
Decision Date: 07 October 2020
Proposal: Erection of a single storey front and two storey side extension
Address **39 Field Way Aldershot Hampshire GU12 4UJ**

Application No 20/00578/FULPP Ward: Knellwood
Applicant: Mr & Mrs Peaple
Decision: **Permission Granted**
Decision Date: 13 October 2020
Proposal: To create a ground floor side extension containing a bedroom and bathroom
Address **63 Ashley Road Farnborough Hampshire GU14 7HB**

Application No 20/00591/FULPP Ward: St John's
Applicant: Tony Kellow
Decision: **Permission Granted**
Decision Date: 06 October 2020
Proposal: Erection of a two storey rear extension and loft conversion with roof lights
Address **29 Marlborough View Farnborough Hampshire GU14 9YA**

Application No 20/00596/FULPP Ward: Rowhill
Applicant: S Cale
Decision: **Permission Granted**
Decision Date: 16 October 2020
Proposal: Demolition of existing retaining wall and erect a new wall and a bin store
Address **18 Cargate Hill Aldershot Hampshire GU11 3AA**

Application No 20/00601/FULPP Ward: West Heath
Applicant: Mr & Mrs Aslett
Decision: **Permission Granted**
Decision Date: 12 October 2020
Proposal: Erection of a single storey rear and side extension
Address **49 Blunden Road Farnborough Hampshire GU14 8QL**

Application No 20/00606/FULPP Ward: Cherrywood
Applicant: Mrs Hammond
Decision: **Permission Granted**
Decision Date: 12 October 2020
Proposal: Erection of a single storey front porch extension with pitched roof and formation of a pitched roof over existing garage and alterations to front elevation to facilitate conversion of garage to a habitable room
Address **15 Buckland Close Farnborough Hampshire GU14 8DH**

Application No 20/00621/TPO Ward: Rowhill
Applicant: Mr Wayne Reed
Decision: **Split decision**
Decision Date: 13 October 2020
Proposal: One Oak (part of group G1 of TPO 171) as per submitted plan, crown thin by no more than 15%. Lift the crown to no more than 8 metres from ground level and reduce the crown by no more than 5 metres
Address **51 Rowhill Avenue Aldershot Hampshire GU11 3LP**

Application No 20/00643/TPOPP Ward: St John's
Applicant: Mr Pound
Decision: **Permission Granted**
Decision Date: 13 October 2020
Proposal: T1 Oak - Crown lift to no more than 6 metres the west portion of the crown only, overhanging the rear of the property. To reduce the amount of debris over the rear of the property and allow more light into the rear garden (T42 of TPO408A)
Address **Land Affected By TPO 408A - At Trunk Road, Broadhurst, Sorrel Close And Thyme Court Farnborough Hampshire**

Application No 20/00645/TELEPP Ward: Knellwood
Applicant: EE Ltd
Decision: **Prior Approval Required and Granted**
Decision Date: 19 October 2020
Proposal: The installation of 1No. 17.5m 'Alpha 26' street pole, 3No. shrouded tri-sector antennas, and 2No. ground-based equipment cabinets and ancillary development thereto. 1No Cabinet to be installed on 1.0m x 1.8m compound formed within 2.1m high palisade fence.
Address **Land At Rectory Road Farnborough Hampshire**

Application No 20/00646/TPOPP Ward: Cove And Southwood
Applicant: CALA Homes (Thames)
Decision: **Permission Granted**
Decision Date: 13 October 2020
Proposal: Red Oak - Crown lift by no more than 4m above ground level to enable the instillation of a 3m high acoustic fence (Tree within G11 of TPO.420)
Address **Land Affected By TPO 420 - Between The Railway Line And Summit Roundabout And Alongside Summit Avenue Farnborough Hampshire**

Application No 20/00650/TPOPP Ward: Knellwood
Applicant: Mr Cheri James
Decision: **Permission Granted**
Decision Date: 13 October 2020
Proposal: Beech Tree - Reduce canopy by no more than 2 metres (Tree within G2 of TPO.432A)
Address **61 Avenue Road Farnborough Hampshire GU14 7BH**

Application No 20/00651/TPO Ward: Fernhill
Applicant: Miss Caron Thake
Decision: **Permission Granted**
Decision Date: 13 October 2020
Proposal: Six Maples (part of group G2 of TPO 226) as per submitted plan, crown lift to give no more than 3 metres clearance from ground level. Four Maples (also group G2) crown lift to give no more than 4 metres clearance from ground level
Address **Broomhill Pennine Way Farnborough Hampshire**

Application No 20/00654/TPOPP Ward: Fernhill
Applicant: Mr Terry Pearce
Decision: **Permission Granted**
Decision Date: 13 October 2020
Proposal: Six Oaks (T7,T8,T9,T10,T11,T12 of TPO 284) overall crown reductions by no more than 3 metres to suitable secondary growth. Lift crowns to no more than 5 metres from ground level. Four Oaks (T13,T14,T15,T16) reduce back lateral branches over garden aspect of plot to suitable secondary growth point. Two Silver birches (T18,T19) carry out overall crown reductions by no more than 2 metres to suitable secondary growth. Lift crowns to no more than 5 metres from ground level
Address **Sandy Lane Allotments Sandy Lane Farnborough Hampshire**

Application No 20/00656/FULPP Ward: Knellwood
Applicant: Mr Ramanji Eredla
Decision: **Permission Granted**
Decision Date: 06 October 2020
Proposal: Replace existing bay window to a square front bay window with a tiled roof
Address **6 Stourhead Close Farnborough Hampshire GU14 7HF**

Application No 20/00659/FULPP Ward: West Heath
Applicant: Mr Louis Oliver
Decision: **Permission Granted**
Decision Date: 16 October 2020
Proposal: Change of use of amenity land to form residential garden
Address **43 Fernhill Road Farnborough Hampshire GU14 9SA**

Application No 20/00661/FULPP Ward: Knellwood
Applicant: Mr R Sood
Decision: **Permission Granted**
Decision Date: 27 October 2020
Proposal: Change of use from C2 to C3 single dwelling house.
Address **31 Salisbury Road Farnborough Hampshire GU14 7AJ**

Application No 20/00662/REXPD Ward: Cherrywood
Applicant: Mr Som Rana
Decision: **Prior Approval Required and Granted**
Decision Date: 12 October 2020
Proposal: Erection of a single storey rear extension measuring 4m from the original rear wall, 2.6 to the eaves and 3.5m in overall height
Address **4 Chaucer Road Farnborough Hampshire GU14 8SW**

Application No 20/00666/TPO Ward: Rowhill

Applicant: Mr Stuart Silvester

Decision: **Permission Granted**

Decision Date: 23 October 2020

Proposal: T2 Scots Pine - Remove all dead wood and broken limbs and reduce lowest branch (extending over driveway and roof) by no more than 3.5meters (T2 of TPO.390)

Address **Land Affected By TPO 390 - At Lindum Dene And Lindum Close Aldershot Hampshire**

Application No 20/00667/SCREEN Ward: Wellington

Applicant: Shaviram Aldershot Limited

Decision: **Environmental Assessment Not Required**

Decision Date: 12 October 2020

Proposal: EIA SCREENING OPINION : Redevelopment of the High Street Car Park, The Galleries Shopping Centre and the Arcade Shopping Centre to provide a phased development comprising 596 flats (330no. one bedroom and 266no. two bedroom), flexible commercial uses within Classes A1-A3 (retail and cafe/restaurant), B1a and D1 (medical and civic), public car parking and residents' car and cycle parking, together with external amenity areas including roof gardens and public realm

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

Application No 20/00670/TPOPP Ward: St Mark's

Applicant: Mr William Kerr

Decision: **Permission Granted**

Decision Date: 23 October 2020

Proposal: Remove and replace one Norway Spruce (T1 of TPO 383)

Address **38 Somerset Road Farnborough Hampshire GU14 6DP**

Application No 20/00674/FUL Ward: Knellwood

Applicant: Mr And Mrs Taylor

Decision: **Permission Granted**

Decision Date: 06 October 2020

Proposal: Removal of rear veranda and erection of conservatory to rear

Address **23 Canterbury Road Farnborough Hampshire GU14 6NS**

Application No 20/00679/PDC Ward: West Heath

Applicant: Mr Simon Bowles

Decision: **Development is Lawful**

Decision Date: 06 October 2020

Proposal: CERTIFICATE OF LAWFULNESS FOR PROPOSED DEVELOPMENT:
Formation of L-shape dormer to the rear to facilitate a loft conversion and two roof lights in front roof slope

Address **166 Prospect Road Farnborough Hampshire GU14 8JZ**

Application No 20/00680/CONDPP Ward: Wellington

Applicant: Other Grainger (Aldershot) Ltd and Secret

Decision: **Permission Granted**

Decision Date: 09 October 2020

Proposal: Details pursuant to condition 12 (trees) attached to Outline Planning Permission 12/00958/OUT dated 10th March 2014 in respect of works (tree pruning) to trees located either side of footpath cycleway along Queens Avenue

Address **Land Along Queens Avenue Wellesley Aldershot Hampshire**

Application No 20/00681/CONDPP Ward: Wellington

Applicant: Grainger (Aldershot) Ltd And Secretary Of

Decision: **Permission Granted**

Decision Date: 09 October 2020

Proposal: Details pursuant to condition 12 (trees) attached to Outline Planning Permission 12/00958/OUT dated 10th March 2014 in respect of works (tree pruning) to trees overhanging the site of Planning Permission 20/00039/FULPP dated 19th June 2020 in connection with highway works at Alisons Road and Queens Avenue.

Address **Carriageway And Footway Centred At The Junction With Queens Avenue And Alison's Road Alisons Road Aldershot Hampshire**

Application No 20/00683/FULPP Ward: Manor Park

Applicant: Mr and Mrs R Belcher

Decision: **Permission Granted**

Decision Date: 12 October 2020

Proposal: Demolition of existing garage and walkway and erection of a single storey side and rear extension with raised patio area and porch to front

Address **Kalamara Bridge Road Aldershot Hampshire GU11 3DD**

Application No 20/00684/TPOPP Ward: St John's

Applicant: Mrs Lisa Harris

Decision: **Permission Granted**

Decision Date: 23 October 2020

Proposal: One Oak (T1 of TPO 353A) situated in the rear garden, crown reduction of no more than 4 metres, limbs overhanging house reduce to give no more than 3 metres clearance from property

Address **4 Moselle Close Farnborough Hampshire GU14 9YB**

Application No 20/00686/FULPP Ward: Fernhill
Applicant: Mr Ben Harraway
Decision: **Permission Granted**
Decision Date: 08 October 2020
Proposal: Erection of a single storey rear extension
Address **44 Lakeside Gardens Farnborough Hampshire GU14 9JG**

Application No 20/00691/TPOPP Ward: St John's
Applicant: Patricia Olatund
Decision: **Permission Granted**
Decision Date: 23 October 2020
Proposal: One Oak tree (T4 of TPO 365) crown lift by no more than 5 metres from ground level
Address **1 Maple Avenue Farnborough Hampshire GU14 9UR**

Application No 20/00693/FULPP Ward: Fernhill
Applicant: Mr David Bell
Decision: **Permission Granted**
Decision Date: 14 October 2020
Proposal: Formation of gable end extension and side dormer to facilitate a loft conversion
Address **127 Chapel Lane Farnborough Hampshire GU14 9BH**

Application No 20/00697/TPO Ward: Knellwood
Applicant: Mr David Hudson
Decision: **Permission Granted**
Decision Date: 30 October 2020
Proposal: One Scots Pine (T23 of TPO 433) removal of the 3 lowest branches overhanging boundary with 34 Church Avenue
Address **40 Church Avenue Farnborough Hampshire GU14 7AT**

Application No 20/00701/FULPP Ward: Knellwood
Applicant: Mr & Mrs M Andrews
Decision: **Permission Granted**
Decision Date: 15 October 2020
Proposal: Erection of garage to the side of the detached dwelling following the demolition of the existing garage
Address **86 Ashley Road Farnborough Hampshire GU14 7HD**

Application No 20/00705/REXPD Ward: Knellwood
Applicant: Mr Devereux
Decision: **Prior approval is NOT required**
Decision Date: 12 October 2020
Proposal: Erection of a conservatory to the rear measuring 5 metres deep (6.145 metres from the original wall of the property) x 2.4 to the eaves x 3.35 overall height
Address **Chilcombe 30 Waverley Road Farnborough Hampshire GU14 7EY**

Application No 20/00706/REXPD Ward: Manor Park
Applicant: Mr Robert Ford
Decision: **Prior approval is NOT required**
Decision Date: 15 October 2020
Proposal: Erection of a single storey rear extension measuring 3.5m in length from the original rear wall, 3m to the eaves and 3m in overall height
Address **22 Jubilee Road Aldershot Hampshire GU11 3QF**

Application No 20/00707/PDCPP Ward: West Heath
Applicant: Ms Truc Le
Decision: **Development is Lawful**
Decision Date: 15 October 2020
Proposal: Lawful Development Certificate for Proposed Use: Formation of a hip to gable roof with dormer window to rear roof slope and 2 roof light windows to front roof slope to facilitate a loft conversion
Address **186 Prospect Road Farnborough Hampshire GU14 8JZ**

Application No 20/00715/REXPD Ward: West Heath
Applicant: Mr John Stevens
Decision: **Prior approval is NOT required**
Decision Date: 20 October 2020
Proposal: Erection of a single storey rear extension measuring 4.3m from the original rear wall, 2.39m to the eaves and 3.23m in over all height
Address **33 Anglesey Avenue Farnborough Hampshire GU14 8SF**

Application No 20/00718/TPO Ward: St John's
Applicant: Ms Lai
Decision: **Permission Granted**
Decision Date: 30 October 2020
Proposal: One Oak tree (part of group G8 of TPO 365) T1 on submitted plan, crown lift to no more than 5 metres from ground level removing 5 lower limbs
Address **57 Maple Avenue Farnborough Hampshire GU14 9UR**

Application No 20/00719/NMA Ward: Knellwood
Applicant: Mr Maynard
Decision: **Permission Granted**
Decision Date: 07 October 2020
Proposal: Non material amendment to planning permission 19/00393/FULPP dated 16/08/19 (Erection of a front porch, single storey side and two storey side and rear extension and render the external walls) to allow 3 Velux windows to the rear roof elevations and render to rear and side elevation
Address **Park End 152 Sycamore Road Farnborough Hampshire GU14 6RF**

Application No 20/00720/TPO Ward: Empress
Applicant: Mr Chiswick
Decision: **Permission Granted**
Decision Date: 30 October 2020
Proposal: Remove one Sweet Chestnut (T1 on submitted plan) and deadwood Sweet Chestnut (T2). (Trees within G16 of TPO368).
Address **57 Pierrefondes Avenue Farnborough Hampshire GU14 8PA**

Application No 20/00723/NMAPP Ward: Wellington
Applicant: London & Cambridge Properties Limited
Decision: **Permission Granted**
Decision Date: 07 October 2020
Proposal: NON-MATERIAL AMENDMENT: to planning permission 19/00870/COU dated 4th March 2020 to allow for the installation of 2 ground floor entrance doors to rear
Address **37 Union Street Aldershot Hampshire GU11 1EP**

Application No 20/00734/TPOPP Ward: Manor Park
Applicant: Mr Roberts
Decision: **Permission Granted**
Decision Date: 30 October 2020
Proposal: One Oak Tree (T1 of TPO 151) reduce height by no more than 5 metres and lateral limbs by no more than 2 metres back to previous pruning points, thin crown by no more than 15% and remove deadwood. One Oak Tree (T2 of TPO 151) reduce height by no more than 6 metres and lateral limbs by no more than 3 metres back to previous pruning points, thin crown by no more than 15% and remove deadwood
Address **49 Highfield Avenue Aldershot Hampshire GU11 3DA**

Application No 20/00774/COND Ward: Rowhill
Applicant: Mr L Thaper
Decision: **Permission Granted**
Decision Date: 27 October 2020
Proposal: Submission of details pursuant to Condition 3 (details of Victorian style front door) attached to planning permission 19/00906/FUL dated 20th January 2020
Address **15 And 15A Lansdowne Road Aldershot Hampshire GU11 3ER**

Appeals Progress Report

1. Appeal decisions

1.1 14 Hilder Gardens Farnborough

Appeal against refusal of planning permission for “Demolition of existing garage at 15 Hilder Gardens and erection two new detached dwellings to the rear with ancillary parking and access road” in December 2019. Planning application 19/00482/FULPP was refused under delegated powers for the following reasons:-

1. *The siting of the proposed houses at the rear of the site would as a consequence of the sub division of the existing curtilages and the resultant tandem layout, the introduction of a new access drive and the provision of car parking on what is currently largely landscaped garden are at odds with the established character of the area to its detriment. The location of the proposed dwellings in relation to the adjoining properties would result in a loss of outlook, amenity and privacy. Vehicle movements associated with the use of the proposed access drive and parking spaces are also likely to result in a loss of amenity to adjoining residents by virtue of increased levels of disturbance and activity. The proposal would therefore constitute an unacceptable overdevelopment of the site contrary to the provisions of Policies DE1 and DE11 of the Rushmoor Local Plan and the National Planning Policy Framework/Practice Guidance.*
2. *The proposed development makes no provision to address the likely significant impact of additional residential units on the objectives and nature conservation interests of the Thames Basin Heaths Special Protection Area. The proposals are thereby contrary to the requirements of retained South East Plan Policy NRM6 and Policies NE1 and NE4 of the Rushmoor Local Plan.*
3. *The proposal has failed to demonstrate, through adequate ecological surveys of the application land, that there would be no adverse impact on protected wildlife species having regard to the requirements of adopted Rushmoor Local Plan Policy NE4.*
4. *The proposals fail to provide details of appropriate surface water drainage for the development as required by adopted Rushmoor Core Strategy Policy CP4 and emerging New Rushmoor Local Plan Policy NE8.*

The appeal was considered under the Written Representations procedure. In determining the appeal, the Inspector noted that the Council had confirmed that its fourth reason for refusal could be dealt with by a planning condition, were he minded to allow the appeal and therefore considered that the main issues to be (i) The effect of the proposed development on the character and appearance of the area, (ii) the

effect of the proposal on the living conditions of neighbouring occupiers especially in regard to outlook, privacy and general disturbance, (iii) whether the proposal would affect the integrity of the Thames Basin Heaths Special Protection Area (TBHSPA), and (iv) the effect of the proposal on protected wildlife species.

The Council's reasons for refusal were supported in respect of the adverse impact upon the character of the area, the decision notes that the landscaped gardens provide a strong sense of spaciousness and contribute to the open character at the rear, making a positive contribution to established character and appearance. The proposal was found not in accordance with the pattern of local development and to undermine the sense of spaciousness. For these reasons the proposal would result in a form of development that would be uncharacteristic and contrary to those parts of Policies DE1 and DE11 of the Rushmoor Local Plan that relate to character.

The Inspector agreed the proposal would have an adverse impact on adjoining properties, in particular 8 The Sycamores and 15 Hilder Gardens, which would have its garden substantially reduced and which would be overlooked. The conclusion was that the proposal would contravene the parts of policies DE1 and DE11 of the LP which protect existing neighbours from loss of privacy and outlook. However, while he acknowledged that the use would result in some noise disturbance and would include new illumination in an otherwise dark area, such activity would be limited and unlikely to result in sustained disturbance. Furthermore, with mitigating landscaping and by serving only two dwellings, he considered that this would not amount to a substantive impact and would therefore not warrant a finding of harm in regard to noise and disturbance.

The Inspector agreed with the Council that bats are likely to be present on the site, and that, in the absence of a bat survey to demonstrate otherwise, the Council was correct to refuse planning permission on the basis that the proposal has the capability to cause significant harm to a protected wildlife species contrary to policy NE4 of the LP.

The Inspector noted that the appellants have not provided a financial contribution pursuant to the Council's TBHSPA Interim Avoidance and Mitigation Strategy or provided any other legal mechanism towards mitigating the effects of the proposal on the SPA. Had he been minded to allow the Appeal, he advised that it would have been necessary for him to seek additional information from the parties and consult Natural England in order to undertake an Appropriate Assessment under the Habitat Regulations. However, as he was dismissing the appeal for other reasons, it was not necessary to consider the matter further as it would not change the outcome.

DECISION : APPEAL DISMISSED

2. Recommendation

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

Tim Mills
Head of Economy, Planning and Strategic Housing

Development Management Committee
11th November 2020

Planning Report No. EPSH2035

Planning (Development Management) summary report for the quarter Jul-Sept 2020

1. Introduction

- 1.1 The purpose of this report is to update Members on the position with respect to Performance Indicators for the Development Management Service in Planning, and the overall workload of the Section. This report covers the quarter from 1st July to 30th September.

2. Planning Applications

- 2.1 The three tables below set out figures relating to determination of Major, Minor and 'Other' planning applications for the fourth quarter and for the financial year. We are required to provide the government with statistical returns in relation to decision times. It should be noted that the returns required by government do not include some application types including applications for the approval of details pursuant to conditions, applications to fell or carry out works to TPO trees and trees in Conservation Areas, Non-Material Amendments, Screening Opinions, Adjacent Authority Consultations and applications for approval in relation to conditions. These however constitute a significant source of demand on our service numbering 182 cases in the quarter. These are included in the total figures reflecting workload set out at 3.1 below.

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

Decisions in quarter	Jul-Sept 2020	Government Target	2019/2020 Total
1	100%	60%	95%

*The decision on the application determined in quarter 2 was outside the statutory period, it was however the subject of an agreed extension of time and therefore recorded as 'in time'.

Minor (Non householder) Applications determined within 8 weeks

Decisions in quarter	Jul-Sept 2020	Government Target	2019/2020 Total
14	93%	65%	91%

*Decisions on 6 applications determined in the quarter were outside the statutory period, 5 were the subject of agreed extensions of time and therefore recorded as 'in time'.

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

Decisions in quarter	Jul-Sept 2020	Government Target	2019/2020 Total
69	90%	80%	91.7%

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

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

Government Target	Jul-Sept 2020	Appeal Decisions
40% max	0%	1

3. Workload

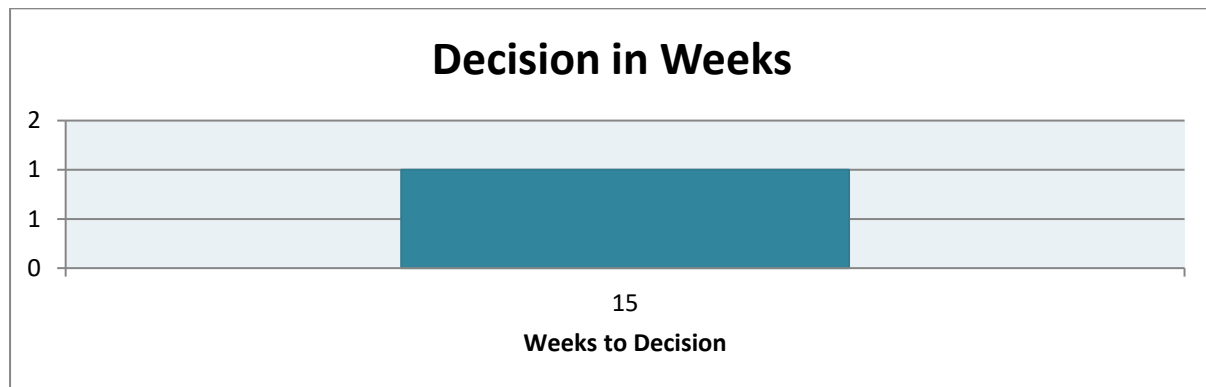
3.1 This section deals with workload demand on the Development Management Section in the second quarter of 2020-2021.

Departmental Work Demand Jul-Sept 2020

	Applications Submitted (All types)	Pre-Application Cases	Incoming Telephone Calls	Applications Determined (All types)	Appeals Submitted
Q2	299	109	1735	268	4

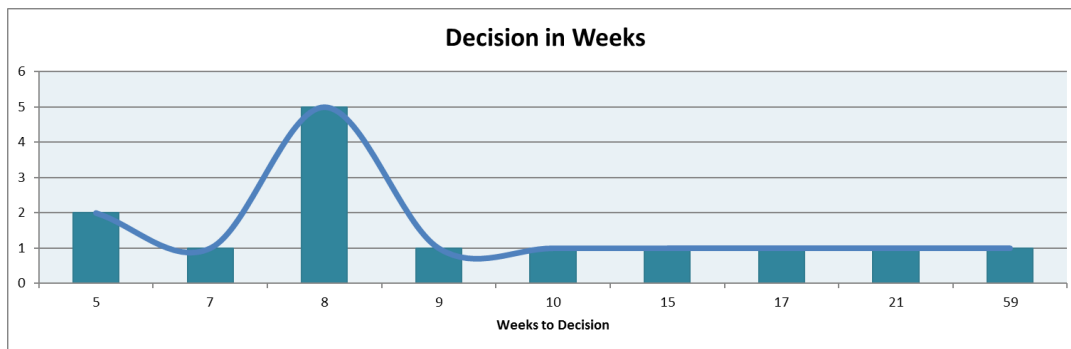
3.2 The following graphs present the time period being taken to determine different types of application in the second quarter of 2020-2021.

Major and small-scale majors Total 3



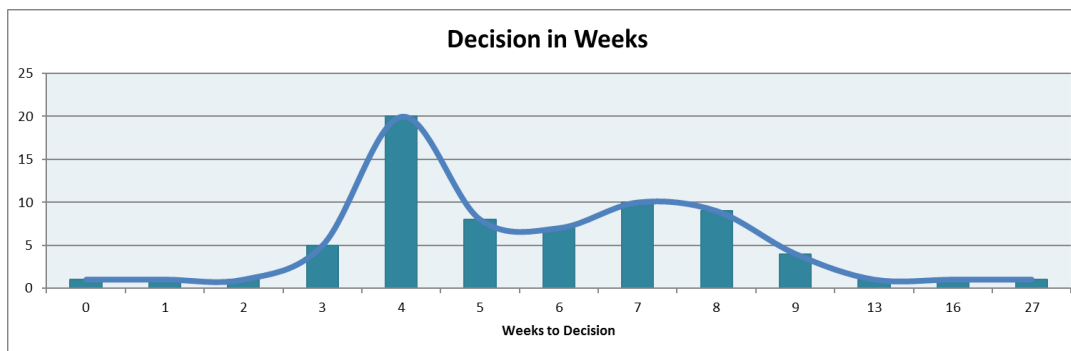
3.3 Notwithstanding only one Major application being determined in this quarter, performance with regard to Major applications remains well above the Government target with 100% of cases (5 in total) determined in the year to date within the statutory 13 week period or in accordance with agreed extensions of time or planning performance agreements.

Minor (Non householder) applications Total 14



3.4 This second graph illustrates the determination times for minor applications, 93% of which were determined within the statutory period or in accordance with agreed extensions of time in the second quarter of 2020-21.

'Other' (Including Householder) applications Total 69



3.5 This third graph shows that in the second quarter of this financial year 90% of householder applicants received decisions within eight weeks a significant proportion of which received decisions in the fourth and fifth weeks after their validation date.

4. Fee Income

4.1 The total planning fee income received for the second quarter was £166,296 against a budget estimate of £120,000.

4.2 The total pre-application income received for the second quarter was £9,160 against a budget estimate of £9,000.

5. Section 106 contributions

5.1 Information in this section relates to financial contributions secured by way of section 106 planning obligations. The figures for this quarter show a negative balance as a result of the arrangement to return part of the SANG contribution in respect of Southwood Crescent as a temporary measure agreed in accordance with the decision pursuant to the report to this committee of 24th June 2020.

Section 106 contributions received	Jul-Sept 2020
Contributions received (Rushmoor and Hampshire) apportioned as set out below~	-£329,026
Open Space (specific projects set out in agreements)	£85,034
SANGS Southwood Country Park	-£466,375
SAMM* b) Southwood Country Park c) Wellesley Woodland d) Bramshot Farm (Hart)	b) £0 c) £0 d) £52,315
Transport (specific projects set out in agreements)*	£0

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

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

2 new undertakings/legal agreements were signed in the period Jul-Sept 2020.

6. Comment on workload for this quarter

- 6.1 This quarter saw a significant upsurge in numbers of application submissions, the receipts, both in terms of application type and fees, reflect the continuing period of Covid 19 restrictions. Planning application and pre-application income has jumped markedly bringing the six monthly figures into line with the budget estimates. In respect of planning fees this is almost entirely due to the substantial receipt associated with the Galleries planning application. The pattern of fewer householders and small to medium redevelopment sites continues in the face of the uncertainty regarding the ability to implement the projects or employ contractors who can work within social distancing constraints. Likewise the high numbers of applications to fell or carry out works to trees continued throughout the quarter. These applications do not attract any fee income and are expected to fall back during the winter months. The most significant variable, the effect of submission of major applications and their associated fees, remains difficult to predict.
- 6.2 The transition to different working arrangements continues to present challenges which are being managed without significant interruption to the delivery of service.

7. Wellesley

- 7.1 There have been 720 residential occupations to date at Wellesley. Maida Development Zone A is substantially complete. This contains 228 units of which 226 are occupied. The remaining two will be constructed/occupied once the sales suite is no longer required in connection with the Corunna Development Zones B1 & B2.
- 7.2 Corunna (Zone B), opposite Maida on the west side of Queen's Avenue is at an advanced stage of completion providing 733 residential units, including six supported housing units. 355 of the units are currently occupied.
- 7.3 Gunhill Development Zone (Zone E) is located west of the Cambridge Military Hospital and north of Hospital Road. The zone is completed and comprises 107 Private Rented Units, all of which have been occupied.
- 7.4 McGrigor Development Zone (Zone D) is currently under construction. This zone is located north of the Cambridge Military Hospital, to the east of Maida Zone, and will provide a total of 116 residential units. 32 of these units are currently occupied.
- 7.5 Work continues on the first phases of the Cambridge Military Hospital Development Zone (Zone C). This follows the approval of details pursuant to pre-commencement conditions attached to the reserved matters and listed building consents for the main hospital, Louise Margaret Hospital and Gunhill House & Water Tower. Extensive modern additions have recently been demolished in accordance with the relevant planning consents and the focus of the conversion refurbishment and work is taking place on the central Admin Block and Gunhill House and Water Tower. Weston Homes anticipate that the sales launch will be held in January 2021, with first occupations taking place from January/February onwards.
- 7.6 Taylor Wimpey is currently preparing design proposals for the next phase of Wellesley at Stanhope Line East (Zone K) and part of Buller (Zone M) Development Zones. A reserved matters application is expected early in the new year for approximately 430 residential units. Zones K and M are identified in the outline planning permission to provide a total of 451 residential units, including an extra care scheme.

8. Recommendation

- 8.1 That the report be NOTED

Tim Mills
Head of Economy, Planning and Strategic Housing

Contact: John W Thorne 01252 398791

BACKGROUND PAPERS: None.

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