

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

Case Officer	Louise Davies
Application No.	22/00379/FULPP
Date Valid	6th June 2022
Expiry date of consultations	30th June 2022
Proposal	Single storey rear extension to cover 3 existing MOT bays and erection of tyre store
Address	183 Ash Road Aldershot Hampshire GU12 4DD
Ward	Aldershot Park
Applicant	Mr Ahmad Chishti
Agent	Mr Charlie Minty
Recommendation	Grant

Description

This application is for the erection of a single storey building attached to the existing property at 183 Ash Road, Aldershot. It follows the refusal of a larger single storey building by Development Management Committee at its meeting on 15 September 2021.

No.183 Ash Road is a two-storey semi-detached property on the north-east corner of the junction of Ash Road with Lower Newport Road. It is occupied by 'G-Force Tyres' who supply and fit tyres and exhaust systems to vehicles at the premises. The site is commercial in appearance with shop front signage and hoardings on the shop and office. The adjacent semi-detached property is residential and occupied as such. To the rear is an open yard area in which is sited (an authorised) hydraulic ramp, (unauthorised) piles of informal tyre storage, various equipment associated with tyre replacement and four parking spaces. This use, and the siting of the hydraulic ramp in the open yard to the rear have been on the site in excess of 30 years (see Planning Committee Report no. 70/90 from 29 August 1990). The use of the rear yard for fitting of tyres and exhausts is a long established use and is now a lawful planning use.

This site has been the subject of various enforcement action in the past, and the racking that was erected in 2021 has been removed. Piles of tyres along the rear boundary wall remain and the use of the adjacent domestic outbuilding to the garden of 185 Ash Road for tyre storage in connection with G Force tyres is ongoing. The serving of Enforcement notices, as confirmed

at the October meeting of the Development Management Committee, is with the Legal department and in process.

Regarding this outstanding enforcement action, it is considered that whilst the proposals the subject of this application would, in theory, replace this unauthorised piling of tyres within the forecourt of 183 Ash Road, this would be incumbent on the approval of the application and subsequent implementation in a timely manner. Notwithstanding this, the piles of tyres are visually unacceptable in this location, and the intensification of storage of tyres in the open air is considered to have a detrimental impact on the visual character and appearance of the street scene, and it is considered that they represent an unacceptable loss of visual amenity to surrounding residents.

This site has previously gained permission for two structures over this rear parking/service area. RSH 7122 (dated 31 August 1990) granted permission for a garage type building, measuring 10.3m wide x 6m deep with a flat roof and 4.1m height overall. It was to be constructed in facing bricks to match the existing building. It was to have two sets of large folding doors fronting a forecourt area with access from Lower Newport Road. The rear and side walls were to be built off the existing boundary walls. 3 staff/visitor parking spaces were to be provided. This permission was never implemented.

19/00144/FULPP (dated 3 June 2019) granted permission for a shelter with a frame structure of steel columns and beams, steel flats for bracing and a transparent Perspex roof for the parking and servicing of up to three cars, measuring 4m high at the highest point (near the rear boundary) with a tilting roof (measuring 3.8m high at the front) by 9m wide by 4.8. deep, with access directly from Lower Newport Road. The structure did not have any walls or other form of enclosure and was sought to provide roof shelter from the elements for those working on cars in the rear open yard area. This permission expired on 3 June 2021 and was not implemented.

The last submitted application for this site was 21/00483/FULPP (dated 15 September 2021) which was refused permission for a first floor side extension and a single storey rear extension with creation of parking area to frontage of 183 Ash Road. The single storey element extended from the rear of the existing building over the rear parking/forecourt area to create an enclosed building with an internal garage space and shutter doors. The proposed building measured 5.5m high at the highest point by 10m deep, and 8.5m wide. This was refused due to the following reasons; unacceptable visual and highways impacts; material and harmful planning impacts upon neighbours; would result in an incongruous development that would be a highly visible and obtrusive development within the street scene, inadequately addressed site drainage, did not provide the required number of off-road parking spaces to serve a non-residential B2 use, and the intensification of the industrial use would be likely to give rise to material and undue harmful impacts on the amenities of occupiers of neighbouring residential properties.

This application seeks the erection of a building of slightly smaller dimensions to the rear parking area, which will be linked to the existing property by a walkway to the rear and front. The main structure will measure 4.2m at the highest point with metal shutter doors to the front and brick sides and polycarbonate roof, 9 metres wide covering over three of the existing parking spaces and 7m deep. It will have an enclosed walkway element linking to the existing building entrance, and running around the rear of the proposed building enclosing the area between this and the existing rear wall boundary. This element will have a flat roof height of 3m.

A separate free standing enclosed wooden structure to store tyres is proposed measuring 2.4m

high, 3.5m wide and 5m deep which will sit against the boundary to No. 2 Lower Newport Road and the wall forming a boundary with the adjoining neighbour at 185 Ash Road.

Consultee Responses

Environmental Health	<p>If the extension requires external plant for ventilation please apply condition 62EH Sound Insulation (Plant)</p> <p>If the extension is to be used for servicing of vehicles then this could lead to additional noise. The proposed building envelop should be constructed to ensure noise breakout is minimised. 63EH Sound Insulation (Building)</p> <p>If no external plant required and the rear extension will only be used for activities that already take place in the open air then EH would have no objection subject to standard condition restricting construction hours 26CN Construction hours</p>
HCC Highways Development Planning	<p>The Highway Authority have reviewed the documents provided with this planning application and it is not considered that this proposal would lead to any material detrimental impact upon the public highway. Therefore, the Highway Authority have no objection to this proposal.</p>
Hampshire Fire & Rescue Service	<p>No objection raised and response provides generic fire safety comments and advice.</p>

Neighbours notified

In addition to posting a site notice, 21 individual letters of notification were sent, including all properties located adjoining or opposite the application site. Three comments were received.

Neighbour comments

At the time of writing, representations raising the following concerns have been received;

- Inappropriate location of this business in a predominantly residential area, should be within an industrial area
- Fire risk due to tyre storage and stocks still being stored in adjacent garden
- The storage of tyres in the shed of the next door garden was also to be ceased. It still remains.
- Concerns regarding pedestrian safety, illegally parked cars cause them to walk in the road
- on street parking already causing problems for residents, with 'no parking' restrictions not being observed

Policy and determining issues

The site is located within the defined urban area of Aldershot.

Section 38(6) of the *Town and Country Planning Act 1990* (as amended) requires regard to be had to the provisions of the development plan in the determination of planning applications. The *Rushmoor Local Plan* was formerly adopted by the Council on 21st February 2019. In addition to the *Rushmoor Local Plan*, the development plan for Rushmoor includes the *Hampshire Minerals and Waste Plan* (adopted in October 2013) and saved Policy NRM6 of the *South East Plan* (adopted in May 2009).

The following policies of the Rushmoor Local Plan are of particular relevance to this proposal:

SS1 (Presumption in Favour of Sustainable Development)

HE1 (Heritage)

DE1 (Design in the Built Environment)

DE10 (Pollution)

NE8 Sustainable Drainage Systems

The *National Planning Policy Framework (NPPF)*, which was revised and came into force on 19th February 2019, and The Department for Communities and Local Government's Technical Housing Standards (2015) are material considerations.

The proposals have been assessed against the policy framework outlined above and all other relevant material considerations. The main determining issues in the assessment of the proposals are:

1. The principle of development;
2. Visual impact upon character & appearance of the area,
3. Impact upon neighbours;
4. Highways considerations; and
5. Flood risk & drainage.

Commentary

Principle

The site falls within the defined urban area of Aldershot within a predominantly residential area. The site is not located in or adjoining a Conservation Area nor adjoins. There are no Listed Buildings located in the immediate vicinity of the site. This site is not located within a Strategic or Locally Important employment site as set out within Policies PC1, PC2 and PC3 of the local plan. The proposal relates to an established B2 Use.

Visual Impact

It is Government planning guidance that, in assessing impact of proposed development upon the character and appearance of an area, this should be considered in the light of the impact upon the area as a whole.

In general, the character and appearance of the immediate area surrounding the site is residential, with the majority of the other surrounding buildings being two storey dwelling houses.

The submitted design of the building when viewed from Lower Newport Road shows a garage

area with flat roof. The building will be clad in brick, with a polycarbonate roof. There are no windows proposed to the east or north elevations, and the west (front) has 3.7m high shutter doors. The building style, with a flat roof and shutter doors is industrial in nature.

The footprint of the building has been set away from the shared boundary with 185 Ash Road by 1.6m, with the front elevation facing Lower Newport Road siting 1.6m from the boundary of the property with the pavement, with a gap of 8.4m from the north wall of the proposed building to the property boundary with 2 Lower Newport Road.

The existing industrial use is out of character with the predominantly residential appearance of the area. The proposed tyre store and enclosed bays would facilitate the better management of the site, potentially improving the appearance of the site. Conditions are proposed to seek full details of the materials proposed in the external elevations of the structures and to restrict the storage of equipment and tyres from the open parts of the site.

Impact on Neighbours

In assessing the impact of the proposed use, whilst this will continue a use that is already taking place on the site, this is currently limited to within the existing single storey building and to a number of the bays externally. It is considered that the provision of a building could help to visually contain the activities, and the enclosing of the activity help to control the noise emitted from the site.

In considering the impact of the proposed structure on the occupiers of the property at 185 Ash Road, the rear boundary of the building will be set in from the shared boundary by 1.6m, and be 4.2m high when measured from 183 Ash Road. As the rear garden to 185 Ash Road is raised up by approx. 0.5m in comparison to 183 Ash Road, the proposed building will be 3.7m high when viewed from 185 Ash Road with 2.2m of the structure visible above the existing wall separating 183 and 185 Ash Road. The setting away from the boundary of the main garage building will reduce this impact somewhat, and the reduction in roof height from that proposed by the previous (refused) application is welcomed. The covered walkway that will run to the rear of the proposed garage building and along the boundary wall between the two properties is shown as brick clad and with a flat roof, and will increase the boundary height to 1m above the existing along the majority of this boundary.

It is acknowledged that there will be a visual impact on the occupiers of 185 Ash Road, and some loss of light and overshadowing to both the property and garden.

To no. 187 Ash Road, whilst it is acknowledged that the proposed development will be visible from both the property and rear garden, it is considered that due to the degree of separation between the properties and the alignment of the properties with the rear of the property and garden facing north, and the proposal siting to the west of 187 Ash Road, the impact would be acceptable in terms of any loss of light and outlook.

To no. 2 Lower Newport Road, the side elevation of the proposal will be visible from the rear garden of the property. One window at first floor level will look towards the development. The proposal does not have any windows to the north elevation and there will not be any overlooking to No. 2 Lower Newport Road.

To no. 177 Ash Road (opposite) the degree of separation and orientation to the proposal (being sited to the east) will limit the loss of light to the flats forming No. 177, however the flats that directly face the development at both first and ground floor level will have views directly toward the proposed building, as currently.

In considering the proposed development, it is noted that it is a fine balance between providing an enclosed space for the existing operational needs, and considering the visual impact and bulk of the proposed building on this predominantly residential neighbourhood.

It is noted that previous permission 19/00144/FULPP was granted permission for a structure of similar dimensions, being 4m high, and 9m wide covering the same three parking bays. Whilst this was an open sided structure the principle of accepting this roof height and structure width was given. Whilst it is accepted that this current structure is enclosed and will therefore by design have a greater visual impact, the proposal has been reduced from that previously refused to reflect that which in principle the Council has accepted.

It is also noted that the site activity is currently highly visible within the street scene, and this proposal would tidy the site by containing the commercial activity to within a structure that would be enclosed, thereby also reducing noise transfer. By the use of condition, it would be reasonable to control the remainder of the application site to restrict external storage to within the proposed tyre store and garage building.

It is considered that on balance the proposed development, by virtue of its design, external appearance, height, scale, mass and bulk would have an acceptable impact on the visual character and appearance of the street scene. In accordance with Policy DE1 of the Rushmoor Local Plan.

Highways Considerations

Three service bays are proposed within the proposed garage structure which will be constructed over an area currently used for the servicing of vehicles.

The adopted Car and Cycle Parking Standards requires 3 parking spaces for customers per 1 service bay. The proposal shows 3 formal service bays therefore 9 customer spaces are required. There are no other areas identified on the submitted plans for parking of staff or customer vehicles.

The Highway Authority has confirmed no objection.

It is noted that comments have been received by residents regarding the conflict caused by the irregular and inconsiderate parking of cars in the vicinity of the site at present, and these have been passed to the Parking team to investigate further.

It is considered that insufficient off-road parking provision for staff and customers has been identified to serve the proposal. However, Principle 2 of the adopted Car and Cycle Parking Standards Supplementary Planning Document states that 'it would be unreasonable to expect new development to ameliorate an existing situation'.

The proposal does not represent an increase in size of the site, and therefore in line with Principle 2 of the SPD it is considered that the proposal is acceptable in Highways terms.

Flood Risk & Drainage

The site is located within Flood Zone 1, which is land at the lowest risk of flooding. As a result,

the Environment Agency raise no objections as standing advice and no mitigation measures in respect of flood risk are indicated as being necessary.

Local Plan Policy NE8 requires all new buildings and the development of car parking and hard standings to incorporate Sustainable Drainage Systems (SUDS). No changes are proposed to existing situation on site.

Conclusions

It is considered that this proposal represents an improved design on the last refused application, and the applicant has sought to take account of the previous comments made. It is accepted that the use of the rear yard for fitting of tyres and exhausts is a long established use and is now a lawful planning use. Consideration needs to be given to whether the proposal will improve the amenity for the residents surrounding the site by enclosing the use and in this respect reducing both noise and visual impact of the operation on the site. The introduction of a built form over the current open rear service area has been previously accepted through the approval of application 19/00144/FULPP and it is considered that this application represents an acceptable balance between the needs of the existing operation and protecting future residential amenity. It is considered that on balance the proposed development, by virtue of its design, external appearance, height, scale, mass and bulk would have an acceptable impact on the visual character and appearance of the street scene. The proposal is considered acceptable having regard to Policies SS1, NE8, HE1, DE1 and DE10 of the Rushmoor Local Plan (adopted February 2019) and Rushmoor Car and Cycle Parking Standards (adopted Nov 2017).

FULL RECOMMENDATION

It is recommended that planning permission be **GRANTED** 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 Construction of the following elements of the development hereby approved shall not start until a schedule and/or samples of the materials to be used in them have been submitted to, and approved in writing by, the Local Planning Authority for all proposed structures. Those elements of the development shall be carried out using the materials so approved and thereafter retained:

External walls
Roofing materials
Shutter door

Reason - To ensure satisfactory external appearance.*

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

Existing Site Plan, Drawing No. 02-01 dated May 22;
Site Location and Block Plan, Drawing No. 02-00 dated May 22;

Existing Ground Floor Plan, Drawing No. 03-00 dated May 22;
Existing First Floor Plan, Drawing No. 03-01 dated May 22;
Existing Elevations, Drawing No. 05-02 dated May 22;
Existing Elevations, Drawing No. 05-01 dated May 22;
Existing Elevations, Drawing No. 05-00 dated May 22;
Proposed Elevations, Drawing No. 05-12 dated May 22;
Proposed Elevations, Drawing No. 05-11 dated May 22;
Proposed Elevations, Drawing No. 05-10 dated May 22;
Proposed Roof Plan, Drawing No. 03-11 dated May 22;
Proposed Ground Floor Plan, Drawing No. 03-10 dated May 22; and
Proposed Site Plan, Drawing No. 02-10 dated May 22.

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

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking and re-enacting that Order), no additional windows, doors or openings of any kind shall be inserted in the north or east elevation of the development hereby permitted.

Reason - To protect the amenities of neighbouring residential properties.

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

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

- 6 The garage door(s) shall be of a type which will not encroach or overhang the highway or footway when being opened or in an open position.

Reason - In the interest of highway and pedestrian safety.

- 7 No display or storage of goods (including tyres), materials, plant, or equipment shall take place other than within the buildings hereby approved.

Reason - To protect the character and appearance of the area and the amenities of neighbouring properties.

- 8 No sound reproduction equipment, conveying messages, music, or other sound which is audible outside the premises shall be installed on the site.

Reason - To protect the amenity of neighbouring properties.

- 9 All plant and machinery shall be enclosed with soundproofing materials and mounted in a way which will minimise transmission of structure-borne 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 neighbouring occupiers.*

- 10 No occupation or use of the development hereby approved shall take place until a scheme of provisions for the control of noise emanating from the site has been implemented in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The approved scheme installed shall be thereafter retained.

Reason - To protect the amenity of neighbouring occupiers.*

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

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

INFORMATIVES

- 1 **INFORMATIVE** – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.
- 2 The Council has granted permission because the proposed development, by virtue of its design, external appearance, height, scale, mass and bulk would have an acceptable impact on the visual character and appearance of the street scene. The proposal is considered acceptable having regard to Policies SS1, NE8, HE1, DE1 and DE10 of the Rushmoor Local Plan (adopted February 2019) and Rushmoor Car and Cycle Parking Standards (adopted Nov 2017).

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.

- 3 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**.

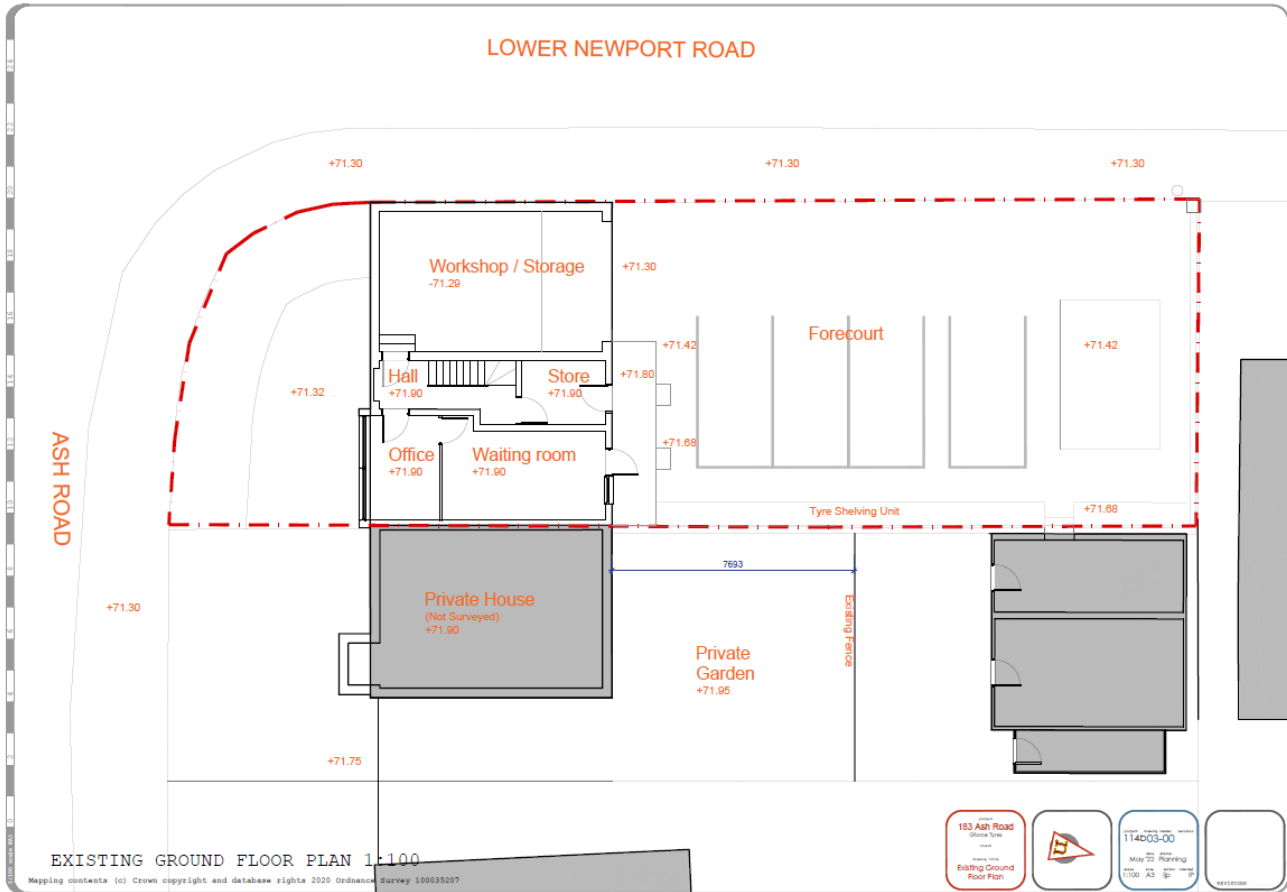
Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out **WITHOUT PLANNING PERMISSION**.

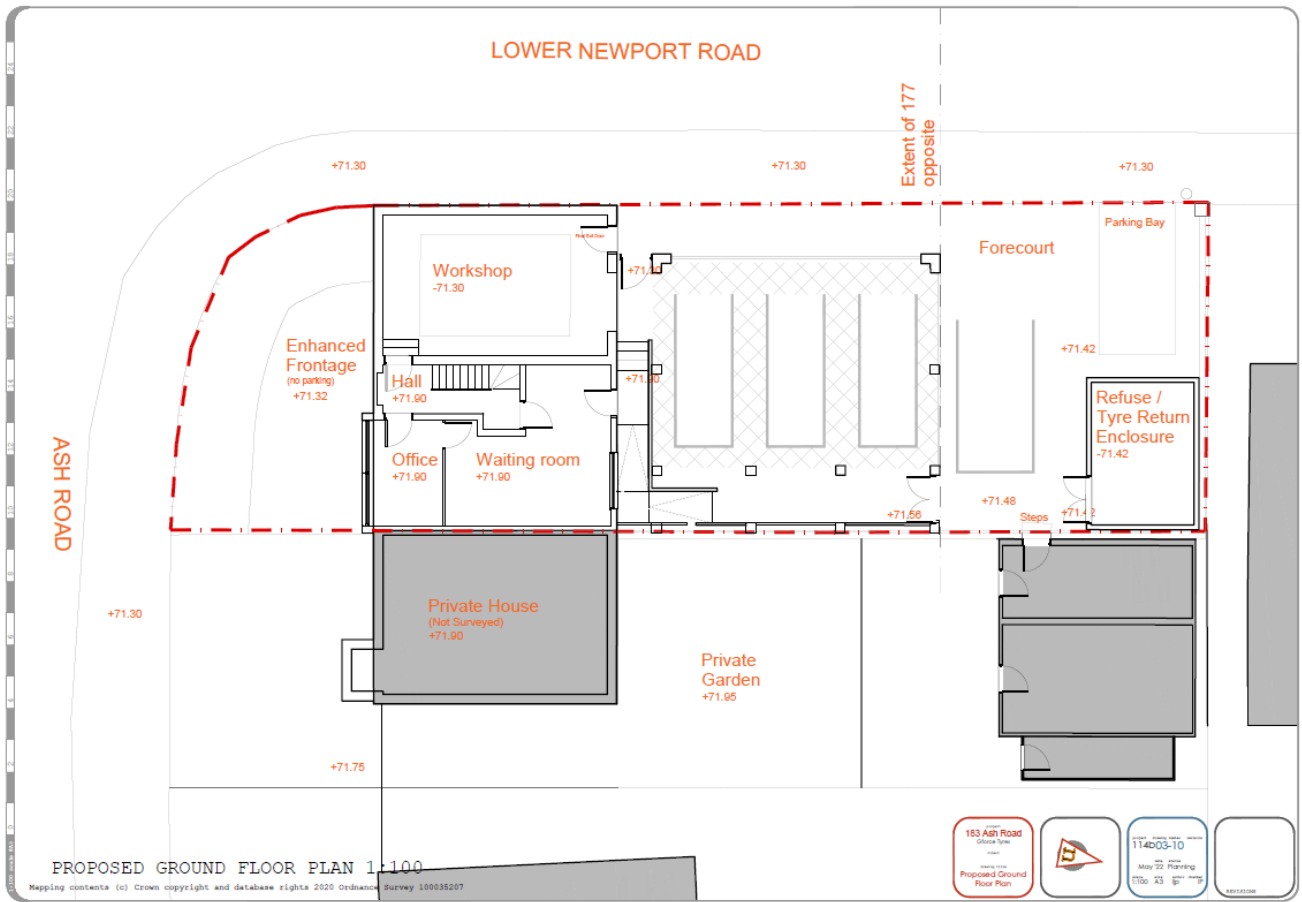
The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must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

- 4 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". The Rushmoor Access Group would welcome the opportunity to give further advice and guidance.

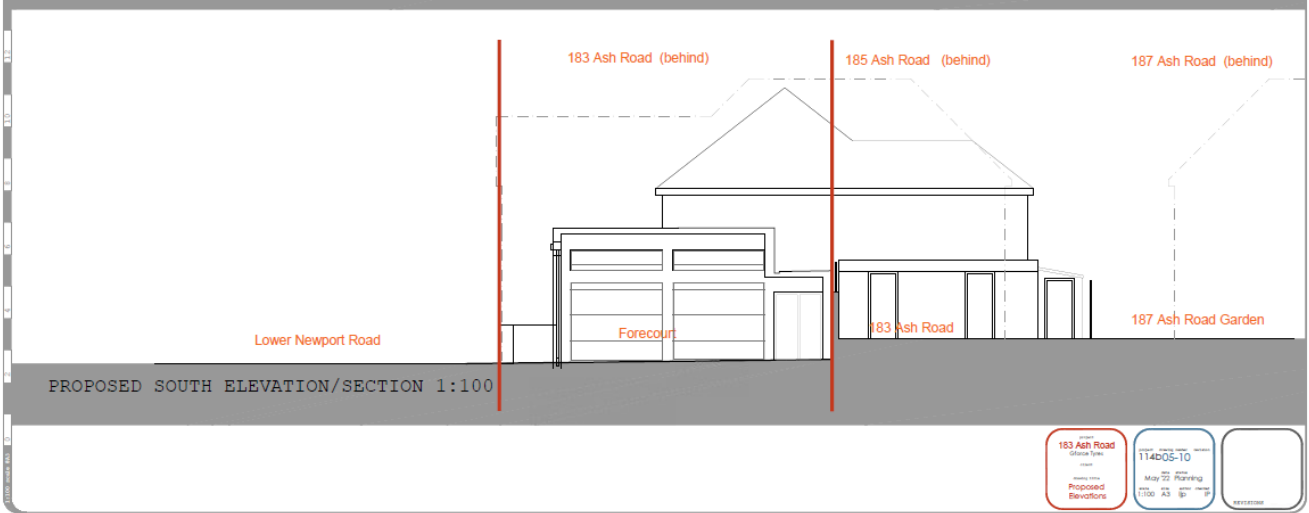
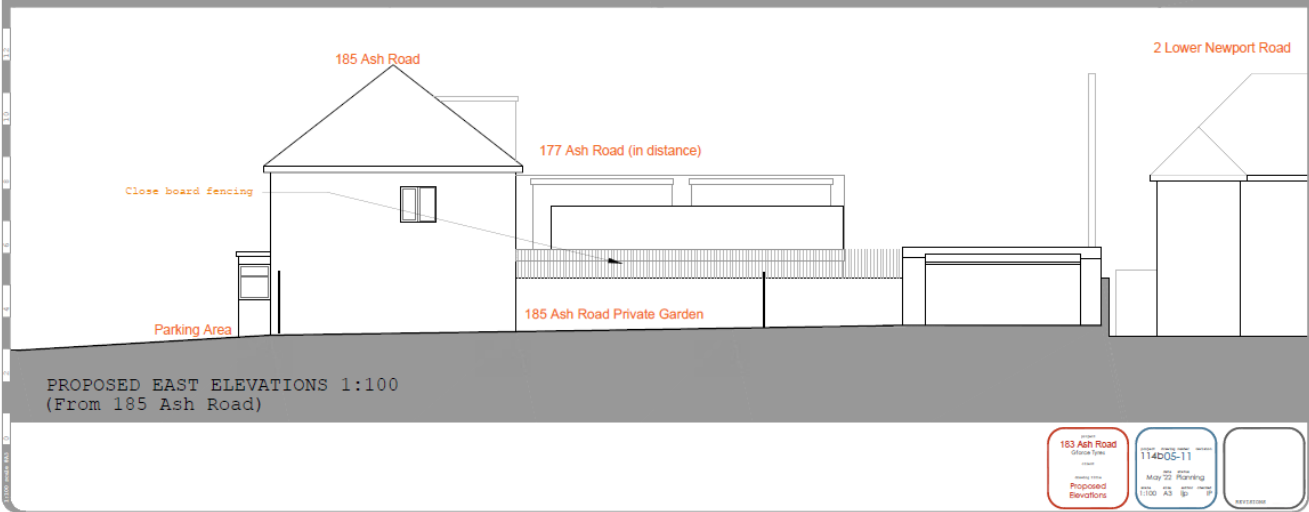
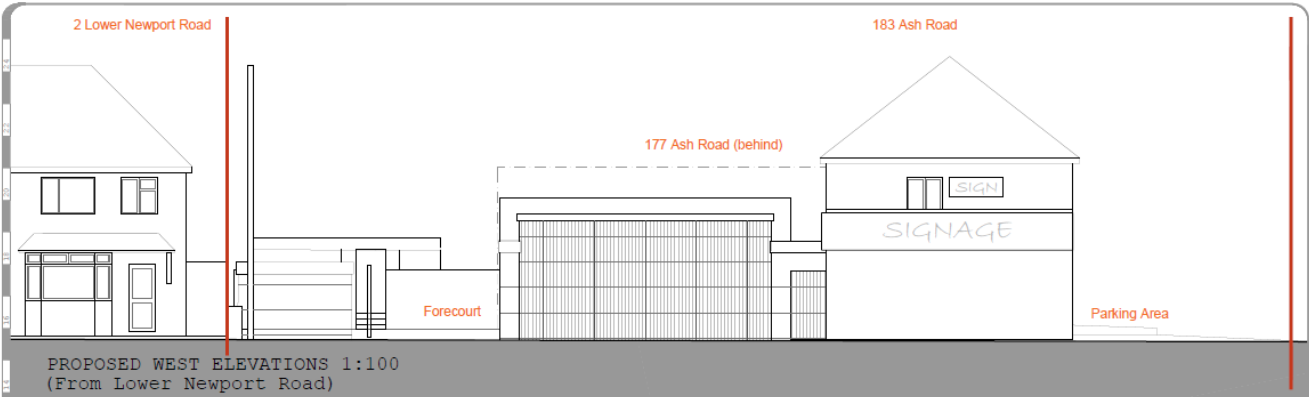
- 5 In order to avoid risk arising from overbuilding of the gas network, the applicant is advised to check their proposals against the information at <https://www.linesearchbeforeudig.co.uk> and contact the Plant Protection Team at Scotland Gas Networks Plc plantlocation@sgn.co.uk Tel: 0800 912 1722.

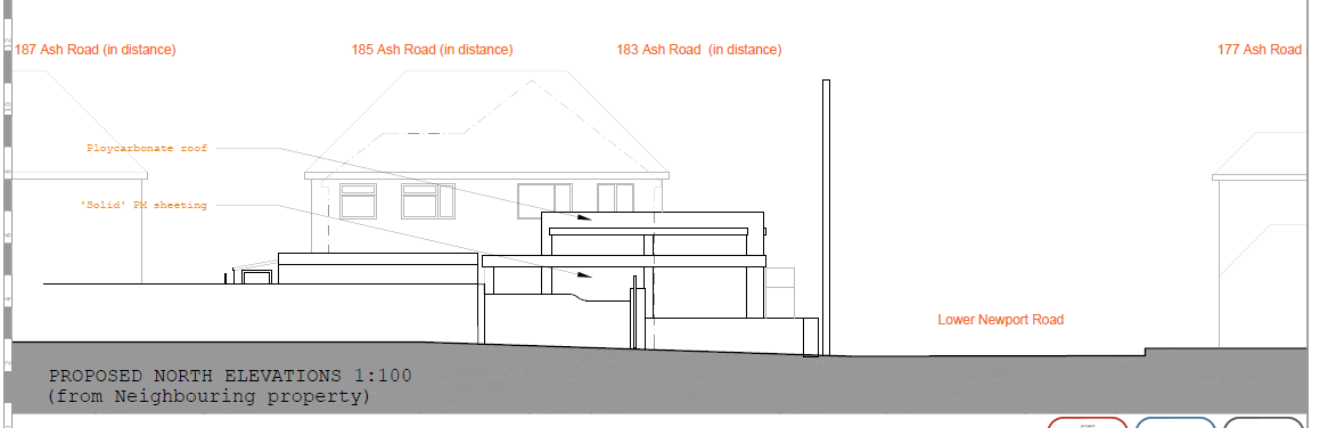
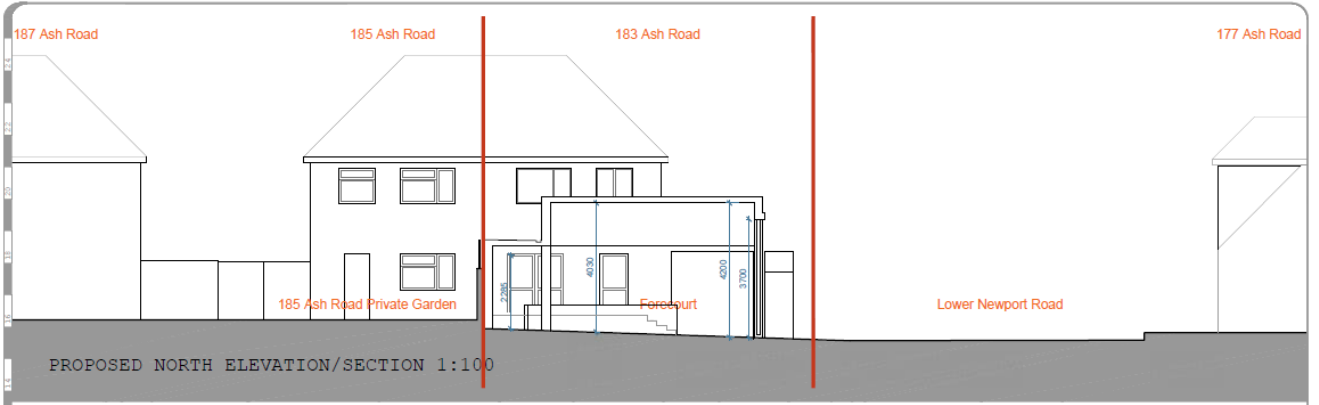
Existing Floorplan





Proposed Elevations





<p>183 Ash Road</p> <p>Office type</p> <p>Proposed Elevations</p>	<p>11405-T2</p> <p>11405-T2</p> <p>11405-T2</p> <p>11405-T2</p>	<p>11405-T2</p> <p>11405-T2</p> <p>11405-T2</p> <p>11405-T2</p>
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