

**Urgent Action – Land to the rear of 162-170 Holly Road, Aldershot
Application Reference 21/00645/FULPP**

1.0 Background

- 1.1 On 13 October 2021 the Development Management Committee resolved to grant planning permission for:

Erection of three 3-bedroom 5-person occupancy terraced two-storey houses following the demolition of existing garages; alterations to side elevation of No.170 Holly Road and provision of replacement parking spaces for Nos.162a, 164, 164a and 170 Holly Road.

The decision was to grant subject to completion of a s106 Planning Obligation by 26 November 2021 and, in the event the agreement was not completed, to refuse permission.

- 1.2 Despite efforts to complete the s106 by 26th November 2021, the work required to complete the s106 took a lot longer than expected due to a number of technical legal problems arising from the complex ownership of the application site. As a result the applicants requested, and the Council has agreed, a succession of extensions of time for the determination of the application, culminating in an extension of time expiring on 31 May 2022. Given that the legal issues involved were resolvable it was considered neither reasonable nor helpful to invoke the second part of the Committee resolution to trigger the refusal of the planning application after 26 November 2021.
- 1.3 On 12 May 2022 a satisfactory s106 was finally completed pursuant to the Committee resolution paving the way for planning permission to be granted. This s106 is set out in five counterparts that have been signed separately by four separate owners of the application site, plus the Council.
- 1.4 On 17 May the Chairman was contacted to set out the above situation; and to request confirmation whether they agreed that planning permission could be granted pursuant to the requirements of the Committee resolution in the circumstances set out.
- 1.5 In doing so, the Chairman was also advised of the receipt of a very late representation raising objection the proposals received from the occupier of 24 St. Augustine's Close received on 4 March 2022. This correspondent has been advised that their comments were received far too late to have been reported to the Council's Development Management Committee when they considered this planning application and resolved to grant planning permission at their meeting almost 6 months earlier. Nevertheless, they have been reassured that the points that they make were made by others whom did lodge objections to the

application in time and, indeed, were also issues raised by Members during the debate at the meeting; and, as such, the matters raised were taken into account by the Committee in making their decision. In reply this correspondent has indicated that their particular concern was to ensure that adequate boundary fencing is installed and retained between their property and the proposed development site. In this respect the site boundary fencing adjoining St Augustine's Close properties is variable in quality, but agreed Condition No.5 gives the Council the ability to control all means of enclosure associated with the proposed development, whether this be to agree the retention of any perfectly good sections of existing fence or the erection of new fencing. .

- 1.6 The Chairman subsequently agreed that the Committee resolution to grant planning permission had been satisfied, thereby authorising the grant of the planning permission. Accordingly, the planning permission was granted, recorded, issued and objectors notified on 18 May 2022. The planning permission includes the conditions set out in the original Committee Report, as amended with the Committee Amendments Sheet; and also the imposition of an additional condition requiring the side windows in the proposed houses to be obscurely glazed requested by the Committee at the meeting.

2.0 Recommendation

- 2.1 That the report be **NOTED**

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BACKGROUND PAPERS: Planning Application File 21/00645/FULPP