

### Appeals Progress Report

#### 1. New Appeal

##### 1.1 Land to the front of 82 to 86 Cove Road at the junction of Bridge Road and Cove Road Farnborough.

An appeal against notification that Prior Approval is required and refused (application 21/00856/TELEPP) for: the installation of a 20-metre high monopole supporting 6 no. antennas and 2 no. transmission dishes, 4 no. equipment cabinets and development works ancillary thereto. has now been made valid and given a start date. The planning appeal reference is APP/P1750/W/22/3298725. The appeal will be determined by the written representation method.

#### 2. Appeal Decision

##### 2.1 Appeal against refusal of planning application 21/00074/FULPP for Construction of new Home Shopping storage areas and associated cold rooms, construction of new click & collect canopy and associated steelworks and associated works at **Asda, Westmead, Farnborough** for the following reasons, was the subject of a decision dated 19 August 2021:

- 1 The proposal would result in the loss of an amenity area and trees having amenity value and would replace them with an incongruous structure with illuminated advertisements, to the detriment of the character and amenity of the area and therefore fails to provide high quality design that respects the character and appearance of the area or to improve the quality of the built environment and is therefore contrary to Policies DE1, DE6 and NE3 of the Rushmoor Local Plan.
- 2 The proposal would have a detrimental impact upon the amenity of the nearby residents by reason of the increased traffic and activity at the rear of the building and the adverse impact upon the outlook from these properties due to the loss of established amenity trees and landscaping and their replacement with hardstanding and a structure bearing illuminated advertisements, contrary to Policy DE1 of the Rushmoor Local Plan.

The appointed Inspector considered that the main issues for the appeal were:  
(i) the effect of the proposal on the character and appearance of the area, and;  
(ii) on the living conditions of nearby residents in terms of noise and disturbance.

In respect of character and appearance, the Inspector agreed with the Council that the landscaped area with its substantial trees formed an important amenity area in a locality otherwise devoid of natural landscaping. Given its overall size and height and that it would occupy an area currently unencumbered by structures, the proposed canopy would represent an uncharacteristic addition

to the street scene. This prominence would be especially great at night with the proposed illumination.

The Inspector found that the loss of a significant area of landscaping would have an adverse impact on the character and appearance of the area. The Inspector also agreed that the proposed planting scheme would not compensate for the loss of the existing trees, and given the amount of hard surfacing, questioned whether the proposed trees would survive. Accordingly, the Inspector concluded that the proposed development would be contrary to Policies DE1, DE6 and NE3 of the Rushmoor Local Plan 2019 (RLP), which, amongst other aims, seek to ensure that new developments make a positive contribution towards improving the quality of the built environment by ensuring that existing landscaping features are included in the overall design of the scheme. It would also conflict with policies of the National Planning Policy Framework including those set out in Paragraph 130, which indicate that planning decisions should ensure that developments are visually attractive as a result of appropriate and effective landscaping.

With respect to living conditions, the Inspector commented that the appeal site is located some distance from nearby residential dwellings. No objections were raised from the Council's Environmental Health or Highways advisers as to the unacceptability of the proposal. The Appellant had submitted a noise survey which concluded that any noise arising from the proposal is likely to be 'imperceptible' at the nearest dwelling and there was little evidence that contradicted this position. Moreover, whilst the Appellants acknowledged that the proposal would result in a different type of noise and disturbance compared to that of a service yard, the distances involved mean that noise and disturbance from the proposal is unlikely to be harmful to neighbouring occupiers. The Inspector noted that there was little evidence before them that the proposal would result in material harm to the living conditions of nearby residential occupiers through noise and disturbance arising from the proposal. Accordingly, they concluded that the proposal would accord with part of Policy DE1 of the RLP, which seeks to ensure that proposals not cause harm to existing and/or adjacent users by reason of noise.

Whilst the Inspector found in favour of the Appellant on the second main issue, they did not consider that this should override the harm they identified in respect of the first main issue. Accordingly, the proposal would not accord with the adopted Development Plan when considered as a whole and there are no material considerations that indicate a decision otherwise than in accordance with it. The Inspector therefore **DISMISSED** the Appeal.

### **3. Recommendation**

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

**Tim Mills**

**Head of Economy, Planning and Strategic Housing**