

DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 19 August 2015 at the Concorde Room, Council Offices, Farnborough at 7.00 pm.

Voting Members

a Cllr G.B Lyon (chairman)_
Cllr B.A. Thomas (Vice-Chairman) (In the Chair)

Cllr Mrs. D.B. Bedford
Cllr D.M.T. Bell
Cllr R. Cooper

Cllr P.I.C. Crerar
Cllr Sue Dibble
Cllr D.S. Gladstone

Cllr C.P. Grattan
Cllr J.H. Marsh
a Cllr Jennifer Evans

Non-Voting Members

Councillor Roland Dibbs (ex-officio)

Apologies for absence were submitted on behalf of Councillor Jennifer Evans and Councillor Gareth Lyon.

Cllr P.F. Rust and Cllr S.J. Masterson attended as standing deputy in the place of Cllr G.B. Lyon

28. DECLARATIONS OF INTEREST

Having regard to the Members' Code of Conduct, the following declarations of interests were made. Those Members with a disclosable pecuniary interest left the meeting during the debate on the relevant agenda items:

Member	Application No. and Address	Interest	Reason
Cr. J.H. Marsh	15/00389/FULPP (Jenner House, No. 159 Cove Road, Farnborough)	Prejudicial	The application site is Cr. Marsh's doctor's surgery where he is registered as a patient and would benefit from the improvements to the surgery.

29. MINUTES

The Minutes of the Meeting held on 22nd July, 2015 were approved and signed by the Chairman.

30. **TOWN AND COUNTRY PLANNING ACT, 1990 (AS AMENDED) - TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER, 1995 - DEVELOPMENT APPLICATIONS GENERALLY**

RESOLVED: That

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

* 15/00339/FULPP (Nos. 37 to 41 Cross Street and Nos. 59 – 61a Southampton Street, Farnborough)

* 15/00389/FULPP (Jenner House, No. 159 Cove Road, Farnborough)
15/00487/FULPP (SBAC Exhibition Area, ETPS Road, Farnborough);

(ii) the applications dealt with by the Head of Planning, 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 Planning's Report No. PLN1538, be noted; and

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

15/00427/FULPP (No. 177 Ash Road, Aldershot)

15/00475/FULPP (The Queen's Head, No. 97 North Lane, Aldershot)

15/00548/FUL (St. Joseph's Roman Catholic Primary School, Bridge Road, Aldershot).

* The Head of Planning's Report No. PLN1538 in respect of these applications was amended at the meeting.

31. **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
15/00389/FULPP	(Jenner House, No. 159 Cove Road, Farnborough)	Mr. T. Hardy Mr. R. Adams	Against In support

32. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT –LAND ADJACENT TO NO. 11 FINTRY WALK, FARNBOROUGH**

The Committee received the Head of Planning's Report No. PLN1540 regarding a change of use of land from public amenity land to that of a private residential garden by the erection of a close board fence at No. 11 Fintry Walk, Farnborough.

A complaint had been received in May, 2015 claiming that a 1.8 metre fence had been erected by the owner of No. 11 Fintry Walk, enclosing open land and changing its use to private residential garden land. Visits to the site had confirmed that a 1.8 to 2 metre high close board fence had been erected on land adjacent to No. 11 Fintry Walk. The enclosure of the land had resulted in the change of use of land to private residential garden. Land Registry records had indicated that the land was registered to Hughes and Rogers Limited, which was likely to have been the previous developer of the estate and had since dissolved. A letter had been sent to the owner of No. 11 Fintry Walk advising that the change of use of land and the erection of a fence in excess of one metre high adjacent to the highway required planning permission. Subsequent site visits had revealed that the fence still remained and the owner had failed to respond to further requests to cease the breach in planning control.

The Committee was informed that the main issues were the principle of the change of use and the visual impact and highway safety implications. It was highlighted that the Council's Core Strategy Policy CP12 recognised the important role that amenity land played within the street scene and that loss of amenity land was resisted by the Council. The principle of the development was therefore unacceptable in planning terms. With regard to the visual impact, the enclosure by fence and loss of land to the general streetscape had a detrimental impact on the setting of the property and overall character of the area and could well set a precedent. This was contrary to the objectives of Core Strategy Policy CP12 and Saved Local Plan Policy ENV17. Concerning highway safety the Council's Transportation Strategy Officer had raised concerns about the positioning of the fence towards the rear of the site, adjacent to the garages and parking space which took access from Pennine Way. In order to maintain a suitable visibility splay and to prevent conflict with vehicles and pedestrians, the fence would need to be reduced to a height of one metre.

It was therefore considered that the unauthorised fencing and associated change of use of land was considered unacceptable in principle, would result in significant harm to the visual character of the area and would be likely to harm highway safety.

RESOLVED: That the Council issue an Enforcement Notice requiring removal of the unauthorised fencing with a period of one month for compliance for the following reasons:

- (i) the enclosure of open amenity land with close boarded fencing is detrimental to the character and visual appearance of the street scene and the surrounding area; and
- (ii) the unauthorised fencing, by virtue of its height and location gives rise to restricted sight lines and consequent potential conflict between users of the highway and footway, and vehicles entering or leaving the adjacent parking area to the detriment of highway safety.

33. **PLANNING (DEVELOPMENT MANAGEMENT) SUMMARY REPORT FOR THE QUARTER 1ST APRIL – 30TH JUNE, 2015**

The Committee received the Head of Planning's Report No. PLN1541 which provided an update on the position with respect to achieving performance indicators for the Development Management Section of Planning and the overall workload of the Section for the period 1st April to 30th June, 2015.

The Development Manager provided a further update in relation to changes made by the Government to the national planning guidance regarding the use of Section 106 contributions from small sites (of ten dwellings or less) and the application of vacant building credits in relation to seeking affordable housing when vacant buildings were re-used or redeveloped.

The Committee was reminded that, at the time of the previous report in February, 2015, a High Court Challenge had been underway against the Ministerial Statement introducing the changes. The challenge had been spearheaded by Reading and West Berkshire Councils. On 10th February the Cabinet had agreed that, until the outcome of the legal challenge was known:

- (i) the current approach of seeking infrastructure contributions from residential developments of less than ten dwellings would be continued and, subject to the agreement of Hampshire County Council, any monies from such schemes would be protected;
- (ii) any income towards open space, transport or other obligations arising from schemes of less than ten dwellings would be protected;
- (iii) the vacant building credit guidance would not be applied to the national planning guidance changes and that officers would determine a way forward so that any changes to the affordable housing requirement could be made to permitted schemes, should the national guidance changes on the vacant building credit be found to be legally compliant; and
- (iv) a contribution of £2,000 would be made to assist in the collective legal challenge.

The Committee was informed that the local authorities had been successful in their legal challenge but the Government had since appealed the decision. A further update would be provided to the Committee in due course and in the meantime the Council would continue in accordance with the actions agreed by the Cabinet as set out above.

RESOLVED: That the Head of Planning's Report No. PLN1541 be noted.

34. **APPEALS PROGRESS REPORT**

The Committee received the Head of Planning's Report No. PLN1542 concerning the following new appeals:

Application No.	Description
15/00008/COUPP	Against the Council's decision to refuse planning permission for the change of use of the ground floor from Use Class A1 (retail) to Use Class A2 (betting office) at Nos. 60 – 62 Union Street, Aldershot. The appeal would be dealt with by way of the written representations procedure.

15/00094/FULPP

Against the Council's decision to refuse planning permission for the erection of five dwellings (two two-bedrooms and three three-bedrooms) with associated access parking and landscaping at land to the rear of Nos. 87 – 97 Rectory Road, Farnborough. The appeal would be dealt with by way of the written representations procedure.

RESOLVED: That the Head of Planning's Report No. PLN1542 be noted.

The meeting closed at 7.50 pm.

CLLR G.B. LYON
CHAIRMAN
