



RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

***Wednesday, 22nd July, 2015
at 7.00 p.m.***

To:

VOTING MEMBERS

Cr. G.B. Lyon (Chairman)
Cr. B.A. Thomas (Vice-Chairman)

Cr. D.B. Bedford
Cr. D.M.T. Bell
Cr. R. Cooper

Cr. P.I.C. Crerar
Cr. Sue Dibble
Cr. Jennifer Evans

Cr. D. Gladstone
Cr. C.P. Grattan
Cr. J.H. Marsh

NON-VOTING MEMBER

Cr. R.L.G. Dibbs - Cabinet Member for Environment and Service Delivery
(ex officio)

STANDING DEPUTIES

Cr. S.J. Masterson
Cr. P.F. Rust



Mr. Chairman, Ladies and Gentlemen,

You are hereby summoned to a Meeting of the **Development Management Committee** which will be held in the Concorde Room at the Council Offices, Farnborough on Wednesday, 22nd July, 2015 at 7.00 p.m. for the transaction of the business set out below.

Yours faithfully,

A.E. COLVER
Head of Democratic Services

Council Offices
Farnborough

14th July, 2015

Enquiries regarding this Agenda should be referred to Mandy Speirs,
Administrative Officer, Democratic Services (Tel: (01252) 398821 or e-mail:
mandy.speirs@rushmoor.gov.uk)

A full copy of this agenda can be found at the following website:
<http://www.rushmoor.gov.uk/7884>

A g e n d a

1. **Declarations of interest –**

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 –**

To confirm the Minutes of the Meeting held on 24th June, 2015 (copy attached).

Items for decision

3. **Planning applications –**

To consider the Head of Planning's Report No. PLN1535 on planning applications recently submitted to the Council (copy attached with a copy of the index appended to the agenda).

4. **Enforcement and possible unauthorised development –**

To consider the Head of Planning's Report No. PLN1536 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

5. **Variation of Legal Agreement Relating to North Town Stage II**

To receive the Head of Planning's Report No. PLN1537 (copy attached) the purpose of this report is to seek authority to vary the terms of the 2014 legal agreement.

**Index to Development Management Committee Agenda
22nd July 2015
Report No.PLN1535**

Item No	Case Number	Address	Recommendation	Page No
1	15/00427/FULPP	177 Ash Road Aldershot	For Information	24
2	15/00475/FULPP	The Queens Head 97 North Lane Aldershot	For Information	24
3	15/00487/FULPP	SBAC Exhibition Area ETPS Road Farnborough	For Information	25
4	15/00322/FULPP	6 Samson Close Aldershot	Grant	26
5	15/00461/FUL	134 Holly Road Aldershot	Grant	36

Development Management Committee
22nd July 2015

Directorate of Community
and Environment

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

DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 24th June, 2015 at the Council Offices,
Farnborough at 7.00 p.m.

Voting Members

Cr. G.B. Lyon (Chairman)
Cr. B.A. Thomas (Vice-Chairman)

Cr. D.B. Bedford	Cr. P.I.C. Crerar	Cr. D. Gladstone
Cr. D.M.T. Bell	Cr. Sue Dibble	Cr. C.P. Grattan
Cr. R. Cooper	Cr. Jennifer Evans	Cr. J.H. Marsh

Non-Voting Member

Cr. R.L.G. Dibbs (Cabinet Member for Service and Delivery) (ex officio)

8. DECLARATIONS OF INTEREST –

Having regard to the Members' Code of Conduct, the following declaration of interest was 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. R.L.G. Dibbs	15/00194/FULPP (Site of the former Christmas Lodge, Evelyn Avenue, Farnborough)	Personal	Met with the applicant before this application was submitted. The application was not discussed and the Head of Planning was aware of the meeting.

9. MINUTES –

The Minutes of the Meeting held on 27th May, 2015 were approved and signed by the Chairman.

10. **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:

15/00068/LBC2PP (Gun Hill House and Water Tower, Gun Hill, Aldershot)

15/00326/COU (Nos. 28 – 50 Kingsmead, Farnborough)

- * 15/00347/FUL (Flat 7, Grazley Lodge, Osborne 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. PLN1531, be noted; and

- (iii) the following applications be determined by the Head of Planning, in consultation with the Chairman:

* 15/00069/REMPP (Gun Hill House and Water Tower, Gun Hill, Aldershot)

* 15/00176/FULPP (Proposed extension to Princes Mead, Westmead, Farnborough)

* 15/00194/FULPP (Site of the former Christmas Lodge, Evelyn Avenue, Farnborough).

* The Head of Planning’s Report No. PLN1531 in respect of these applications was amended at the meeting.

11. **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
15/00194/FULPP	(Site of the former Christmas Lodge, Evelyn Avenue, Aldershot)	Mr. J. Lassiter	Against
		Mr. K. Rushe	In support

12. **APPLICATION NO. 15/00069/REMP – GUN HILL HOUSE AND WATER TOWER, GUN HILL, ALDERSHOT –**

The Committee considered the Head of Planning's Report No. PLN1531 (as amended at the meeting) regarding the approval of reserved matters (for part of Development Zone C – Cambridge Military Hospital) relating to the conversion of Gun Hill House and Water Tower (including external alterations and the part demolition of the link building) to provide seventeen flats with associated parking, access, landscaping and public open space in Development Zone C (Cambridge Military Hospital) pursuant to Condition No. 4 (1 to 21) attached to Outline Planning Permission 12/00958/OUT dated 10th March, 2014. The issue for the Committee was whether the reserved matters, as laid out in the Head of Planning's Report No. PLN1531 (as amended), should receive its approval. It was noted that the recommendation was to approve the reserved matters subject to the completion of a Deed of Variation under Section 106A of the Town and Country Planning Act, 1990.

RESOLVED: That subject to the completion of a Deed of Variation (to vary the terms of the legal agreement relating to the Outline Planning Permission) under Section 106A of the Town and Country Planning Act, 1990 to secure

- (i) an appropriate restriction upon occupation of 2,000 dwellings (across the Aldershot Urban Extension site) to ensure that 56 units are provided for affordable housing (21 of which will be provided in the Cambridge Military Hospital Development Zone C), as detailed within the Affordable Housing Development Zone Strategy, are transferred to a registered provider (in accordance with the terms of the Principal Agreement);
- (ii) replacement of the Affordable Housing Strategy contained within the Schedule 15 of the Principal Agreement to demonstrate how affordable housing is to be adjusted across the subsequent phases of the Wellesley development, to accord with the terms of the Outline Planning Permission Section 106 agreement; and
- (iii) the insertion of a new schedule to the Principal Agreement to secure an Affordable Housing Development Zone Strategy for the Cambridge Military Hospital Development Zone C under the terms of the Outline Planning Permission Section 106 legal agreement

the Head of Planning, in consultation with the Chairman, be authorised to approve the matters reserved (for part of Development Zone C – Cambridge Military Hospital) by Condition No. 4 (1 to 21) attached to Outline Planning Permission 12/00958/OUT dated 10th March, 2014, subject to the conditions and informatives set out in the Head of Planning's Report No. PLN1531 (as amended).

13. **APPLICATION NO. 15/00176/FULPP – PRINCES MEAD, WESTMEAD, FARNBOROUGH –**

The Committee considered the Head of Planning's Report No. PLN1531 (as amended at the meeting) regarding the erection of an extension to the existing shopping centre to provide three retail units, alterations to the external appearance of the existing tower feature, the creation of the rear service yard with access from Hawthorn Road and alterations to the existing car park layout and landscaping at Princes Mead, Westmead, Farnborough.

It was noted that the recommendation was to grant planning permission, subject to the completion of a satisfactory planning obligation under Section 106 of the Town and Country Planning Act, 1990.

RESOLVED: That

- (i) subject to the completion of a satisfactory planning obligation under Section 106 of the Town and Country Planning Act, 1990 by 23rd July, 2015 to secure
 - (a) a contribution towards accident reduction of £15,000 and £10,000 for the Clockhouse and Pinehurst roundabouts respectively;
 - (b) a contribution towards the Farnborough Wayfinding Scheme of £15,000 to update mapping to include Princes Mead and further totem signage to identify the shopping areas and links between them, facilitating linked trips;
 - (c) a contribution of £25,000 towards pedestrian improvements at Northmead Junction with Victoria Road and Elmgrove Road; and
 - (d) the submission and implementation of a full travel plan, payment of the travel plan approval and monitoring fees, and provision of a surety mechanism to ensure implementation

the Head of Planning in consultation with the Chairman, be authorised to grant planning permission subject to the conditions and informatives set out in the Head of Planning's Report No. PLN1531 (as amended); however

- (ii) in the event that a satisfactory planning obligation is not received by 23rd July, 2015, the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not make satisfactory provision for a transport contribution or a travel plan in accordance with the Council's adopted Supplementary Planning Documents 'Planning Contributions' – Transport.

14. **APPLICATION NO. 15/00194/FULPP – SITE OF THE FORMER CHRISMAS LODGE, EVELYN AVENUE, ALDERSHOT –**

The Committee considered the Head of Planning's Report No. PLN1531 (as amended at the meeting) regarding the erection of a part two, part three-storey building to provide 29 one, three two and two three-bedroom residential units (34 in total) for disabled or vulnerable veterans and their dependents, a shared common room, staff accommodation, car and cycle parking, refuse storage, landscaping and associated works at the site of the former Christmas Lodge, Evelyn Avenue, Aldershot. Before considering the application in detail, the Committee received representations in accordance with the scheme of public representation from Mr. J. Lassiter against the application and Mr. K. Rushe in support.

It was noted that the recommendation was to grant planning permission, subject to the completion of a satisfactory planning obligation under Section 106 of the Town and Country Planning Act, 1990. On discussing the application it was requested that an additional informative be added to include the reuse of existing hard core materials on site.

RESOLVED: That, subject to the completion of a satisfactory planning obligation, to be agreed by the Head of Planning in consultation with the Solicitor to the Council, under Section 106 of the Town and Country Planning Act, 1990 to secure

- (i) a minimum of 35% of affordable housing in accordance with the requirements of the Head of Environmental Health and Housing;
- (ii) a financial contribution towards open space provision, namely for dredging and improvements to the pond area and the provision of natural play features at Brickfield Country Park and pitch improvements at Aldershot Park; and
- (iii) a financial contribution towards Rowhill Copse Suitable Alternative Green Space and Strategic Access Management and Monitoring as mitigation for the impact on the Thames Basin Heaths Special Protection Area;

the Head of Planning, in consultation with the Chairman, be authorised to grant planning permission subject to

- (i) also being first satisfied of an agreed and binding arrangement to ensure that the allocation of parking spaces and residents' car ownership and use, together with that of staff and visitors, will not give rise to demand for parking in excess of the number of spaces provided within the site; this would be achieved through the provisions of the Section 106 agreement, imposition of conditions, a combination of both, or such other means as may be determined satisfactory; and

- (ii) the conditions and informatives set out in the Head of Planning's Report No. PLN1531 (as amended).

15. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT – FORMER LAFARGE SITE AND ADJOINING LAND AT HOLLYBUSH LANE NORTH, SOUTH OF NORTH CAMP RAILWAY STATION –**

The Committee received the Head of Planning's Report No. PLN1532 (as amended at the meeting) regarding the unauthorised material change of use of land to commercial car sales use and storage of scrapped cars; both with associated ancillary development comprising construction of bunds, hard-surfaces, roads, fences and the siting of structures on land at Hollybush Lane North, south of North Camp Railway Station.

The Report provided an update which followed previous reports presented for information to the Committee between 11th June, 2014 and 4th March, 2015. The Committee was reminded that the Committee had authorised the taking of enforcement action on 7th January, 2015 and this Report was to update Members on further progress with respect to this matter and other matters that had arisen since then.

The Committee was informed that, shortly before the Committee had agreed to commence enforcement action, the landowner had submitted a second part retrospective planning application to Hampshire County Council for the scaled down use of the site to provide an end of life treatment facility. The Council had resolved to raise an objection to this application at the meeting on 4th March, 2015. On 18th May, 2015 the County Council had announced that this application had now been withdrawn by the applicants.

The Committee was also informed that, following concerns raised by the Environment Agency about works undertaken to infill the northern fishing lake and the subsequent reduction in flood storage, the Environment Agency had confirmed that they would support Rushmoor with technical flood risk evidence in respect of any appeal that may be lodged against enforcement notices served by the Council raising flood risk concerns. The Environment Agency had recently confirmed that they were pursuing their own enforcement action, although their efforts to quantify the extent of the infilling and land raising had been hampered by the landowner who was yet to allow the Environment Agency access to the land.

It was confirmed that Enforcement notices were now in an advanced stage of drafting and the Solicitor to the Council was currently consulting with legal counsel in this respect. A meeting had also been arranged with Hampshire County Council and the Environment Agency in order to exchange information and discuss co-ordinated enforcement action.

RESOLVED: That the Head of Planning's Report No. PLN1532 (as amended) be noted.

16. **FORMER COTTAGE TO THE REAR OF JOB'S FARM, NO. 100 SANDY LANE, FARNBOROUGH – URGENT WORKS NOTICE –**

The Committee received the Head of Planning's Report No. PLN1533 which sought authority to serve an Urgent Works Notice on the former cottage which lay to the rear of Job's Farmhouse on Sandy Lane, Farnborough. It was reported that the Grade II listed building was in a poor state of repair and despite some protection work three years ago, required some further work in the near future if it was to be retained.

The Committee was informed that in January, 2013 the Development Control Committee had resolved to serve an Urgent Works Notice to make the building wind and weatherproof. In the event, it had not been necessary to serve the notice since the owner had taken the required action himself and had erected a corrugated iron roof over the building. This roof had protected the building for the previous two years. However, over the passage of time, the timbers had dried out and an internal wall had collapsed. The whole structure was now very fragile. In March, 2015 the property had again been surveyed at the Council's request by an historic buildings consultant who had recommended that the Council should be minded to pursue enforcement action through an Urgent Works Notice or a Repairs Notice.

The Committee was advised of the possible courses of action, as set out in the Report, and was informed that, despite attempts over the last six months to encourage the owner to protect and carry out repairs to the listed cottage, no positive action had been forthcoming. The building now lay unprotected and would be further damaged by the elements unless some urgent action was taken. The Committee was advised that it was considered that an Urgent Works Notice should be prepared and served on the owner in order to secure the preservation of Job's Farm Cottage and was advised that this may result in the Council having to carry out the works and then recover the costs.

RESOLVED: That an Urgent Works Notice be prepared and served on the owner of Job's Farm Cottage with the objective of preserving this important listed building and executing any works deemed necessary.

17. **APPOINTMENTS TO STANDING CONSULTATION GROUP –**

RESOLVED: That the Chairman or the Vice-Chairman and Crs. Sue Dibble and J.H. Marsh be appointed to the Standing Consultation Group for the 2015/16 Municipal Year.

18. **APPOINTMENTS TO DEVELOPMENT MONITORING GROUPS –**

(1) **Farnborough Town Centre –**

RESOLVED: That the Chairman or Vice-Chairman and the three Empress Ward Councillors be appointed to the Farnborough Town Centre Development Monitoring Group for the 2015/16 Municipal Year.

(2) **North Town – Aldershot –**

RESOLVED: That the Chairman or Vice-Chairman and the three North Town Ward Councillors be appointed to the North Town Development Monitoring Group for the 2015/16 Municipal Year.

(3) **Wellesley – Aldershot Urban Extension –**

RESOLVED: That the Chairman or Vice-Chairman and the three Wellington Ward Councillors be appointed to the Wellesley Development Monitoring Group for the 2015/16 Municipal Year.

19. **CONSULTATION ON THE DRAFT RUSHMOOR LOCAL PLAN –**

The Committee received the Head of Planning's Report No. PLN1530 which informed the Committee of the progress on the preparation of the new Rushmoor Local Plan.

The Committee was reminded that, in October, 2011, the Council had adopted the Core Strategy, which set out strategic policies for the Borough covering the period 2010 to 2027. The intention had been to follow this with a supporting Local Plan document which would have set out detailed policies and proposals in a 'Delivering Development' document. However, following changes to the planning system, the Council had agreed to prepare a comprehensive Local Plan for the Borough covering the period to 2032. The Local Plan would set out the long term broad strategic framework for future development in the Borough and the detailed planning policies and site allocations required to deliver it.

The Plan would also contain specific policies for areas including Aldershot and Farnborough town centres, Wellesley and Farnborough Airport. The Plan would also refresh the Core Strategy policies as well as incorporate detailed development management policies that would have been included within the Delivering Development Document.

The Committee was informed that the process by which the Local Plan should be prepared was set out in legislation and would go through an independent examination process before being adopted. On adoption the new Local Plan would replace saved policies in the Rushmoor Local Plan 2000 and the policies in the Core Strategy.

The Local Plan set out various options for dealing with different land use issues in the Borough and the consultation sought views on these options. Any comments for alternative options would be welcomed. The supporting evidence and documentation had been published on the Council's website and was available for viewing alongside the draft Local Plan.

The consultation period would run until 20th July, 2015 and the comments received during the consultation would be used to inform the next version of the Local Plan. This would be a draft submission version which

was due to be published for comment during January and February, 2016, before being submitted to the Secretary of State in Spring 2016. It was anticipated that the Local Plan would be adopted in December, 2016.

RESOLVED: That the Head of Planning's Report No. PLN1530 be noted.

20. **APPEALS PROGRESS REPORT –**

The Committee received the Head of Planning's Report No. PLN1534 (as amended at the meeting) concerning the following appeals:

Application No.	Description
14/00706/FULPP	<p>It was reported at the previous meeting that an appeal had been received against the Council's decision to refuse planning permission for the demolition of a public house/restaurant building and the erection of one five-storey and one six-storey building to provide 25 one-bedroom and 37 two-bedroom flats, a community/arts/food and drink facility, public plazas and parking at the lower ground floor level, with revised access arrangements and associated highways and improved pedestrian access works at The Ham and Blackbird, No. 281 Farnborough Road, Farnborough.</p> <p>This appeal would be dealt with by way of the hearing procedure. In this respect, a hearing date had now been agreed between the main appeal parties for 9th December, 2015. At the meeting it was noted that the Planning Inspectorate had now provided written confirmation to this effect.</p>
15/00041/FULPP	<p>An appeal had been received in respect of the refusal of planning permission for the erection of a pair of semi-detached three-bedroom houses with associated access and parking from Peabody Road on land at the junction of Peabody Road and Queen's Road, Farnborough. This appeal would be dealt with by way of the written representations procedure. All documents were to be submitted by 8th July, 2015.</p>

RESOLVED: That the Head of Planning's Report No. PLN1534 be noted.

The Meeting closed at 9.40 p.m.

G.B. LYON
CHAIRMAN

**Development Management Committee
24th June 2015**

Appendix "A"

Application No. & Date Valid: **15/00068/LBC2PP** **3rd February 2015**

Proposal: LISTED BUILDING CONSENT: for internal and external alterations, including part demolition of link building, to facilitate the conversion of Gunhill House and Water Tower to provide 17 flats with associated parking, access, landscaping and public open space, in Development Zone C (Cambridge Military Hospital). On Land at Wellesley, Aldershot Urban Extension, centred on Queen's Avenue and Alisons Road, Aldershot, Hampshire at **Gun Hill House And Water Tower Gun Hill Aldershot Hampshire**

Applicant: Grainger (Aldershot) Ltd And Secretary Of State For Defence

Conditions: 1 The works to which this application relates shall be begun before the expiration of 3 years from the date of this permission.

Reason - To comply with the requirements of the Planning (Listed Building and Conservation Areas) Act 1990 as amended.

2 The consent hereby granted shall be carried out in accordance with the following approved drawings and documents:

Drawings: GW-03 rev.A; 5726 GW-01 rev.A; 5726 GW-02 rev.A; 5726 GW-05 rev.A; 5726 GW-06 rev.A; 5726 GW-07 rev.A; 5726 GW-08 rev.A; 5726 GW-09 rev.A; 5726 GW-10 rev.A; 5726 GW-11 rev.A; 5726 GW-12 rev.A; 5726 GW-13 rev.A; 5726 GW-14 rev.A; 5726 GW-15 rev.A; 5726 GW-16 rev.A; 5726 GW-17 rev.A; 5726 GW-18 rev.A; 5726 GW-19 rev.A; 5726 GW-20 rev.A; 5726 GW-21 rev.A; 5726 GW-22 rev.A; 5726 GW-23 rev.A; 5726 GW-24 rev.A; 5726 GW-25 rev.A; P3.

Documents: Planning Statement (Savills, January 2015); Heritage Design & Access Statement Rev A ref: RA/5726 (Adam Urbanism, January 2015); Condition Survey Building 19 Water Tower (Adam Urbanism, 5510, March 2012); Condition Survey Building 20 Gun Hill House

(Adam Urbanism, 5510, March 2012).

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

3 Notwithstanding the approved drawings , detailed large scale drawings (1:5 and/or 1:20) drawings or samples (as appropriate) of the following shall be submitted to and approved in writing by the Planning Authority, before the works commence, and the works shall be carried out and thereafter retained in accordance with the approved details:

(i) Details of all new external materials, including replacement natural slate tiles, ridge tiles, bricks (include extent of re-use of bricks), mortar mix, roof coverings, flashing, timber cladding and stonework;

(ii) Details of all new external joinery including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;

(iii) Details design of new internal staircase to Water Tower and method of fixing;

(iv) Detailed design of reinstated first floor steel balcony to Water Tower;

(v) Detailed design of new metal bridge link over basement entrance to Gun Hill House;

(vi) Detailed design of all new brick arches and method of pointing;

(vii) Brick bond detail and method of pointing for eastern elevation of new single-storey link building;

(viii) Detailed design of proposed alterations to existing entrance steps to provide disable access;

Reason - To ensure that the character, appearance and integrity of the listed buildings is not prejudiced, thereby preserving their special architectural and historic interest.*

4 No works shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority and the works shall be carried out and thereafter retained in accordance with the approved details:

(i) A Structural Surveyor's report setting out the nature of, and suggested remedial work to structural defects;

(ii) Revised drawings where required as a result of the recommendations of the Structural Surveyor's report;

- (iii) An updated schedule of works (Appendix A of the approved Heritage, Design and Access Statement;
- (iv) Revised construction drawings (5276 GW 23 rev A, 24 rev A and 25 rev A) where changes are proposed as a result of further surveys.

Reason - In order that the Local Planning Authority can consider the impact of any further interventions on the character, appearance, fabric and integrity of the listed buildings, thereby preserving their special architectural and historic interest. *

5 No works to clean or repoint the external brickwork or stonework shall be undertaken until the following details have been submitted to and approved in writing by the Local Planning Authority:

- (i) Details of the extent of cleaning and repointing proposed;
- (ii) Details of proposed cleaning method together with a sample area of brickwork/stonework has been prepared on site and inspected by the Local Planning Authority;
- (iii) A sample panel/s not less than 1 metre square to show the proposed mortar composition and colour, and the method of pointing, has been prepared on site and inspected by the Local Planning Authority.

The sample panels/areas shall be photographed (or otherwise identified for comparison as work proceeds) prior to works commencing and the works shall thereafter be carried out to match the approved samples.

Reason - To ensure that the character, appearance and integrity of the listed buildings is not prejudiced, thereby preserving their special architectural and historic interest.
*

6 A recording and salvage document shall be prepared during the course of the works hereby approved and shall be submitted to and approved in writing the Local Planning Authority with 6 months of the completion of the works. The document shall include:

- (i) Details and photographs of any features such as ironmongery, fireplaces, cornices, skirtings, architraves and doors to be removed;
- (ii) Details, storage and potential re-use of salvaged features;

Thereafter the approved recording documents shall be made available through the relevant public archive, in accordance with Section 9.0 of the Conservation Plan and Heritage Strategy (December 2012) approved under planning permission 12/00958/OUT dated 10/03/2014.

Reason - To record and advance understanding of the significance of any heritage assets to be removed.

- 7 All new works of making good to the retained fabric, whether internal or external (including linkage points to demolished structures), shall be finished to match the adjacent work with regard to methods used and to material, colour, texture and profile, in accordance with the Outline Schedule of Works contained with Appendix A of the approved Heritage, Design and Access Statement.

Reason - To ensure that the character, appearance and integrity of the listed buildings is not prejudiced, thereby preserving their special architectural and historic interest

- 8 All new partitions shall be scribed around the existing retained cornices, picture rails, skirtings and any other ornamental features in accordance with the Outline Schedule of Works contained with Appendix A of the approved Heritage, Design and Access Statement.

Reason - To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving its special architectural and historic interest.

- 9 No new plumbing, pipes, soil stacks, flues, vents or ductwork shall be inserted or attached to the buildings unless shown on the drawings hereby approved. All new and replacement gutters and down pipes shall match existing, with regard to design, material, profile, finish and fixings.

Reason - To ensure that the character, appearance and integrity of the building is not prejudiced, thereby preserving its special architectural and historic interest.

Application No. & Date Valid: 15/00326/COU

5th May 2015

Proposal: Change of use of 28-50 (evens) Kingsmead from Use Class A1 to Use Classes A3 (restaurant and cafe) and A4 (drinking establishments) at **28 - 50 Kingsmead Farnborough Hampshire**

Applicant: Key Property Investments (Number One) Ltd

Conditions: 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 No works 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:

i) the provision of long term facilities for contractor parking;

ii) the arrangements for deliveries associated with all construction works;

iii) access and egress for plant and deliveries;

iv) protection of pedestrian routes during construction;

v) location of temporary site buildings, site compounds, construction materials and plant storage areas;

vi) controls over dust, noise and vibration during the construction period;

vii) provision for storage, collection and disposal of rubbish from the development during the construction period

Construction shall only take place in accordance with the approved method statement. *

Reason - In the interests of amenity and highway safety.

3 Site preparation, clearance works and construction works within the area covered by the application shall only take place between the hours of 0700-1800 Monday to Friday and 0800-1300 on Saturdays. No works at all shall take place on Sundays and Bank or Statutory Holidays unless

otherwise first agreed in writing by the Local Planning Authority.

Reason - To protect the amenities of surrounding residential properties and other occupiers.

- 4 The A3 and A4 food and drink uses hereby permitted shall not be occupied until details of the means of suppressing and directing smells and fumes relevant to the premises they are to serve have been submitted to and approved in writing by the Local Planning Authority. These details shall include the height, position, design, materials, and specification of any external chimney or extraction vent. The approved details shall then be implemented before the premises to which they relate are occupied and shall be retained in working order at all times thereafter. *

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

- 5 No unit shall be occupied until details of the shopfront to be installed relating to that unit have been submitted to the Local Planning Authority for approval. The shopfront shall thereafter be provided in accordance with the approved details.

Reason - To ensure a satisfactory form of development in the interests of visual amenity

- 6 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.*

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, the units hereby approved shall only be used for purposes falling within Use Class A3 or A4 as defined by the Town and Country Planning (Use Classes) Order 1987 as amended.

Reason - To ensure an appropriate mix of uses to support the vitality and viability of the Kingsmead shopping centre and Farnborough town centre as a whole.

8 Notwithstanding condition 7 above, no more than one unit hereby approved shall be used for purposes falling within Use Class A4 as defined by the Town and Country Planning (Use Classes) Order 1987 as amended.

Reason - To ensure an appropriate mix of uses to support the vitality and viability of the Kingsmead shopping centre and Farnborough town centre as a whole.

9 The permission hereby granted shall be carried out in accordance with the following approved drawings - P-001, 002, 003, 004 and 005

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

Application No. & Date Valid: 15/00347/FUL

11th May 2015

Proposal: Replacement windows at **Flat 7 Grazley Lodge Osborne Road Farnborough**

Applicant: Mr P Aldred

Conditions: 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 spacer and sealant to be white to match frame colour. The development shall be completed and retained in accordance with the details so approved.

Reason - To ensure satisfactory external appearance.

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

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

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 – Page 24 to 25

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 – Page 25

Section C – Items for DETERMINATION – Pages 26 to 61

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 – Pages 62 to 80

This lists planning applications that have already been determined by the Head of Planning, 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. This comprises the Rushmoor Plan Core Strategy (October 2011), the Hampshire Minerals and Waste Plan adopted October 2013, saved policies of the Rushmoor Local Plan Review (1996-2011) 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.

Keith Holland
Head of Planning

Background Papers

- *The individual planning application file (reference no. quoted in each case)*
- *Rushmoor Core Strategy (2011)*
- *Rushmoor Local Plan Review (1996-2011)[Saved policies]*
- *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).*

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	15/00427/FULPP	<p>Erection of first floor extensions to front, side and rear and external alterations to facilitate conversion of cafe to 1 x 1-bed flat, storage space above into 1 x 1-bed flat, and enlargement of existing first floor flat from 1 to 3-bedroom size with enclosed first floor roof terrace</p> <p>177 Ash Road Aldershot Hampshire</p> <p>This application has only recently been received and consultations are underway.</p>
2	15/00475/FULPP	<p>Demolition of existing public house and re-development of site with two pairs of 2-bedroom semi-detached houses on road frontage with new access between leading to a pair of 3-bedroom semi-detached houses at rear of site (6 new dwellings in total), together with detached garages, parking spaces, turning area and associated landscaping</p> <p>The Queens Head 97 North Lane Aldershot Hampshire</p> <p>This application has only recently been received and consultations are underway.</p>

3	15/00487/FULPP	<p>Erection of a semi-permanent chalet and associated first floor pedestrian bridge to be used in connection with the biennial Farnborough International Airshow for a temporary period up to and including 2030</p> <p>Lockheed Martin Chalet SBAC Exhibition Area ETPS Road Farnborough</p> <p>This application has only recently been received and consultations are underway.</p>
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Section B

Petitions

Item	Reference	Description and address
		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	Chris Jones
Application No.	15/00322/FULPP
Date Valid	24th June 2015
Expiry date of consultations	17th July 2015
Proposal	Retention and completion of a two-storey three bedroom detached dwelling house with accommodation in roof space and detached garage (variation of house type on Plot 6 approved under planning permission 07/00018/FULPP dated 09 March 2007)
Address	6 Samson Close Aldershot Hampshire
Ward	Manor Park
Applicant	Mr S. Sandhu
Agent	Mr Marcus Bawtree
Recommendation	Grant

Description

The site comprises a single plot within a development known as Samson Close formed from part of the rear gardens of 123, 123A, 125 and 127 Church Lane East, which lie on the north side of the road, close to the junction with Church Hill. Plot 6 lies within the north-east corner of the site immediately to the rear of nos 8 - 10 Churchill Avenue.

In March 2007, planning permission 07/00018/FULPP was granted for the erection of 8 four-bedroom houses and 1 three-bedroom bungalow (Plot 6).

In August 2013, planning permission was sought for a variation of the plans to allow the substitution of a two storey building in place of the bungalow, with the upper floor accommodation contained in the roof space - planning application 13/00593/FULPP. Planning permission was refused on 11 November 2013 for the following reasons:

"1 It is considered that the proposed building, by reason of its height, its bulky roof design, the height of the garden levels and the proximity of the building to the adjoining properties in Churchill Crescent would result in an unacceptable sense of enclosure, a loss of outlook, amenity and privacy at these properties. The property would also have a relatively small plot for the size of building proposed, dominated by parking and with a reduced area of usable private amenity space, which is considered to be poor design. The proposal is thereby contrary to Policy CP2 of the Rushmoor Plan Core Strategy and saved Policy ENV17 of the Rushmoor Local Plan Review.

2 The proposed development would fail to make provision for open space contrary to the provisions of policy CP12 of the Rushmoor Core Strategy and "saved" policy OR4 of the Rushmoor Local Plan Review 1996-2011."

An unsuccessful appeal was lodged against this refusal with the Planning Inspector upholding the Council's reasons for refusal in respect of the mass and bulk of the building and its adverse impact upon the adjoining residents, but not in respect of the availability of amenity space.

At the Development Control Committee on 7 May 2014 planning permission 14/00099/FULPP was granted for the erection of a dwelling with rooms in the roofspace in place of the bungalow at Plot 6. The property as approved had front and rear 'barn' hipped roof ends, two bedrooms within the roof and one on the ground floor. It featured two rooflights in the northern roof slope facing the properties on Churchill Avenue. A condition attached to the permission required the rooflights to be obscurely glazed with no opening section less than 1.7m above the internal floor level.

A section plan submitted with that application showed the floor level of the building 1.35m lower than the adjoining plot to the south (Plot 7). A Detailed survey drawing subsequently submitted by the developer on 27 October 2014 demonstrated the actual level to be 0.25m lower than on the original approved plan for a bungalow in this location.

An application seeking to regularise increases in the as-built levels for the rest of the site (Excluding Plot 6) [14/00816/REV] was the subject of a report to the Development Management Committee on 1st April 2015. Planning permission was granted.

During construction on Plot 6 roof timbers to form side dormers in the north and south elevations were observed being added. This was reported to the Development Management Committee of 7th January 2015 which resolved to take enforcement action in respect of the dormers. The applicant removed the timbers for the dormers and agreed in writing that he would undertake no further works to this property without planning permission. A planning application for the addition of the dormers was subsequently submitted, but in view of the unacceptable impact of the dormers and the resolution to take enforcement action, permission was refused under delegated powers on 17th February 2015 (14/00961/FULPP).

The current application proposes retention of the substantially complete building in a form which differs externally from the May 2014 permission in the addition of a dormer with a pitched roof in the southern slope of the roof facing the adjacent property (Plot 7) in Samson Close. The internal layout shows the ground floor bedroom reconfigured as a separate dining room and the dormer facilitating the provision of all three bedrooms at first floor level.

Consultee Responses

Environmental Health	No Objection
Planning Policy	No Objection
Transportation Strategy Officer	No Objection

Neighbours notified

In addition to posting a site notice and press advertisement, individual letters of notification were sent to 15 properties in Churchill Avenue, Church Lane East and Samson Close.

Neighbour comments

To date one letter has been received from the occupier of 8 Churchill Avenue objecting to the proposal on the following grounds: The rafters for dormers should not be allowed to remain in the roof structure. The bulk of roof exceeds that which the Planning Inspector considered unacceptable. Adding a dormer on the other side increases that bulk. The floor level of the property as built is half a metre higher than it should be, in breach of the Inspector's report and should not be allowed. The whole structure should be dismantled and built at the correct level.

Policy and determining issues

The property is located within the built-up area as defined in the Rushmoor Plan Core Strategy and Policies CP1, CP2, CP3, CP4, CP5, CP12, CP13, CP16 and CP17 are considered to be relevant together with saved Policies ENV17, OR4, OR4.1 and TR10 of the Rushmoor Local Plan Review together with the Car and Cycle Parking Standards and Planning Contributions: Transport SPDs.

The main determining issue is considered to be the comparative impact upon visual amenity and the character of the area and on amenity of adjoining residents of the current proposal in comparison to that granted on 7 May 2014 under reference 14/00099/FULPP.

Commentary

Principle -

The plot is part of a development site where consent for a dwelling of the same form and bulk has been granted in this position. Providing there is no significant change in the relationship with the adjoining properties the proposal must be considered acceptable in principle.

Impact upon Amenity and Character of the Area -

The dwelling is located at the far end of a private road and the proposed change is considered to have little impact upon the character and amenity of the surrounding area.

Impact upon on Adjoining Residents -

The development site slopes down substantially from the level of Church Lane West towards the north-east, with the adjoining properties in Churchill Avenue being located at a lower level still. Since the development has been under construction there have been concerns raised by adjoining residents regarding levels on the site, this matter has largely been resolved by the grant of planning permission for the wider site in April 2015. If the site had been constructed to the originally approved levels, it would have been necessary to reduce the ground level of the two-storey dwelling at Plot 6 to a lower level than that originally approved for the bungalow at this plot and the section drawings submitted with planning application 14/00099/FULPP indicated that this would be the case. However, the precise details for the plot, slab and roof heights were not agreed at this time but were made the subject of a planning condition. As development was commenced without these details being submitted or approved, it is not possible to say that the existing building has been built higher than the approved levels, as no such approved levels exist.

Following the granting of planning permission 14/00099/FULPP, it emerged that the levels across the site were somewhat higher than approved, with the dwelling at Plot 7 being 0.8m higher than were originally approved. As the relative heights of the dwellings at Plots 6 and 7 are as shown in the section drawing submitted with planning application 14/00099/FULPP, it follows that that the height of Plot 6 will be higher than that indicated in the section shown on the approved plans. With regard to Plot 6 itself, the submitted plans show the garden level of the application property some 1.35m lower than that of the adjoining Plot 7 which has a finished floor level of 45.5m above datum. The proposed dwelling is shown with a ridge height which measures 6.7m above ground level and an eaves height of 2.4m above ground level. These dimensions are as approved in the 2014 permission. Site inspections have shown no significant change in level between the ground of plot 6 and that of the rear part of the garden to no. 16 Churchill Avenue lying immediately to the east. In conclusion, the height of the ridge and eaves of the building appear to be constructed approximately 0.4m higher than was indicated in the section submitted. This is considered to be consistent with the level changes approved under planning permission 14/00816/REV for the remainder of the site.

It is considered that in terms of its visual prominence when viewed from the north the current proposal would have no materially greater impact than the approved building. This contrasts with the Appeal proposal, where the proposed two-storey building would have been substantially closer to the boundaries with the properties in Churchill Avenue to allow the construction of the garage on the south-western side of the property and at a raised height relative to the adjoining properties. The relationship between the detached garage and the adjacent properties is comparable with that of the other garages in this development.

The potential for a loss of privacy resulting from the proposed roof-lights in the north-east elevation of the property has been considered in relation to the earlier proposal. A condition requiring obscured glazing and any opening part being 1.7m above finished floor level would be sufficient to ensure that the neighbours' privacy would be safeguarded.

With regard to the issues raised in the letter of objection to this proposal -

Whilst internal structural elements relating to the removed dormer on the north side may remain, they are within the roof slope and no part of the external structure remains. The north facing roof form with two rooflights to the plane of the slope is as per the earlier permission.

There is no planning reason to seek removal of internal timbers.

The most important material consideration regarding the bulk of the roof is the planning permission of May 2014 which post-dates the Inspector's decision referred to by the objector. The current proposal follows this in form and bulk and is therefore considered acceptable. The addition of the dormer in the south roof plane has no significant impact on the surrounding properties and is in a position where it cannot be seen from No.8 Churchill Avenue.

Living Environment Created -

The proposed dwellinghouse would provide a satisfactory living environment for its future occupants in most respects. The garden area would be relatively small for the size of the property.

Highway Safety and Transport Issues -

The proposed three bedroom dwelling requires three off-road parking spaces, which would be provided and no highway safety objection is raised.

With respect to Transport Contributions, the original planning permission for this development was granted before the adoption of the Planning Contributions -Transport Supplementary Planning Document in May 2008. The proposal would result in the replacement of one three-bedroom property with another three-bedroom property and it is considered that no additional multi-modal trips to and from the site would be generated and therefore that a financial contribution is not warranted.

Nature Conservation -

The site is located within 5km of the Thames Basin Heaths Special Protection Area and the impact upon the SPA and its wildlife must be considered. The original planning permission was granted before the Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy was introduced. The approved plans show a three-bedroom dwellinghouse and the current proposal is also for a three-bedroom property. It is therefore considered that the proposal would not result in any additional impact upon the Thames Basin Heaths Special Protection Area and that, having regard to the extant planning permission, a financial contribution towards the provision of a Suitable Alternative Natural Green Space at Rowhill Copse and to Strategic Access Management and Monitoring is not required.

Public Open Space -

Lack of off-site provision for Public Open Space was cited as a reason for refusal of the Appeal scheme because, whilst the applicant completed a Unilateral Undertaking in respect of the original planning application to make an appropriate financial contribution, at the time of the application, the Council's records indicate that no payment has been made. It was therefore considered that the proposal failed to make appropriate provision for public open space, contrary to Policy OR4. The applicant has subsequently made the payment in full and since the current application replaces one three bedroom property with another, it is considered that there is no need for a further contribution in order to comply with saved Policy OR4.

Drainage and Other Matters -

The original planning permission for the development of this site was granted prior to the adoption of the Rushmoor Core Strategy in October 2011, which introduces new policies concerning Renewable Energy and Sustainable construction (Policy CP3) and Surface Water Flooding (Policy CP4). Although no information has been provided in the application to address these issues, the first two matters are normally dealt with by means of planning conditions, whilst it is considered that the proposed dwelling is likely to meet local housing needs. Accordingly, it is considered that the proposal will accord with Policies CP3 and CP4. The occupier of 8 Churchill Avenue has expressed concerns about the arrangements to deal with both foul and surface water drainage. The general arrangements for dealing with this site have already been approved under the Building Regulations and by Thames Water and no change is proposed in the present application. Planning Policy is satisfied that the submitted details satisfy the requirement to provide a Sustainable Urban Drainage System or equivalent to comply with Policy CP4 would ensure that surface water runoff from this plot would remain at greenfield levels. There is no requirement to provide such a system if the originally approved bungalow is built on this plot.

Full Recommendation

It is recommended that permission be **GRANTED** subject to the following conditions:

- 1 The dwelling hereby approved shall not be occupied until the garaging/off-street parking facilities shown on the approved plans have been provided and made available to the occupiers of the dwelling. The garage and parking spaces shall be retained for parking purposes thereafter and shall not be used for the storage of caravans, boats or trailers.

Reason - To ensure that adequate off-street parking is available for the development.

- 2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015, (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C, D, E and F of Part 1 of Schedule 2 shall be carried out.

Reason - In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015, (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C, D, E and F of Part 1 of Schedule 2 shall be carried out.

Reason - In order that the Local Planning Authority can properly consider the effect of any future proposals on the character and amenity of the locality.

- 4 Notwithstanding the details shown on the submitted plans, the windows and roof lights in the north eastern elevation shall be obscure glazed in their entirety, and any opening sections or toplights shall have a minimum cill height of 1.7m above the internal floor level.

Reason - To protect the amenities of neighbouring residential properties.

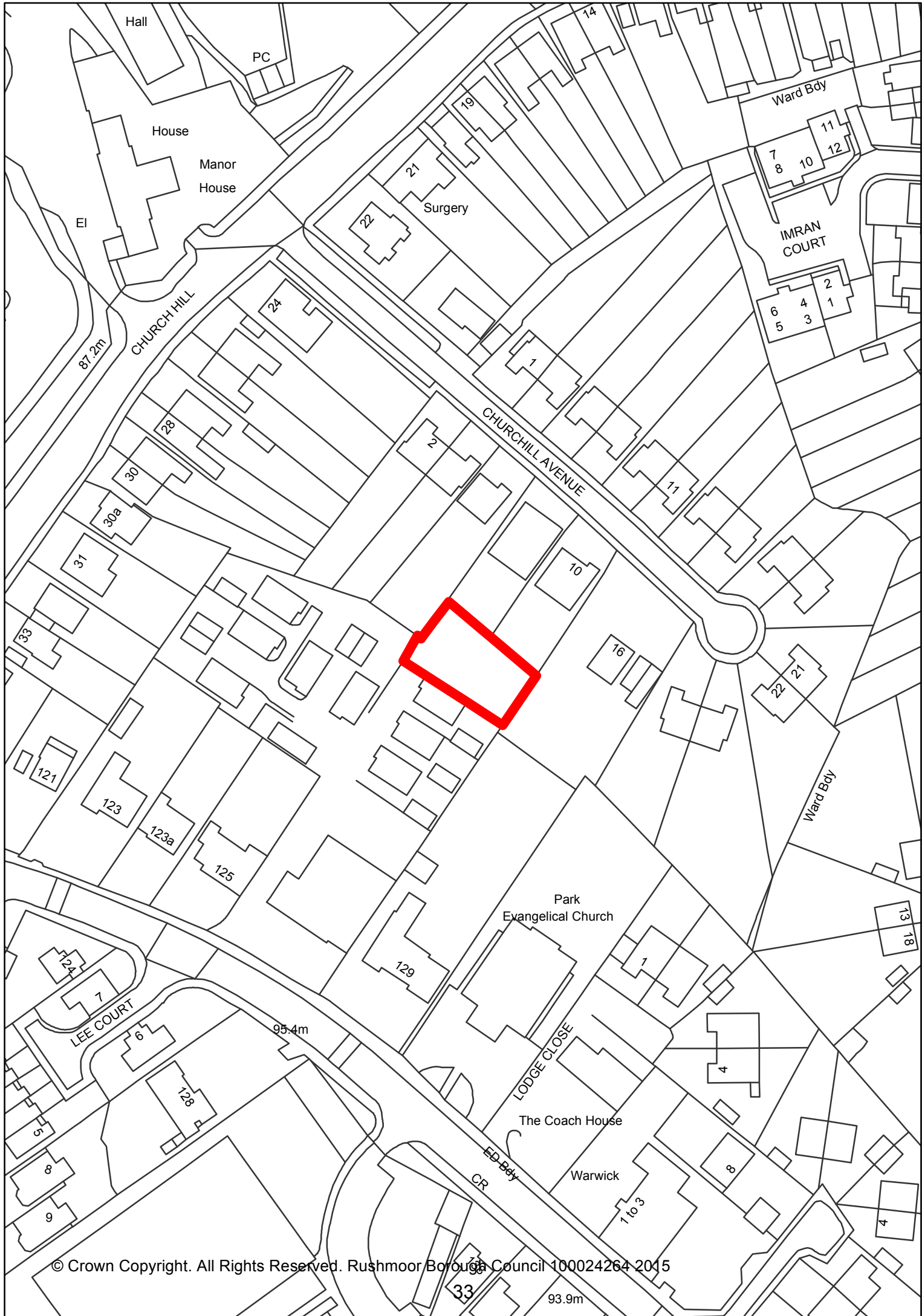
- 5 Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be completed and retained in accordance with the following approved drawings -

130-2014-P6-01p and 01.

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

Informatives

- 1 **INFORMATIVE - REASONS FOR APPROVAL** - The Council has granted permission because it is considered that the proposed dwellinghouse would not adversely affect visual amenity or the character of the area, residential amenity, nature conservation or highway safety. The proposal accords with Policies CP1, CP2, CP3, CP4, CP5, CP13, CP16 and CP17 of the Rushmoor Plan Core Strategy and saved Policies ENV17, OR4, OR4.1 and TR10 of the Rushmoor Local Plan Review together with the Car and Cycle Parking Standards and Planning Contributions: Transport SPDs. 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** - 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.
- 3 **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.
- 4 **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, free of charge, 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.



Hall

PC

House

Manor House

EI

Surgery

Ward Bdy

IMRAN COURT

CHURCH HILL

CHURCHILL AVENUE

Ward Bdy

Park Evangelical Church

LODGE CLOSE

The Coach House

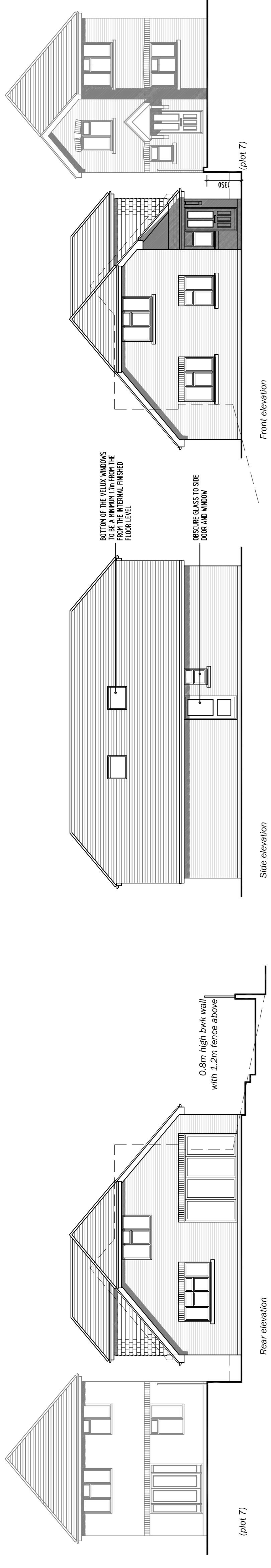
Warwick

87.2m

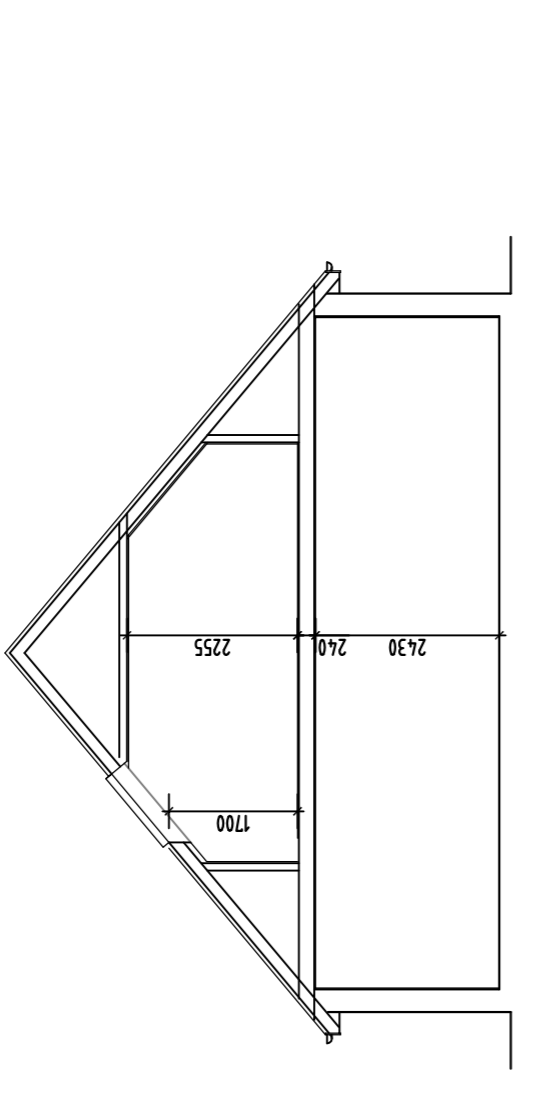
95.4m

93.9m

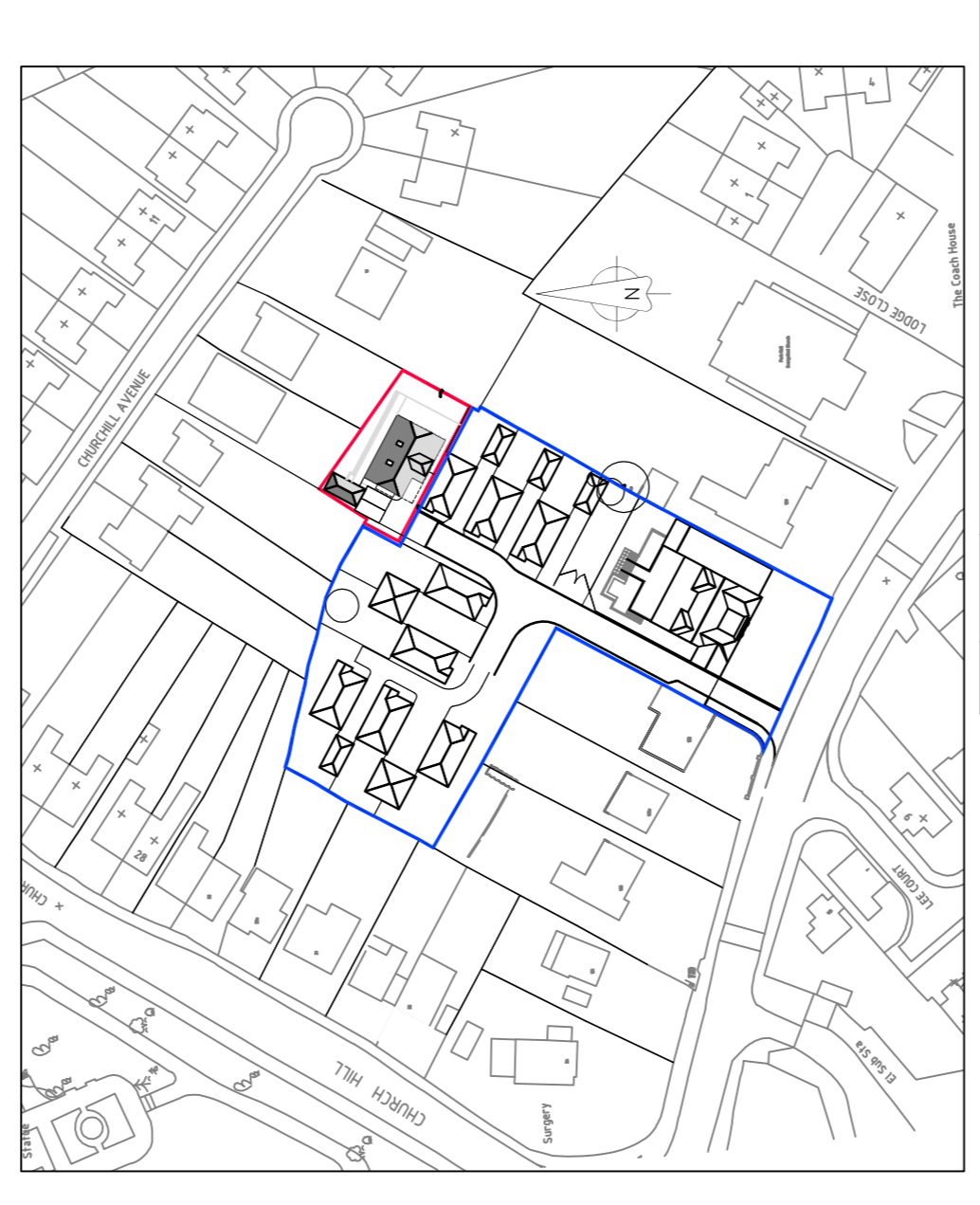
ALL MATERIALS USED IN THE CONSTRUCTION OF THE PROPOSED DWELLING INCLUDING BRICKS, FEATURE BRICKS AND TILES, AS WELL AS SURFACE MATERIALS ARE TO MATCH THOSE USED THROUGHOUT THE REMAINDER OF THE SITE



Side elevation



Section



Location plan - scale 1:1250 @ A1
 Crown Copyright. All rights reserved. Licence Number W003419

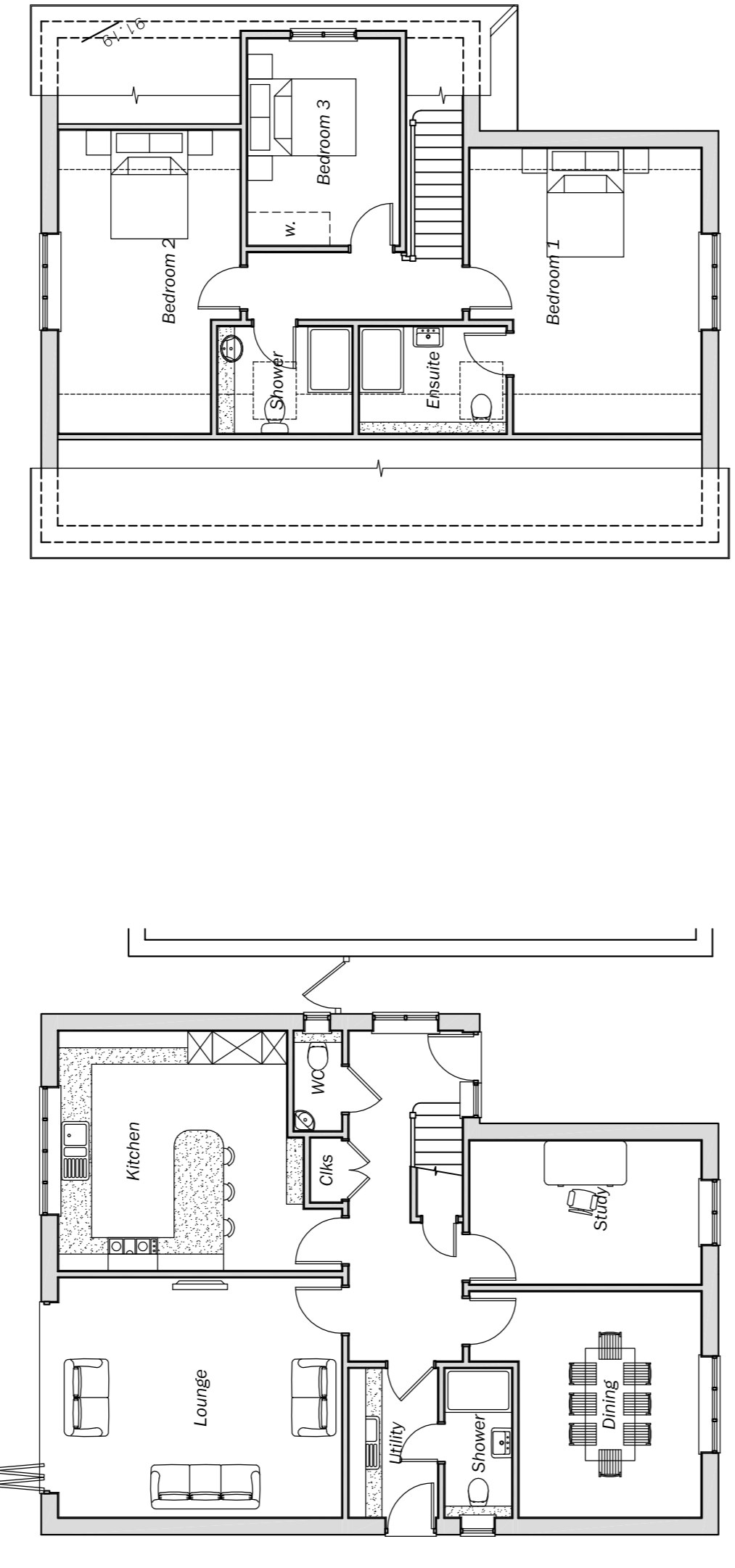
Rev.	Date	Details
P	22/06/15	RIDGE LEVELS ADDED
N	12/06/15	LEVELS ADDED; MATERIAL SCHEDULE ADDED
M	28/05/15	LEVELS ALTERED
L	26/05/15	GARAGE RAISED, GARAGE DOOR AND WINDOW MOVED
K	26/05/15	FENCE HEIGHT AMENDED ON ELEVATIONS
J	22/05/15	LEVELS ALTERED, NOTES, RED LINE & SECTION ADDED
H	09/12/14	INTERNAL LAYOUT ALTERED, NOTE ADDED TO BATHROOM CORNER
G	03/02/14	DORMERS AMENDED
F	26/08/14	FRONT DOOR MOVED
E	28/05/14	SIDE DORMER ALTERED
D	22/05/14	SIDE DORMERS ADDED
C	02/04/14	BARN HP SHOWN ON SIDE ELEVATION, DIMENSIONS ADDED
B	14/03/14	ROOF PLAN UPDATED ON BLOCK AND LOCATION PLANS, NORTH POINT ADDED TO LOCATION PLAN
A	03/03/14	SECTION THROUGH DRIVEWAY ADDED

Mr S. Sandhu

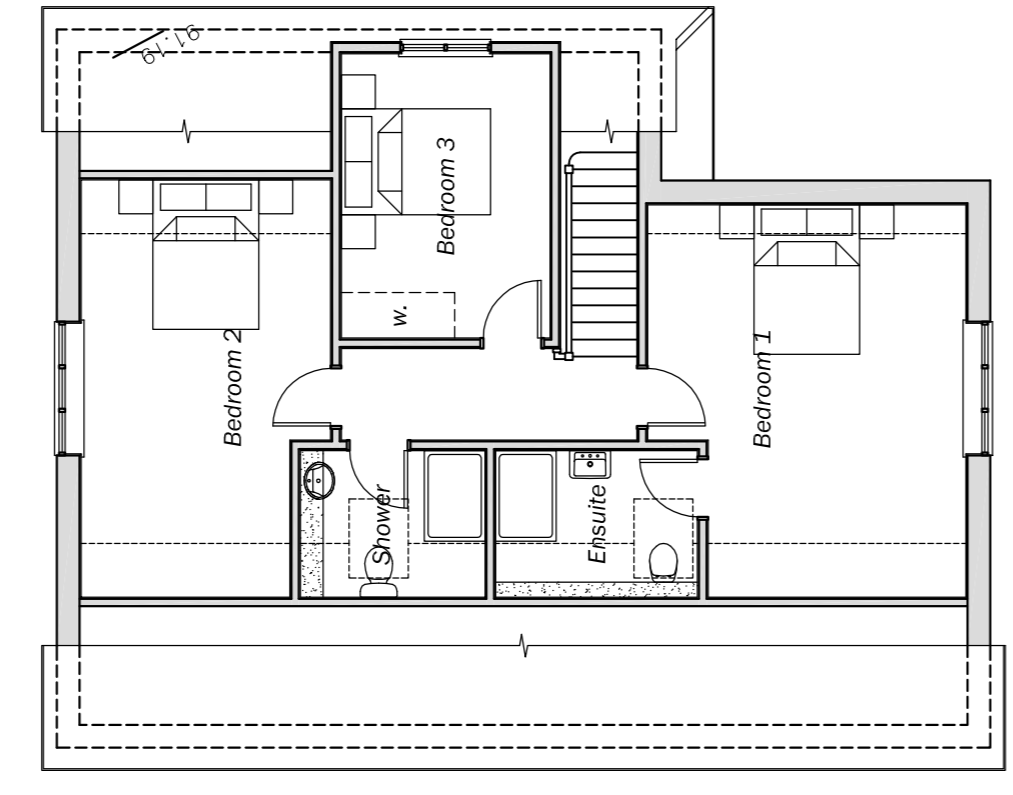
Site	Plot 6
Drawing Title	Proposed replacement dwelling
Land to the rear of 124-127 Church Lane East, Aldershot	
Date	March 2013
Drawn	MB
Checked	
Scale	1:100 @ A1
Drawing No.	130-2014-P6-01p

Materials Schedule

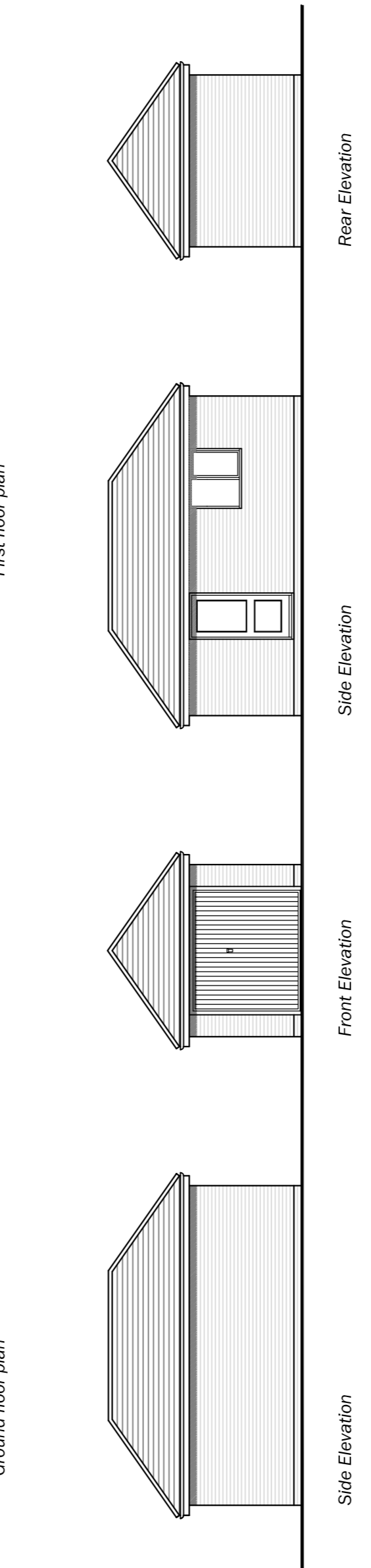
Face brickwork	Terra nut combre multi
Roof tiles	Redlands 90 brick red
Driveway	Red diamond & charcoal
Paths and patios	Indian stone cotic brown



Ground floor plan



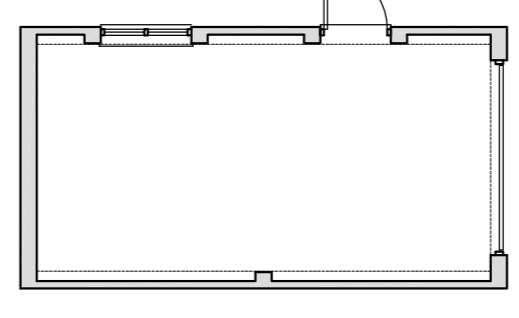
First floor plan



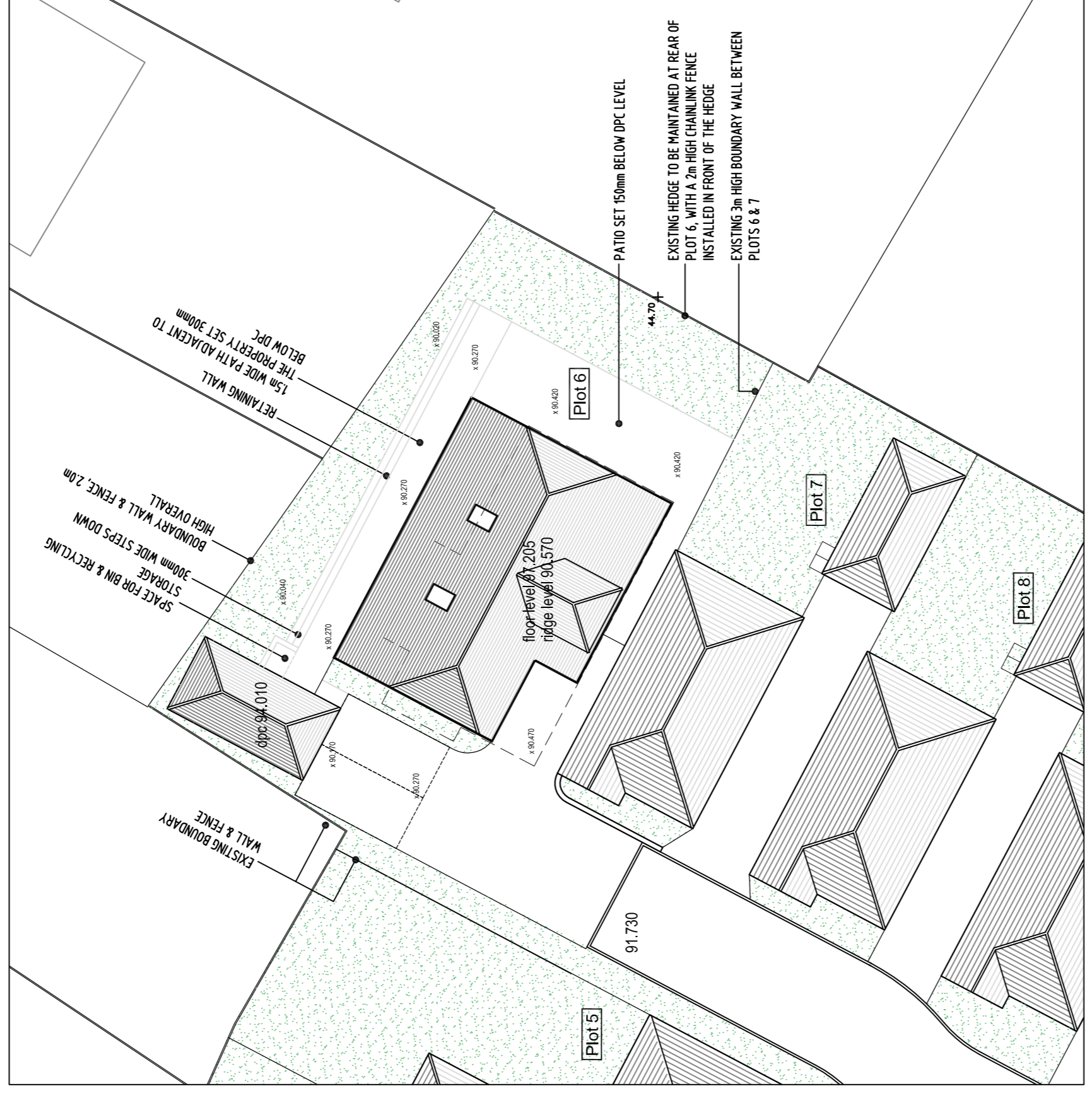
Front Elevation

Side Elevation

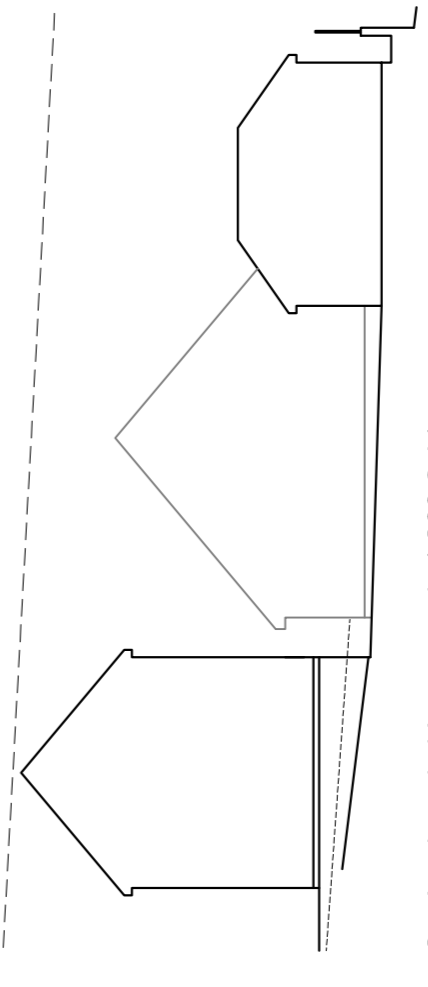
Rear Elevation



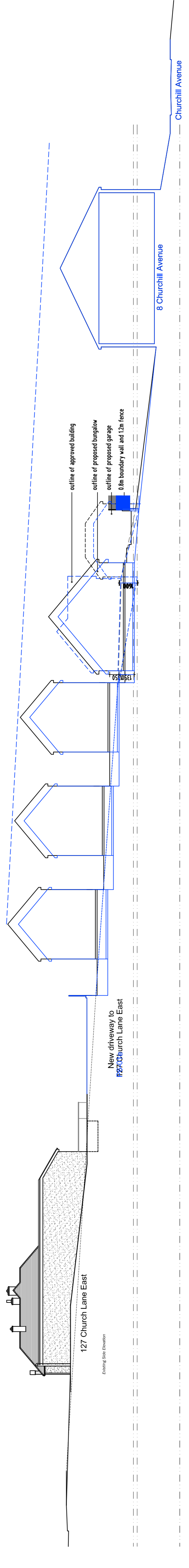
Floor Plan



Block plan - scale 1:200 @ A1
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Section through driveway, scale 1:200 @ A1



Site section - scale 1:200 @ A1

Off site gradient assumed similar

m bdesignservices ltd
 architectural consultants

Unit 1, Bakergate Courtyard, Ash Road, Pirbright, Surrey, GU24 0NU
 Tel: 01483 237039
 Registered in England No: 4603010

Notes

1. All drainage to be in accordance with BS EN 752 and Part H of The Building Regulations.
2. All pipes to be 100mm. diameter, unless shown otherwise.
3. Minimum fall of foul drains under buildings to be 1:40.
4. For drainage details see drawing number 02.

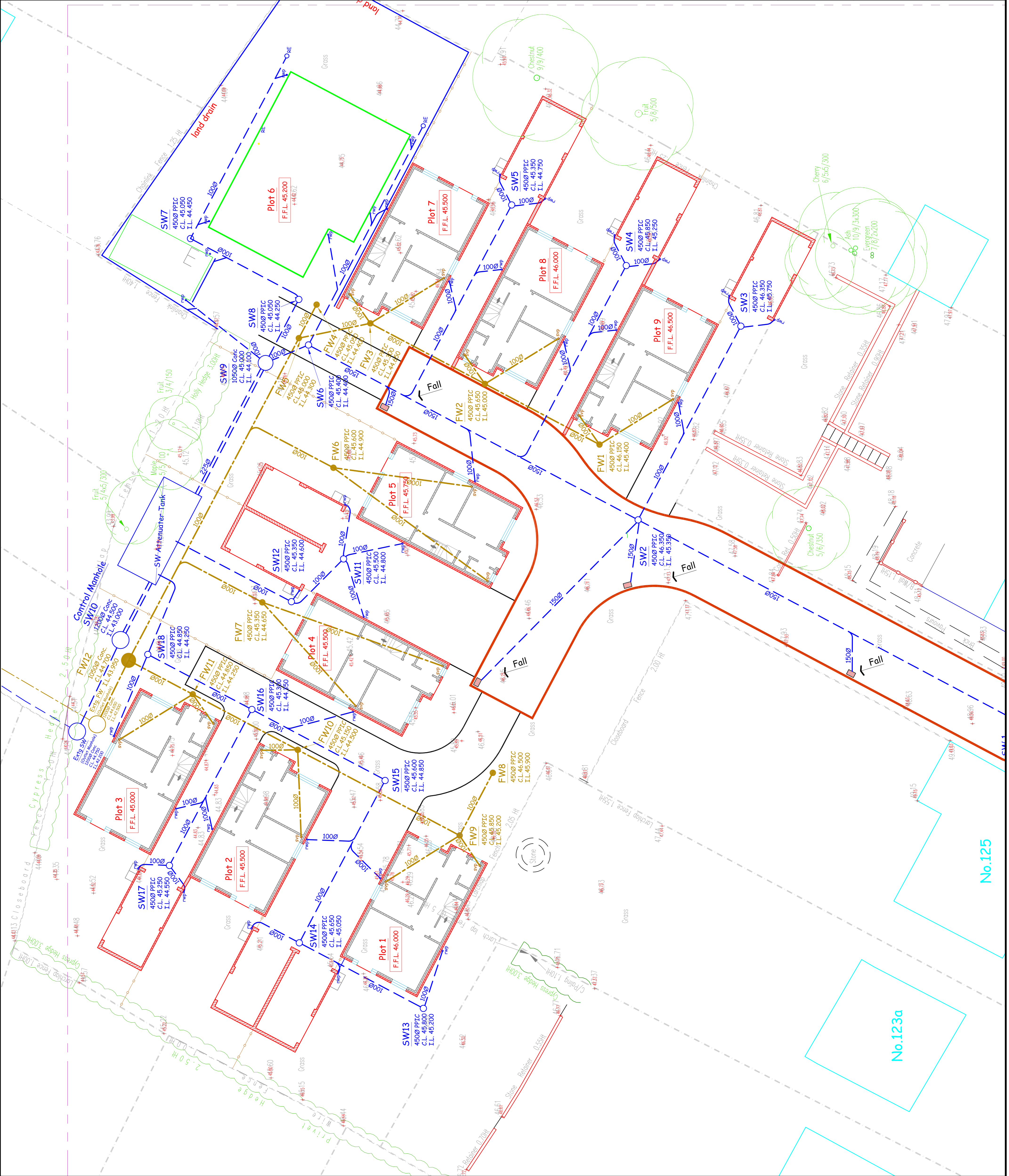


Consulting Civil & Structural Engineers
 Lakeside Country Club, The Old Registry Office,
 Frimley Green, 201, Amersham Hill,
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Church Lane East
 Aldershot

Site Plan

Scale	Date	Job No	Drng No	Rev
1:125	June 2007	F07F02	01	



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.	15/00461/FUL
Date Valid	19th June 2015
Expiry date of consultations	15th July 2015
Proposal	Demolition of existing bungalow and erection of four three-bedroom dwelling houses
Address	134 Holly Road Aldershot Hampshire
Ward	North Town
Applicant	Mr P Needham
Agent	Churchill Design
Recommendation	GRANT subject to legal agreement

Description & Relevant History

The application site is on the southern side of Holly Road and is currently occupied by a bungalow, No.134 Holly Road, with a plot that broadens to the rear. It measures approximately 0.01 hectares. It has an irregular shape and an established vehicular entrance from Holly Road between the existing bungalow and No.136 Holly Road, the adjoining detached house to the east. To the west of the site is a terrace of three houses, with No.132 Holly Road adjoining the front half of the application site. The rearmost half of the western boundary of the site abuts No.126 Holly Road, which is an end-of-terrace house in a terrace of three houses (Nos.122-126) located in a backland position. The site backs onto the rear garden boundaries of houses at Nos.37, 39, 41 and 43 Roberts Road to the south.

Planning permission was refused in July 2008 for a redevelopment scheme of four houses, 08/00353/FUL. Planning permission 14/00242/FULPP was refused in May 2014 by the Development Management Committee for the following reasons:-

- “1 The proposed development would be an unacceptable overdevelopment of the site detracting from the visual character and appearance of the area by reason of the cramped and poorly contrived layout. The proposals are thereby contrary to Policy CP2 of the Rushmoor Core Strategy and saved Local Plan Policy ENV17.*
- 2 The proposal fails to make provision for an appropriate Special Protection Area Mitigation and Avoidance contribution towards the Hawley Meadows suitable accessible natural green space, or strategic access management measures in order to address the impact of the proposed development upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposal is thereby contrary to the requirements of Policies CP13 and CP15 of the Rushmoor Core Strategy adopted October 2011.*
- 3 The proposals do not make provision for an appropriate Transport Contribution to address the impact of the proposed development on local highways infrastructure as required by Policies CP16 and CP17 of the Rushmoor Core Strategy adopted October 2011 and saved Local Plan Policy TR10; and the Council's adopted "Planning Contributions : Transport" Supplementary Planning Document, April 2008.*
- 4 The proposals do not make provision for public open space in accordance with the requirements of Policies CP11 and CP12 of the Rushmoor Core Strategy adopted October 2011, saved Local Plan Policies OR4 and OR4.1; and the Council's continuing Interim Advice Note (dated August 2000 and updated July 2006) "Financial Contributions towards Provision of Open Space in Association with New Housing Development".”*

This decision was the subject of an appeal which was dismissed in December 2014. A copy of the appeal decision and the associated site layout plan are attached at the end of this report. The Inspector considered that both the proposed frontage house and the proposed terraced houses in a backland position within the site would be in keeping with the character and appearance of the surrounding area. He considered that neighbouring properties would not be subject to any undue loss of light, privacy, noise, bin smells, or disturbance arising from the proposed development and accepted that the modest size of the development would not lead to any significant increases in traffic on Holly Road in terms of the safety and convenience of highway users. The living environment created for occupiers was also considered acceptable. A s106 Undertaking was submitted with the appeal that addressed reasons for refusal 2, 3 and 4 and, as such, no issue was taken with these matters.

Despite finding that the proposals were acceptable in most respects, the Inspector considered that the substantial area of hardstanding within the site necessary to provide parking would leave minimal space for landscape planting to soften its visual appearance. He considered this would provide an unattractive setting for the proposed terrace which would be out of keeping with the extensive back garden setting of the site. Notwithstanding the limited views Holly Road, the Inspector considered that this element of the scheme would give rise to poor quality development.

The current application has been submitted seeking to address the Inspector's reasons for dismissing the appeal. Planning permission is sought for the same level of development as previously proposed, but with a revised layout that incorporates landscape planting areas and front gardens for the rear terrace houses on the margins of a re-configured parking hardstanding area in an attempts to improve the quality of the living environment created. It is also proposed to use quality block paving in this area.

The current proposal is therefore for the demolition of the existing bungalow (No.134) and the erection of a total of 4 three-bedroom two-storey houses. These would be arranged in the form of a single detached house (Unit 1) located in a frontage position on the site in approximately the same location as the existing bungalow; with the other three houses (Units 2-4) forming a terrace sited towards the rear of the site. The proposed Unit 1 house would have a footprint measuring 5.1 metres wide by 11.8 metres deep, whereas the proposed terraced houses (Units 2-4) would have smaller footprints of 5.1 metres wide by 9 metres deep. All of the proposed houses would have transverse ridged roofs, in the case of Unit 1 reaching a maximum of 8.1 metres high at the ridge; and 7.6 metres at the ridge for Units 2-4. The accommodation would be arranged conventionally over two floors. In order to take advantage of the southerly aspect of all of the houses, the supporting information submitted with the application indicates that solar panels would be provided on the rear-facing roof slopes.

On-site parking would be provided for the proposed houses in the form of open parking spaces located in the area between the frontage unit (Unit 1) and the terrace (Units 2-4). All of the proposed dwellings would be provided with two allocated parking spaces, plus a pair of visitor spaces to disabled standard; and front and private rear garden areas. Vehicular access to the development would continue to be from Holly Road as existing, but with a broader access road (a minimum of 4 metres wide) and with highway markings to ensure that the access is kept clear of parked cars. Provision would be made for refuse/recyclable bins to be stored on each individual plot, with a bin collection area provided for Units 2-4 adjoining the site access drive. Bin collection from Unit 1 would be directly to Holly Road as is the case with the existing property.

The proposed dwellings would be of conventional construction with tiled roofs. Interest is added to the design with details derived from some of the local building styles to be found in the area. In this respect, in the case of Unit 1, this is shown to have a ground floor front bay window, a chimney, and brick ground floor, and rendered upper floor, elevations. The proposed terraced units (Units 2-4) are a more simple design and would be finished with painted render to match the existing adjoining terraced houses at Nos.122-126 Holly Road.

The application is accompanied by a Design and Access Statement containing an ecological report. A supplemental statement has also been submitted to explain the changes made to the proposals to address the appeal Inspector's concerns.

The applicants are in the process of preparing and submitting a S106 Planning Obligation in the form of a Unilateral Undertaking to secure the required financial contributions towards the off-site provision and/or enhancement of public open space, transport contributions to comply with the Council's adopted SPD, and also in respect of the SPA mitigation.

Consultee Responses

Transportation Strategy Officer	No highway objection subject to (a) a Transport Contribution of £11,235 being secured; and (b) a Construction Management Plan setting out how the construction of the development would be managed and operated.
Environmental Health	No objection subject to condition and informatives.

Parks Development Officer	No objection subject to the appropriate contribution towards identified open space projects.
Community - Contracts Manager	No objections.
Environment Agency	No comments received during the consultation period, but routinely make no comments in respect of applications of this scale in areas of lowest risk of flooding to the effect that application is deemed to either have a low environmental risk and that, due to workload prioritisation, the EA are unable to make an individual response to this application at this time.
Thames Water	No objections.
Hampshire & I.O.W. Wildlife Trust	Objection : whilst it is conceded that the Wildlife Trust are not a statutory consultee and that their comments are advisory only, the submitted bat survey report has not been undertaken by a licenced bat worker. As a result, the applicants are potentially at risk of committing an offence under the Wildlife & Countryside Act should they disturb protected species during the demolition of the existing bungalow and garage [Officer Note: this matter is not directly a planning matter as controls relating to protected wildlife species are with other legislation].
Crime Prevention Design Advisor	No comments received during the consultation period, thereby presumed to have no objections.
Hampshire Fire & Rescue Service	No objections but provides generic fire safety/precautions advice.
Ecologist Officer	No objections : the risk of protected species (such as bats) being found in the buildings to be demolished at the application site is considered to be low. It is recommended that a standard condition and informative would be appropriate.
Aboricultural Officer	No objections subject to standard tree protection measures being implemented since there are no trees worthy of retention under saved Local Plan Policy ENV13 located near the proposed development.

Neighbours notified

In addition to posting a site notice and press advertisement, 17 individual letters of notification were sent to neighbouring properties in Holly Road and Roberts Road including all properties physically adjoining the application site.

Neighbour comments

Objection to the proposals has been raised by the occupiers of Nos.85 Holly Road (opposite the site); and 41 Roberts Road (to the rear of the site). The following grounds of objection are raised:-

From 85 Holly Road:

- (a) Overdevelopment : 4 dwellings is too many;
- (b) Significant reduction in light to properties in Holly Road opposite due to replacement of existing bungalow with the proposed two-storey Unit 1 house;
- (c) Significant loss of privacy to properties in Holly Road opposite due to direct overlooking across the road from proposed Plot 1 house;
- (d) Loss of (unspecified) trees;
- (e) Noise (pollution) and disturbance [Officer Note: unspecified, but presumably as a result of the construction period or the general activity that would be associated with the development if implemented and occupied. In respect of the former, it is clear Government guidance that construction period impacts are not a matter that can be taken into account in determining planning applications];
- (f) Highway safety concerns due to traffic congestion and parking problems;
- (g) Unacceptable design or appearance;
- (h) Unacceptable size, layout or density;
- (i) Impact on local schools as there is a lack of spaces; and
- (j) Bees have a nest in the roof space of a nearby house and there have been sightings of bats and foxes in the area within the last year;

From 41 Roberts Road:

- (k) Proposed development would be sited far too close to their property and invade their privacy – this has already been affected by loss of trees; and
- (l) It is envisaged that the access into Holly Road from the site may be quite dangerous.

The neighbour notification period in respect of this application expires on 15 July 2015. Any further representations will therefore be reported at the meeting.

Policy and determining issues

The site is located within the built-up area of Aldershot. It is not in a Conservation Area, nor adjoins a Listed Building. The Rushmoor Core Strategy (October 2011) Policies CP1 (Sustainable Development Principles), CP2 (Design and Heritage), CP3 (Renewable Energy and Sustainable Construction), CP4 (Surface Water Flooding), CP5 (Meeting Housing Needs and Housing Mix), CP10 (Infrastructure Provision), CP11 (Green Infrastructure Network), CP12 (Open Space, Sport and Recreation), CP13 (Thames Basin Heaths Special Protection Area), CP15 (Biodiversity), CP16 (Reducing and Managing Travel Demand) and CP17 (Investing in Transport) are relevant to the consideration of the current proposals.

Whilst the Core Strategy introduces a number of new policies that replace specific Local Plan policies, a number of Local Plan policies continue to be 'saved' and therefore remain in use for the time being. In this respect, Local Plan Policies ENV13 (trees), ENV17 (general development criteria), H14 (amenity space), TR10 (highways considerations), ENV41-43 (flood risk), and OR4/OR4.1 are 'saved' policies that remain relevant to the consideration of this application.

Also relevant are the Council's adopted Supplementary Planning Documents (SPDs) "Housing Density and Design" and "Sustainable Design and Construction" both adopted in April 2006; 'Transport Contributions' adopted in April 2008; and 'Parking Standards' adopted in 2012. Since these documents were subject to extensive public consultation and consequent amendment before being adopted by the Council, some significant weight can be attached to the requirements of these documents. The advice contained in the National Planning Policy Framework (NPPF) is also relevant.

The recent appeal decision refusing planning permission for the scheme is an important material consideration in this case. The Inspector did not have any concerns with most of the planning issues. In this respect, it is necessary to consider the extent to which the current amended scheme addresses adequately the reason for dismissal of the appeal, and whether there have been any other material changes in circumstances that would justify a different decision being reached now. In this context, the key considerations in this case are considered to be:-

1. The Principle of development;
2. Design and Visual Impact;
3. Impact on Trees;
4. Impact on Neighbours;
5. The Living Environment Provided;
6. Highways Considerations;
7. Impact on Wildlife;
8. Drainage Issues;
9. Renewable Energy and Sustainability; and
10. Public Open Space.

Commentary

1. Principle -

The application proposes the re-development of existing under-used residential land within an established residential area in Aldershot." Within reason this continues to be a clear objective of both Government planning guidance and local planning policy. This approach is also acknowledged in the Council's Supplementary Planning Document "Housing Density and Design" published in April 2006. The 2008 scheme was not refused on a matter of principle. Neither the appeal Inspector nor the Council has previously taken issue with the principle of development.

2. Impact on the Character and Appearance of the Area -

The vicinity has a mixed character, with a variety of dwelling types, ages and external materials. Nevertheless, there is a predominance of two-storey houses and the relatively close spacing between houses gives the street a terraced appearance. As a result, it is considered that the proposed frontage unit (Unit 1) would be sympathetic to the character and appearance of the existing street scene in Holly Road. The proposed terraced units would be in a backland position where they would only be visible from publicly accessible vantage points at some distance. It is considered that the design and external appearance of this proposal development would accord with the appearance of other development in the locality.

Appropriate quality external finishing and surfacing materials can be secured by imposition of conditions. There is also scope for the introduction of landscape planting to soften the appearance of the development in the street, the internal courtyard and also in respect of adjoining residential properties. Accordingly, it is considered that the proposed development would integrate effectively into its surroundings and not significantly detract from the character and appearance of the area. Both the appeal Inspector and the Council have previously considered that the scheme would integrate acceptably into its surroundings. It is therefore considered that the proposals are acceptable in visual terms.

3. Impact on Trees –

Although there is a tree located close to the rear corner of the site on the boundary shared with No.43 Roberts Road, it is not protected by a Tree Preservation Order and, indeed, is not of a quality considered worthy of protection. The objectors either refer to previous loss of trees from the rear of this site; or the possibility that existing trees would be harmed. However, the proposed development would not impinge into the root protection area of the tree at No.43 Roberts Road. The appeal Inspector did not identify this matter as being of concern. Subject to usual tree protection conditions to be implemented for the construction period it is considered that the proposals would comply with the requirements of saved Local Plan Policy ENV13.

4. Impact on Neighbours -

Planning permission has not been refused previously by the Council on the grounds of adverse impacts upon neighbours and it is not considered that there have been any material changes in the way that neighbouring properties relate to the application site since last year. The appeal Inspector looked very carefully at the relationships of the proposed development with all neighbours during his appeal site visit and agreed that the proposed development would have an acceptable impact.

The Unit 1 house would have entirely conventional relationships with its neighbours. It would be located alongside No.132 Holly Road with a building-to-building separation of in excess of 2 metres. Although of two-storey height, the proposed Unit 1 house would not project significantly beyond the main rear wall of No.132 and be located to the east. A single small landing window would be located at first floor level facing into the blank side elevation of No.132. In the circumstances, no material loss of light, outlook or privacy to No.132 would arise.

The relationship of the proposed Unit 1 house to No.136 is also considered acceptable in planning terms. A single-storey side extension to this neighbouring house would be separated from the Unit 1 house by the width of the access drive, some 6.5 metres, whereas this extension is currently separated just 3 metres from the side elevation of the existing bungalow. The main part of the house at No.136 would be 10.2 metres from the side wall of the Unit 1 house. Although there would be a pair of small first floor windows in the side elevation of the Unit 1 house facing towards the side of No.136 these would serve a bathroom and an en-suite shower-room and, as such, would be obscurely-glazed.

Although objection has been raised on grounds of loss of light and privacy arising to properties located on the opposite side of Holly Road on account of the replacement of the existing bungalow with a two-storey house (Unit 1), it is considered that the relationships between proposed Unit 1 and all existing houses opposite would be entirely conventional and acceptable. Indeed, such relationships are typical of most existing properties in Holly Road.

Proposed terraced Units 2-4 would be separated a minimum of approximately 30 metres from the rear of properties fronting Holly Road and approximately 27 metres from the rear of all neighbouring houses to the rear in Roberts Road. These separation distances are such that it is considered that no undue relationships in terms of daylighting, outlook or loss of privacy would arise. Indeed, it is long-standing Government guidance that a building-to-building separation distance of 20 metres is acceptable in planning terms even in the absence of any intervening screening.

The proposed terraced houses (Units 2-4) would be largely located to the side of the existing terraced houses Nos.122-126 Holly Road. Although the existing and proposed terraces would be slightly offset from each other, it is not considered that this results in any undue relationship between the nearest existing house (No.126) and the nearest proposed house (Unit 2). Although there would be a first floor landing window in the side of the proposed Unit 2 house, this window would look into the blank first floor side elevation of this neighbouring house and can, in any event, be obscurely glazed to avoid any possibility of undue overlooking.

The relationship of the proposed terrace to No.136 Holly Road is not considered to be materially different from the existing relationship between No.126 and the application site and would not give rise to any material loss of amenity to occupiers of No.136.

Whilst concerns have been raised about the noise and disturbance that would be associated with the proposed development as a result of vehicles using the access or parking and manoeuvring within the site, it is considered that this is unlikely to be significantly worse than the potential noise and disturbance that could be generated from the existing use of the site.

In the circumstances, notwithstanding the amenity concerns expressed by objectors, it is considered that, due to a combination of the degree of separation, orientation and design of the proposed dwellings, the relationships of the development with all neighbouring properties would be acceptable in planning terms. The the current scheme is essentially the same as previously considered in this respect.

5. Living Environment Created -

Each of the proposed dwellings would be provided with private rear gardens. The internal layout 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 purchasers/occupiers to decide whether they choose to live in the proposed development. Nevertheless, the Inspector dismissed the appeal solely on the basis of what he considered to be the poor design of the central communal parking hardstanding area and the resultant unattractive setting for the proposed terraced houses (Units 2-4). In this respect the current scheme has re-configured this part of the site to reduce the extent of the hardstanding area and to introduce areas of landscape planting and front garden areas for the terraced units. The applicants indicate that the hardstanding area would be paved with block paving and the provision of a communal bin storage compound within the area has been avoided by storing bins within individual plots. It is considered that the layout of this area of the scheme would now have a more attractive appearance and quality. In the circumstances, it is considered the current scheme has satisfactorily addressed the Inspector's concerns regarding the internal layout design of the scheme.

6. Highways Considerations -

Planning permission has not previously been refused on account of any highways issues. The Inspector concluded that the appeal scheme was acceptable in highways terms. It is not considered that there has been any material change in circumstances in this respect since the decision.

The existing vehicular entrance from Holly Road would be improved and widened. Holly Road is not a classified road and planning permission is not required for the creation of new or improved vehicular access from properties fronting the road. It is however considered appropriate to impose a planning condition requiring the access improvements to be implemented prior to any other works commencing in respect of the development.

The proposed houses would each be provided with two parking spaces each, together with provision of two on-site visitor spaces constructed to disabled space standards. All would be of acceptable size, on-site location and arrangement. This provision meets the Council's adopted maximum parking standards in full. The internal layout of the site is also considered to be acceptable. Cycle parking would be provided by sheds in the rear gardens of each of the proposed dwelling plots. Whilst objection has been raised on the grounds of existing parking problems in Holly Road, the proposed development makes appropriate provision for parking on-site to support itself. The applicant cannot be required to address an alleged existing problem which is neither caused or exacerbated by the proposed development.

The refuse/recycling bins for each property would be stored on each individual plot with this arrangement and moved by residents to the collection point when required. This is the usual way in which bins are collected for emptying and is considered to be an acceptable arrangement for the proposed development. All of the terraced units would be provided with footpath access to the rear.

The applicants have agreed to make the necessary financial contribution in accordance the Council's Transport Contributions SPD. In this case, this is 11,235 towards improvements to this part of North Town in the form of improvements to the public realm and to improve bus stop facilities on North Lane as identified in the Rushmoor Transport Improvements List Subject to the required Transport Contribution being secured, it is therefore considered that the proposals are acceptable in highways terms and comply with the requirements of Core Strategy Policies CP10, CP16 and CP17.

It is considered that the proposals are acceptable in highways terms.

7. Impact on Wildlife -

The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy comprises two elements. Firstly the provision of Suitable Alternative Natural Greenspace (SANG) at Hawley Meadows in order to divert additional recreational pressure away from the Thames Basin Heaths Special Protection Area (TBHSPA) and secondly the provision of a range of Strategic Access Management and Monitoring Measures to avoid displacing visitors from one part of the TBHSPA to another and to minimize the impact of visitors on the TBHSPA. The proposal meets the criteria against which requests to allocate capacity at the Hawley Meadows SANG will be considered. In accordance with the strategy, the applicant has agreed to make a financial contribution of £21,633 to provide and

maintain the SANG at Hawley Meadows that is secured by way of a s106 planning obligation. Natural England raises no objection to proposals for new residential development in the form of Standing Advice provided that it is in accordance with the above strategy. Subject to the necessary s106 Undertaking being completed in this respect, the proposal is therefore considered to have an acceptable impact on the Thames Basin Heaths Special Protection Area and to comply with the requirements of Core Strategy Policies CP11 and CP13.

According to the submitted Bat Survey report there is no evidence of any significant nature conservation interest existing or likely to exist at the application site that would be affected by the proposed development. This is the same report as was submitted and considered with the previous application and appeal. Both the appeal Inspector and the Council did not consider there to be any substantive planning issue to address on this matter. Although the Hampshire & Isle of Wight Wildlife Trust has now raised concerns on this matter (where they did not previously), the Council's Ecology Officer considers that there is a low risk of protected species such as bats being present in the bungalow and garage. In the circumstances, it is therefore considered appropriate to impose a condition backed up by an informative to alert the developer to their obligations under separate wildlife protection legislation in the event that any protected species may be encountered during site clearance and/or construction. It is considered that this is the appropriate approach in the circumstances of this case.

8. Sustainable Development and Renewable Energy -

The current application, as was the case with the previous application and appeal, is accompanied by an assessment to address the requirements of Policy CP3. In this regard it is noted that the submission demonstrates the development can attain Code Level 4 for Sustainable Homes. However since the submission of the application, and after the determination of the appeal, following the Royal Assent of the Deregulation Bill 2015 (on 26 March 2015) the government's current policy position is that planning permissions should no longer be granted requiring or subject to conditions requiring compliance with any technical housing standards such as the Code for Sustainable Homes. This is other than for those areas where Councils have existing policies referring to the attainment of such standards. In the case of Rushmoor this means that we can require energy performance in accordance with Code Level 4 as set out in policy CP3 of the Rushmoor Core Strategy. Such measures may be secured by way of condition and on this basis no objection is raised to the proposal in terms of policy CP3.

9. Surface Water Drainage –

The appeal Inspector did not consider this matter to be a significant and unresolved determining issue. The proposed development is considered likely to result in an improvement in the surface water drainage situation despite the additional hard-surfacing that would occur as a result of the additional building. The applicants indicate that a SUDs system would be incorporated to deal with surface water drainage on site. Accordingly it is considered appropriate to deal with this matter through the imposition of a condition requiring the submission of details of the system to be installed and how this would be maintained. 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 are indicated as being necessary. This being the case, it is considered that there is no requirement under Policy CP4 for mitigation measures to be incorporated into the development. Accordingly, subject to the imposition of a condition to require the submission

of details in this respect, it is considered that the requirements of Core Strategy Policy CP4 would be met.

10. Public Open Space -

The Local Plan seeks to ensure that adequate open space provision is made to cater for future residents in connection with new residential developments. Core Strategy Policy CP10 and saved Local Plan Policies OR4 and OR4.1 allow provision to be made on the site, or in appropriate circumstances, a contribution to be made towards upgrading facilities nearby. The policy does not set a threshold of a particular number of dwellings or size of site above which the provision is required. The site is not big enough to accommodate anything other than the development proposed and any associated landscape planting.

This is a circumstance where a contribution (in this case £5,700.00 towards the off-site provision of public open space comprising landscape improvements at Redan Hill Gardens, Aldershot; and a renewed tennis court surface at Redan Hill Fortification/High Street Recreation Ground, Aldershot) secured by way of a planning obligation in the form of a Unilateral Undertaking would be appropriate. Subject to the applicant satisfactorily completing and submitting the s106 Undertaking in this respect, the proposal is considered to be acceptable within the terms of Core Strategy Policies CP10, CP11 and CP12 and saved Local Plan Policy OR4.

Conclusions -

It is considered that the reasons for dismissal of the 2014 appeal scheme have been satisfactorily addressed as a result of the amendments proposed with the current scheme. The proposals are considered to be acceptable in principle, to have no material and harmful impact upon the visual character and appearance of the area, and no material and adverse impact on neighbours. It would provide an acceptable living environment and, subject to amendments to provide an appropriate bin collection point and the required Transport Contribution being secured, is acceptable in highway terms. On the basis of the provision of a contribution towards the Hawley Meadows 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 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 the Council's policies concerning provision and enhancement of public open space. The proposals are thereby considered acceptable having regard to Policies SS1, CP1, CP2, CP5, CP10, CP11, CP12, CP13, CP15, CP16, and CP17 of the Rushmoor Core Strategy and saved Local Plan Policies ENV13, ENV17, ENV41-43, TR10, OR4/OR4.1 and H14.

Full Recommendation

It is recommended that subject to the completion of a satisfactory unilateral undertaking under section 106 of the Town and Country Planning Act 1990 by 12 August 2015 to secure appropriate financial contributions towards open space, transport and SPA mitigation the Head of Planning in consultation with the Chairman be authorised to **GRANT** planning permission subject to the following conditions and informatives:-

However, in the event that a satisfactory Unilateral Undertaking is not received by 12 August 2015 the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not make satisfactory provision

for public open space in accordance with Core Strategy Policies CP10, CP11 and CP12 and saved Local Plan Policy OR4; a transport contribution in accordance with Council's adopted 'Transport Contributions' SPD and Core Strategy Policies CP10, CP16 and CP17; and a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and Core Strategy Policies CP11 and CP13.

1. 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 July 2014 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

- 2 Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings – Promap OS-based Site Location Plan 1621/OS; and Churchill Design Drawing Nos.1621/1 Rev.B, 1621/2A, 1621/CS, 1621/RP1 and 1621/RP2.

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

- 3 Unless otherwise agreed in writing, no works shall start on site until a schedule and/or samples of the external materials to be used in the development have been submitted to, and approved in writing by, the Local Planning Authority.

Reason - To ensure satisfactory external appearance.*

- 4 Unless otherwise agreed in writing, no works shall start on site until a schedule and/or samples of surfacing materials, including those to access driveways/forecourts to be used in the development have been submitted to, and approved in writing by, the Local Planning Authority.

Reason - To ensure satisfactory external appearance and drainage arrangements.*

- 5 Unless otherwise agreed in writing, no works shall start on site until plans showing details of the existing and proposed ground levels, proposed finished floor levels, levels of any paths, drives, and parking areas and the height of any retaining walls within the application site have been 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 ensure a satisfactory form of development in relation to neighbouring property.*

- 6 Unless otherwise agreed in writing, no works shall start on site until details of all screen and boundary walls, fences, hedges or other means of enclosure have been 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.*

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking and re-enacting that Order including the 2008 Amendments), no development falling within Classes, A, B, C and E of Part 1 of Schedule 2 shall be carried out without the prior permission of the Local Planning Authority.

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

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 2015, (or any Order revoking and re-enacting that Order), no additional windows, doors or openings of any kind shall be inserted in the side elevations or roofspace of the development hereby permitted without the prior permission of the Local Planning Authority.

Reason - To protect the amenities of neighbouring properties.

- 9 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.

- 10 No works 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:

- i) programme of construction work;
- ii) the provision of long term facilities for contractor parking;
- iii) the arrangements for deliveries associated with all construction works;
- iv) methods and phasing of construction works;
- v) access and egress for plant and deliveries;
- vi) protection of pedestrian routes during construction;
- vii) location of temporary site buildings, site compounds, construction materials and plant storage areas;
- viii) controls over dust, noise and vibration during the construction period;
- ix) provision for storage, collection and disposal of rubbish from the development during the construction period
- x) lorry routing; and
- xi) provision for the on-site parking and turning of construction vehicles

Construction shall only take place in accordance with the approved method statement.

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

- 11 Unless otherwise agreed in writing, no works shall start on site until a fully detailed landscape and planting scheme (to include, where appropriate, both landscape planting and ecological enhancement) has been submitted to and approved in writing by the Local Planning Authority.

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

- 12 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the practical completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless otherwise first agreed in writing by the Local Planning Authority.

Reason - In the interests of amenity and to help achieve a satisfactory standard of landscaping.

- 13 The development hereby approved shall not be occupied until the off-street parking facilities shown on the approved plans have been completed and made ready for use by the occupiers. The parking facilities shall be thereafter retained solely for parking purposes (to be used by the occupiers of, and visitors to, the development). For the avoidance of doubt the parking spaces shall not be used for the parking or storage of boats, caravans or trailers. *

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

- 14 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.

- 15 The cycle parking facilities and refuse bin storage/collection area(s) hereby approved shall thereafter be implemented in full before any part of the development is occupied and retained thereafter for their respective purposes as approved.

Reason - In the interests of amenity and to ensure a more satisfactory form of development.

- 16 No works shall start on site until existing trees to be retained on and/or adjoining the site have been adequately protected from damage during site clearance and works, in accordance with details which have first been submitted to and approved in writing by the Local Planning Authority. Such details shall include, for example, precise positions of temporary hoardings or fencing around retained trees, siting of drain runs and trenches, measures to be taken to ensure that retained trees and their roots are not damaged by the removal of adjacent trees, siting of routes to be used by heavy vehicles during site clearance and site works, and changes of ground level around retained trees. Furthermore, no materials or plant shall be stored and no buildings erected within the protective fencing without the prior consent in writing of the Local Planning Authority. *

Reason - To ensure that existing trees are adequately protected in the interests of the visual amenities of the site and the locality in general.

- 17 Unless otherwise agreed in writing, no other development hereby approved shall be commenced (with the exception of the demolition of the existing bungalow No.134 Holly Road) until the modified means of vehicular access to the site from Holly Road has been completed.

Reason - To ensure adequate means of access is available to the development.

- 18 Before the development is commenced a detailed site investigation shall be carried out to establish if the site is contaminated, to assess the degree and nature of the contamination present, and to determine its potential for the pollution of the water environment. The method and extent of this site investigation shall be agreed with the Local Planning Authority prior to commencement of the work. Details of appropriate measures to render the site suitable for its proposed residential use and to prevent pollution of groundwater and surface water, including provisions for monitoring, shall then be submitted to and approved in writing by the Local Planning Authority before development commences. The development shall then proceed in strict accordance with the measures so approved.

Reason - To ensure that the site is satisfactorily remediated commensurate with its proposed residential use and to prevent pollution of the water environment.

- 19 A validation report detailing any work carried out in accordance with the agreed remedial approach for the site under Condition No.17 above shall be submitted to and approved in writing by the Local Planning Authority before any development commences and/or the first occupation of the development, whichever is considered the appropriate time as agreed previously by the Local Planning Authority. *

Reason - To ensure that the site is satisfactorily remediated commensurate with its proposed residential use and to prevent pollution of the water environment.

- 20 Prior to the commencement of development details of measures to incorporate Sustainable Drainage Systems (SUDS) into the new built development shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented in full prior to the first occupation of the newly built residential units and retained in perpetuity.

Reason - To reflect the objectives of Policy CP4 of the Rushmoor Core Strategy. *

- 21 Prior to the commencement of development, and notwithstanding any details submitted with the application, details of measures to achieve the energy performance standards in accordance with Code Level 4 of the Code for Sustainable Homes or equivalent shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented in full prior to the first occupation of the dwelling to which they relate and retained in perpetuity.

Reason - To reflect the objectives of Policy CP3 of the Rushmoor Core Strategy. *

- 22 The proposed windows located in the side elevations of the Unit Nos.1, 2 and 4 hereby permitted shall, as appropriate, be fitted with obscure glass which shall be fitted prior to the first occupation of the development and retained thereafter in accordance with a detailed scheme which has first been submitted to and approved in writing by the Local Planning Authority.

Reason - In the interests of amenity and privacy of neighbouring properties. *

- 23 During demolition, the tiles on the existing buildings to be demolished shall be removed by hand and in the event that any bats are found, works shall cease immediately and the applicant shall notify Natural England for advice and appropriate licencing of further works, if appropriate.

Reason - In the interests of the protection of bats.

INFORMATIVES

- 1 **INFORMATIVE - REASONS FOR APPROVAL** - The Council has granted permission because:-

It is considered that the reasons for dismissal of the 2014 appeal scheme have been satisfactorily addressed. The proposals are considered to be acceptable in principle, would have no material and harmful impact upon the visual character and appearance of the area, have no material and adverse impact on neighbours, would provide an acceptable living environment and, subject to amendments to provide an appropriate bin collection point and the required Transport Contribution being secured, are acceptable in highway terms. On the basis of the provision of a contribution towards the Hawley Meadows 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 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 the Council's policies concerning provision and enhancement of public open space. The proposals are thereby considered acceptable having regard to Policies SS1, CP1, CP2, CP5, CP10, CP11, CP12, CP13, CP15, CP16, and CP17 of the Rushmoor Core Strategy and saved Local Plan Policies ENV13, ENV17, ENV41-43, TR10, OR4/OR4.1 and H14.

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.

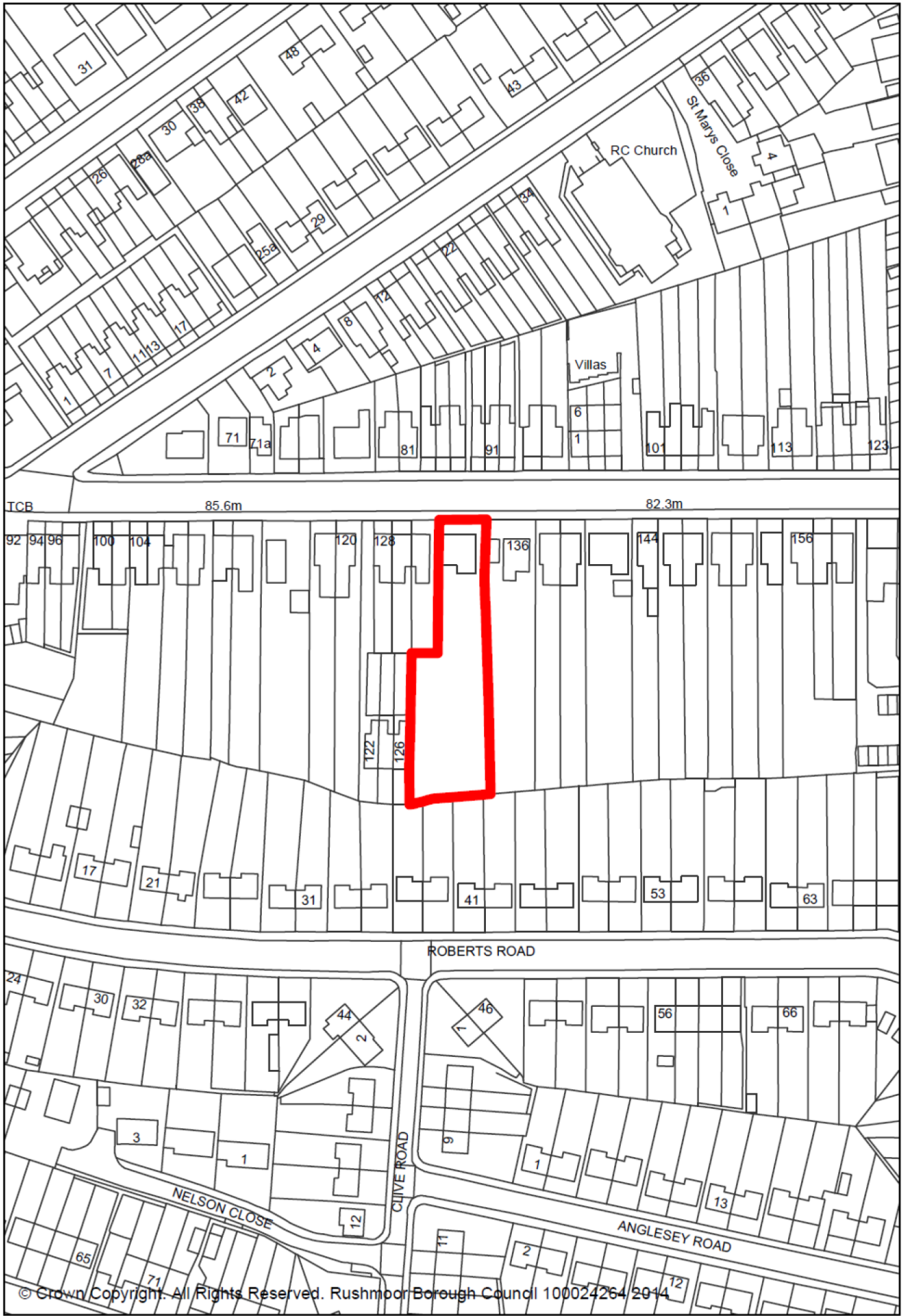
- 2 **INFORMATIVE** - Your attention is specifically drawn to the conditions marked *. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE WORKS START ON SITE or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION 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.

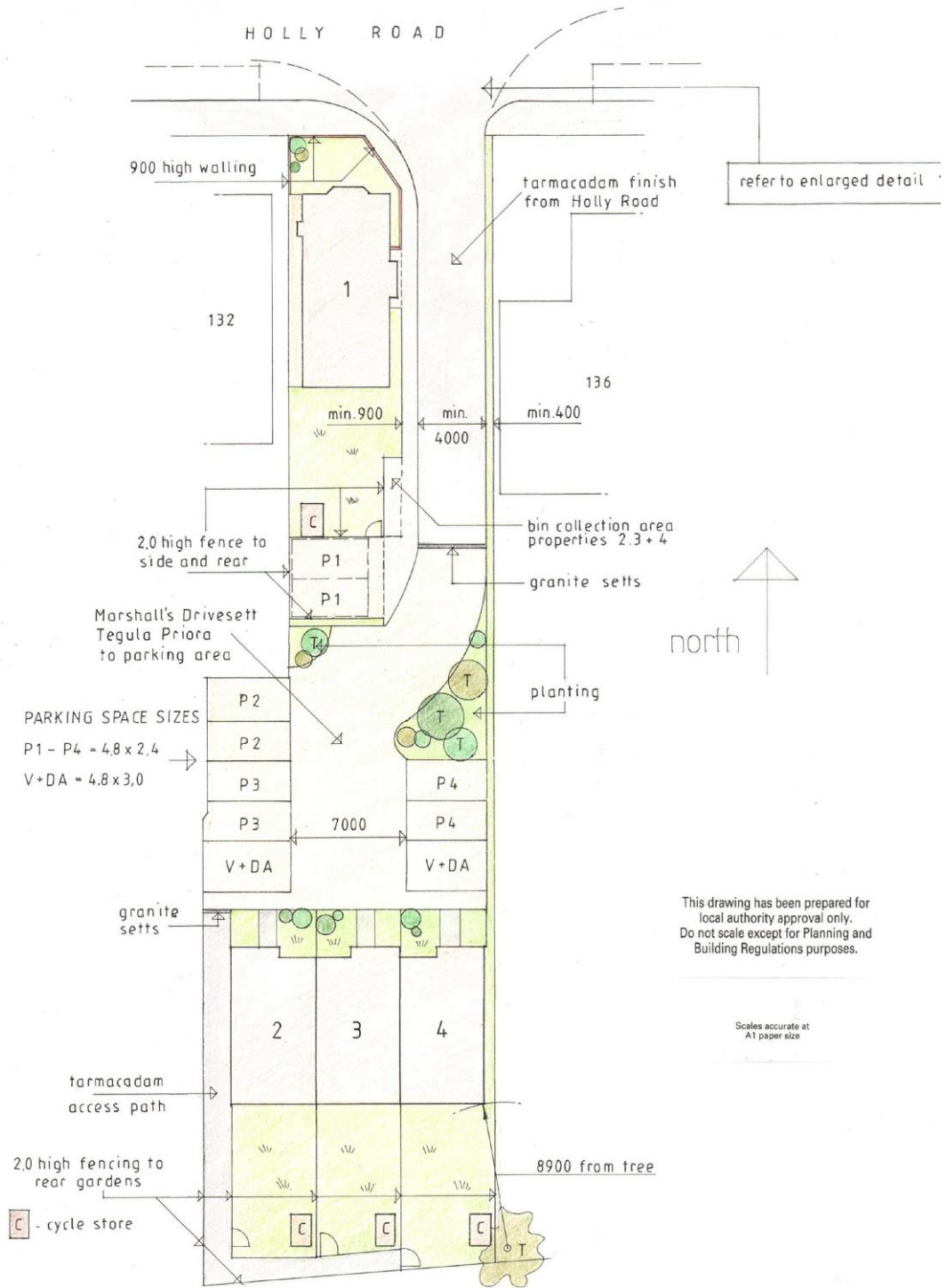
- 3 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 4 INFORMATIVE - The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:
 - a) ensuring the design and 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 for the production of electricity and heat.
- 5 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 Highway Sub Unit, Council Offices, Farnborough Road, Farnborough, Hants. GU14 7JU.
- 6 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.
- 7 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.
- 8 INFORMATIVE - No materials produced as a result of site preparation, clearance, or development should be burnt on site. Please contact the Head of Environmental Health for advice.
- 9 INFORMATIVE - The applicant is advised that there may be 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 obtained from the Chief Building Control Officer.
- 10 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 Head of Environmental Health.
- 11 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.

- 12 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. Other species are also subject to statutory protection, including nesting birds. 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, or any other protected species, 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.
- 13 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. Please contact Les Murrell, Strategy Co-ordinator (Sustainability) at Rushmoor Borough Council on 01252 398538 for further information.
- 14 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.
- 15 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, free of charge, 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.



PROPOSED DEVELOPMENT 134 HOLLY ROAD, ALDERSHOT



SITE LAYOUT 1:200





Appeal Decision

Site visit made on 28 October 2014

by R J Marshall LLB DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 2 December 2014

Appeal Ref: APP/P1750/A/14/2223996

134, Holly Road, Aldershot, Hampshire, GU12 4SG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr P Needham against the decision of Rushmoor Borough Council.
 - The application Ref 14/00242/FULPP, dated 21 March 2014, was refused by notice dated 8 May 2014.
 - The development proposed is demolition of existing bungalow and erection of 4x3 bedroom dwelling houses.
-

Decision

1. The appeal is dismissed.

Background

2. Planning permission had been refused in part because of the failure to make financial contributions towards mitigation measures to prevent harm to the nature conservation interests of the Thames Basin Heaths Special Protection Area, and towards transport and open space infrastructure. The appellant has subsequently submitted a Unilateral Undertaking providing financial contributions on these matters. In the absence of evidence to the contrary I take it that this overcomes the Council's concerns on these matters.

Main Issue

3. The main issue in this appeal is whether the proposed development is a high quality design that respects the character and appearance of the local area.

Reasons

Main issue

4. The appeal site is within a residential area of Aldershot. It fronts onto Holly Road along which on both sides are predominantly terraced and semi-detached houses of a Victorian style. In this setting the current bungalow is rather an anomaly. As is the case with other properties in the road the dwelling on the appeal site is located at the front of a notably lengthy plot. Most of the rear gardens in the vicinity of the appeal site are undeveloped. The only exception is that on the adjoining plot to the west is a backland development of 3 terraced houses.

5. It is proposed to demolish the existing bungalow and erect a 2 storey detached house broadly on the same site and following the existing building line. At the rear of the site would be a terrace of 3 houses. They would broadly align with the terrace on the adjoining plot. All the dwellings would be provided with rear gardens and between the frontage house and proposed terrace to the rear would be parking spaces for all the properties.
6. The Council has no objection in principle to the development of the rear garden area. The redevelopment of underused residential land in the established residential area of the Aldershot is an objective of the development plan and would provide much needed housing. However, it considers that the proposal would be an over development with a cramped and poorly contrived layout.
7. The proposed frontage house, set between existing houses, would accord with the pattern of development locally. Its bay window design would fit in well with other houses in the street of a similar appearance. In an area of terraced housing the provision of a terrace at the rear of the site, aligning with the existing backland housing, would not look out of keeping.
8. However, the scale of development proposed has led to a substantial area in the centre of the site shown as a tarmacadam hardstanding for the purpose of car parking. Such a large unrelieved area of hardsurfacing, with no provision shown for landscaping other than on some notably small front gardens, would provide an unattractive setting for the proposed houses at the rear of the site. It would also appear out of keeping in this extensive back garden setting.
9. The use of better quality surface materials, which could be required by planning condition, would assist to some degree in improving the quality of the scheme. However, there would still be a need for landscaping to soften the impact of such a large area of hardsurfacing. I am not at all convinced from the submitted plans that sufficient space would be available for this.
10. I appreciate that the proposed development would not be greatly visible from Holly Road. However, this does not justify a poor quality development. Such arguments could be used too frequently to the substantial detriment of the character and appearance of the area.
11. In arriving at this view I have had regard to the appellant's observation on development permitted by the Council on 2 other sites. However, all applications stand to be considered on their own merits and on the limited information provided they do not justify the scheme before me. I note the appellant's concern that the Council's decision went against the officer's recommendation. However, for the reasons given I consider that the correct decision was made.
12. It is concluded that the proposed development is not a high quality design that would respect the character and appearance of the local area. As such it would be contrary to Policy CP2 of the Rushmoor Plan Core Strategy (2011) which requires this of new development and contrary also to Policy ENV17 of the Rushmoor Local Plan Review 1996-2011 (2000) which requires adequate consideration to be given to the design of spaces around and between buildings.

Other matters

13. Third party concerns go well beyond those raised by the Council. However, I am satisfied that there would be sufficient distance between the proposed terraced houses and neighbouring properties to the rear for there to be no unacceptable loss of privacy. The alignment of the proposed terraced houses with the adjoining terrace would such as to prevent the occupants of the nearest of these houses suffering undue loss of light. Nor, given the absence of all but a landing window in the side elevation of the proposed house would they be unacceptably overlooked. The proposed bin storage area would place bins no closer to housing than is often found in residential areas and there is thus no reason to believe that it would cause undue problems through noise or pests. The proposed frontage house would have no more impact on light and privacy for those opposite than is generally the case in urban areas such as this. There is no substantial evidence to support concerns on the adequacy of the number of parking spaces proposed. A relatively modest development of this size would not lead to a level of increased traffic on Holly Road that would be detrimental to highway safety and the free flow of traffic. Nor would it lead to a level of traffic movements likely to cause harm to living conditions through noise and disturbance. There is no substantial evidence to support views on harm to wildlife and an inadequacy of school places. However, lack of harm in these respects does not make the proposal more acceptable given the harm found on the main issue.
14. As I am minded to dismiss the appeal Regulation 122 of the Community Structure Regulations, on the limitation of the use planning operations does not apply. It is thus unnecessary in the determination of this appeal to assess the submitted obligation against its tests.

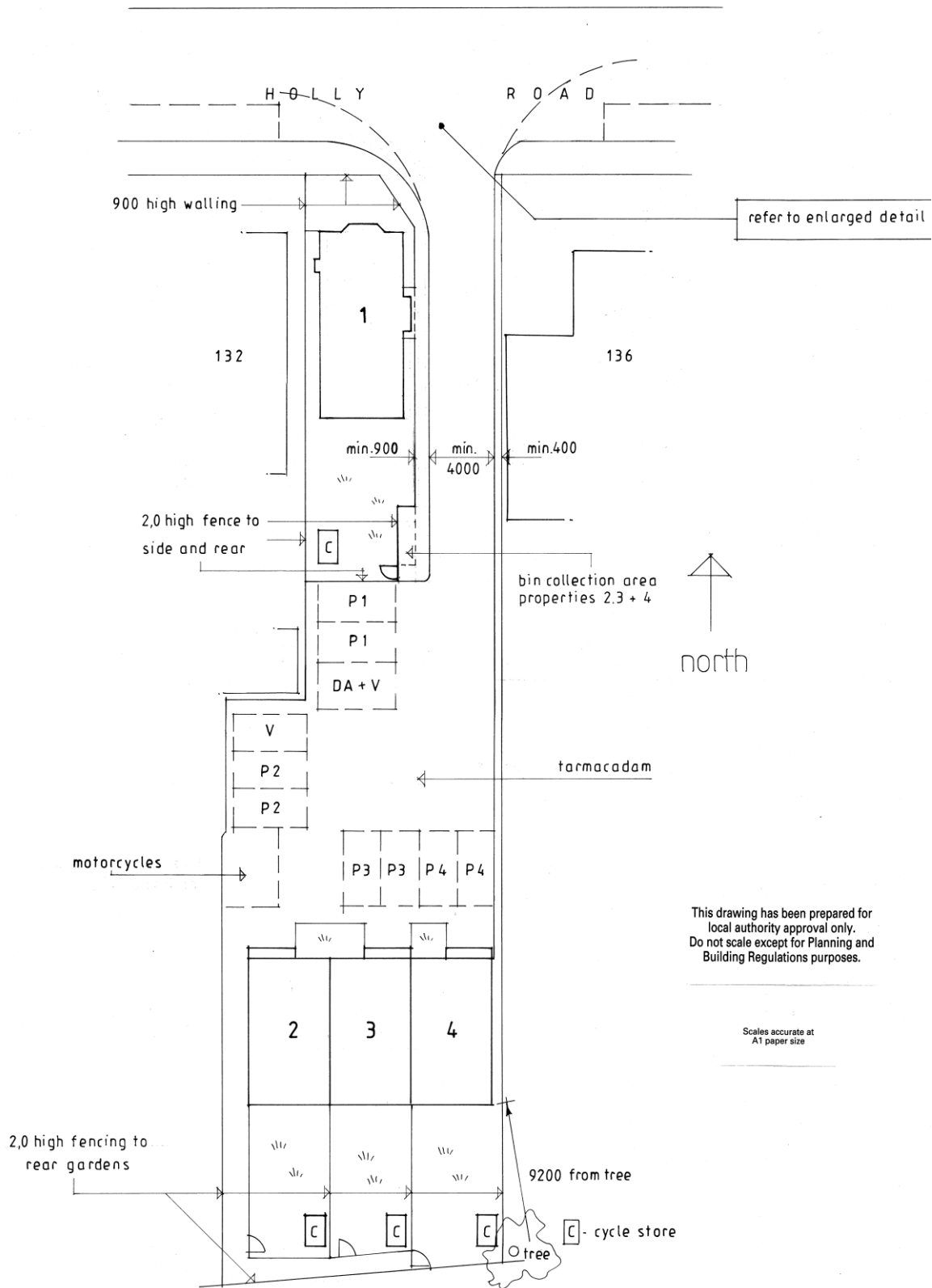
Conclusion

15. For the reasons given above the appeal should be dismissed.

R J Marshall

INSPECTOR

PROPOSED DEVELOPMENT 134 HOLLY ROAD, ALDERSHOT



PREVIOUS REFUSED & DISMISSED SCHEME SITE LAYOUT : 14/00242/FULPP

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 Planning 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	14/00922/COND	Ward: North Town
Applicant:	First Wessex Homes Ltd	
Decision:	Conditions details approved	
Decision Date:	02 July 2015	
Proposal:	Submission of details to comply with conditions 2 (external materials), 3 (surfacing materials), 4 (boundary treatment), 6 (cycle storage), 8 (construction management plan), 9 (landscaping), 12 (arboricultural method statement), 13 (tree/hedge protection), 15 (construction method statement - foundations), 16 (Code Level 3 for Sustainable Homes), 17 (SUDS), 19 (contaminated land), 24 (lighting), 25 (aerials) and 28 (disabled parking) pursuant to planning permission 13/00081/FULPP dated 28 November 2014 in respect of Phase 6a (plots 472-482)	
Address	Phase 6A Denmark Square Aldershot Hampshire	

Application No	15/00085/NMA	Ward: North Town
Applicant:	Lok'n Store Ltd	
Decision:	Permission Granted	
Decision Date:	03 July 2015	
Proposal:	Non material amendment to planning permission 13/00535/FULPP dated 25 October 2013 to allow a change to the colour of the roof membrane and replace a single door with double door.	
Address	251 Ash Road Aldershot Hampshire GU12 4DD	

Application No 15/00110/COND Ward: Fernhill
Applicant: Bellway Homes (Thames Valley)
Decision: **Conditions details approved**
Decision Date: 03 July 2015
Proposal: Submission of details to comply with condition 17 (contaminated land report) attached to planning permission 14/00014/FUL, allowed on appeal 7 January 2015
Address **Land At Guillemont Park Sun Park Minley Road Farnborough Hampshire**

Application No 15/00130/COU Ward: Knellwood
Applicant: Ms Margaret Spinks & Mr Mark Batt-Rawd
Decision: **Permission Granted**
Decision Date: 01 July 2015
Proposal: Permitted development change of use from dwellinghouse (Use Class C3) to small house in multiple occupation with 5 tenant rooms (Use Class C4)
Address **37 Ashdown Avenue Farnborough Hampshire GU14 7DN**

Application No 15/00218/FULPP Ward: Fernhill
Applicant: David Gibb And Brian Frederick Eustace
Decision: **Permission Granted**
Decision Date: 17 June 2015
Proposal: Change of use from offices to four, two bedroom flats
Address **Hawley House Hawley Road Blackwater Camberley Hampshire GU17 9ES**

Application No 15/00246/CONDPP

Ward: St Mark's

Applicant:

Decision: **No Objection**

Decision Date: 08 July 2015

Proposal: Submission of details pursuant to Conditions 3 (cycle store), 4 (suds), 8 (boundary treatments), 10 (external surfacing materials) and 13 (landscaping) attached to Planning Permission 14/00796/FULPP dated 16th January 2015

Address **93 Somerset Road Farnborough Hampshire GU14 6DR**

Application No 15/00251/TPOPP

Ward: St John's

Applicant: Ms Laura Low

Decision: **Permission Granted**

Decision Date: 23 June 2015

Proposal: One Scots Pine crown lift to give no more than 10 metres ground level clearance (T2 as per attached plan) and a second Scots Pine (T1 on plan) cut back two lowest limbs by 1.5 metres (both trees are part of group G1 of TPO 352A)

Address **52 Marlborough View Farnborough Hampshire GU14 9YA**

Application No 15/00253/FUL

Ward: Manor Park

Applicant: Mr Ian Warren

Decision: **Permission Granted**

Decision Date: 16 June 2015

Proposal: Retention of additional roller shutter door and fire door to front elevation

Address **14 Halimote Road Aldershot Hampshire GU11 1NJ**

Application No 15/00271/ADVPP Ward: Knellwood
Applicant: Group 1 Automative
Decision: **Permission Granted**
Decision Date: 01 July 2015
Proposal: Display of new and altered illuminated and non-illuminated corporate signage on car dealership building including fascia signs incorporating projecting glass-fibre vehicle shells on north and south elevations
Address **105 Farnborough Road Farnborough Hampshire GU14 6TL**

Application No 15/00274/FULPP Ward: St John's
Applicant: Mrs Frances Morrison
Decision: **Permission Granted**
Decision Date: 17 June 2015
Proposal: Erection of a single storey front extension
Address **5 Guillemont Fields Farnborough Hampshire GU14 9UE**

Application No 15/00275/TPO Ward: Knellwood
Applicant: Mr Alan Wall
Decision: **Permission Granted**
Decision Date: 06 July 2015
Proposal: Remove first twin stemmed lower limb and next two branches to no more than 8 metres and remove deadwood from Oak (T1 on plan). Remove one large limb over neighbours garden, back to 1 metre from trunk and remove deadwood from Oak (T2 on plan). Remove first two limbs over neighbours garden, remove dead broken stob between limbs and deadwood from Oak (T3 on plan). Fell one Scots Pine by footpath in front garden, to 3 metres from ground level. All trees part of groups G12 and G32 of TPO 439A
Address **86 Cambridge Road East Farnborough Hampshire GU14 6QX**

Application No 15/00284/CONDPP Ward: Manor Park

Applicant: Pinecraft Development Ltd

Decision: **Conditions details approved**

Decision Date: 06 July 2015

Proposal: Submission of details to comply with conditions 2 (external materials), 3 (surfacing materials), 4 (levels), 5 (landscaping), 6 (boundary treatment), 11 (provision of unallocated parking spaces), 12 (external lighting), 14 (SUDS), 15 (Code Level 4 - Sustainable Homes) and 17 (contaminated land) attached to planning permission 14/00028/FULPP dated 5 March 2015

Address **Former TA Centre Redan Road Aldershot Hampshire**

Application No 15/00288/TPOPP Ward: Knellwood

Applicant: Mrs Power

Decision: **Permission Granted**

Decision Date: 19 June 2015

Proposal: Oak tree remove one limb overhanging 13 Ashley Road's drive and another limb interfering with BT line, also remove four lowest branches from a second Oak overhanging 13 Ashley Road's drive (both part of group G11 of TPO 431A), remove one split hanging limb and two lower branches from a Douglas Fir (T34 of TPO 431A) in rear garden of 13 Ashley Road

Address **Land Affected By TPO 431A 13 - 15 Ashley Road Farnborough Hampshire**

Application No 15/00293/EDC Ward: Aldershot Park

Applicant: Mr Stephen Schwar

Decision: **Development is Lawful**

Decision Date: 16 June 2015

Proposal: LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE: Use of premises as a large house in multiple occupation

Address **3 Beech Close Aldershot Hampshire GU12 4DT**

Application No 15/00296/EDC Ward: St Mark's
Applicant: Mr Martin Lazenby
Decision: **Development is Lawful**
Decision Date: 15 June 2015
Proposal: LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING USE: Use of premises as a house in multiple occupation (Use Class C4)
Address **109 York Road Farnborough Hampshire GU14 6NQ**

Application No 15/00297/TPO Ward: Empress
Applicant: First Port
Decision: **Permission Refused**
Decision Date: 19 June 2015
Proposal: Fell to ground level two Corsican Pines (T12 and T13 of TPO 361) and plant suitable replacements
Address **Meadsview Court Clockhouse Road Farnborough Hampshire GU14 7NW**

Application No 15/00303/FULPP Ward: Wellington
Applicant: Grainger (Aldershot) Limited And Secretar
Decision: **Permission Granted**
Decision Date: 18 June 2015
Proposal: Reconfiguration of existing car park and access to provide 18 spaces including 2 disabled parking spaces; creation of new car park entrance, associated landscaping and boundary treatment; and, vehicular barrier to northern end of Rushmoor Road.
Address **Claycart Car Park Fleet Road Aldershot Hampshire**

Application No 15/00307/TPO Ward: Empress
Applicant: Mrs Kathleen Wright
Decision: **Permission Granted**
Decision Date: 23 June 2015
Proposal: Sweet Chestnut (T8 of TPO 447A) Crown thin by 30% and remove stem
feathers throughout and crown lift to give no more than 10 metres
clearance from ground level
Address **2 Burnsall Close Farnborough Hampshire GU14 8NN**

Application No 15/00310/FULPP Ward: Wellington
Applicant: McDonald's Restaurants Ltd
Decision: **Permission Granted**
Decision Date: 17 June 2015
Proposal: Refurbishment, redecoration and reconfiguration of shopfront to include
new full height glazing to the right hand side, new dark grey tiles to
existing stall riser, LCD promotional screen and new fully automated
sliding entrance door
Address **23 Union Street Aldershot Hampshire GU11 1EP**

Application No 15/00311/ADVPP Ward: Wellington
Applicant: McDonald's Restaurants Ltd
Decision: **Permission Granted**
Decision Date: 17 June 2015
Proposal: Display of internally illuminated fascia and projecting box signs
Address **23 Union Street Aldershot Hampshire GU11 1EP**

Application No 15/00314/ADVPP Ward: Wellington
Applicant: KFC (GB) Ltd
Decision: **Permission Granted**
Decision Date: 22 June 2015
Proposal: Display of internally and externally illuminated fascia signs, internally
illuminated projecting signs and internally illuminated high level sign on
rear elevation
Address **17 Union Street Aldershot Hampshire GU11 1EP**

Application No 15/00317/TPOPP Ward: Knellwood
Applicant: Mr Sam Johnson
Decision: **Permission Granted**
Decision Date: 23 June 2015
Proposal: Remedial tree works in accordance with submitted specification to trees within TPO 439A
Address **The Quinneys Cambridge Road West Farnborough Hampshire GU14 6RA**

Application No 15/00329/CONDPP Ward: Knellwood
Applicant: Farnborough College Of Technology
Decision: **Conditions details approved**
Decision Date: 26 June 2015
Proposal: Submission of details to comply with conditions 3 (surfacing materials), 10 (SUDS), 12 (construction method statement) and 20 (extension of pedestrian table and associated works on Sycamore Road) attached to planning permission 14/00959/FULPP dated 20 March 2015
Address **Farnborough College Of Technology Boundary Road Farnborough Hampshire GU14 6SB**

Application No 15/00331/PDCPP Ward: St Mark's
Applicant: Mr Bruce Rathod
Decision: **Application Withdrawn**
Decision Date: 06 July 2015
Proposal: CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT: Formation of box dormer with Juliet balcony within rear roof elevation and insertion of two roof lights within front roof elevation
Address **36 Somerset Road Farnborough Hampshire GU14 6DP**

Application No 15/00333/FULPP Ward: Wellington

Applicant: Mr Harka Gurung

Decision: **Permission Granted**

Decision Date: 24 June 2015

Proposal: Erection of free standing candle room

Address **8 High Street Aldershot Hampshire GU11 1DJ**

Application No 15/00334/CONDPP Ward: North Town

Applicant: Mr Ian Sugden

Decision: **Conditions details approved**

Decision Date: 03 July 2015

Proposal: Submission of details to comply with condition 4 (measures to prevent access through the gates between Holder Road and access road between 8am and 9am and 5pm and 7pm Monday to Friday) attached to planning permission 13/00535/FULPP dated 25 October 2013

Address **251 Ash Road Aldershot Hampshire GU12 4DD**

Application No 15/00345/COND Ward: Manor Park

Applicant: Pegasus Group

Decision: **Conditions complied with**

Decision Date: 02 July 2015

Proposal: Confirmation of compliance with the requirements of Condition A.2(2) and the 56 day period of Condition A.2 (4) imposed by Class A, Part 3, Schedule 2 of the Town & Country Planning (General Permitted Development) Order 2015 in connection with the proposed change of use from Public House (Use Class A4) to Office use (Use Class A2)

Address **The Unicorn 32 - 34 Grosvenor Road Aldershot Hampshire GU11 3DY**

Application No 15/00350/REV Ward: West Heath
Applicant: Mr Joseph Hardwick
Decision: **Permission Granted**
Decision Date: 03 July 2015
Proposal: Removal of Condition No.19 (sustainable construction certification) imposed by planning permission 14/00172/FULPP granted on 12 June 2014
Address **44 Northcote Road Farnborough Hampshire GU14 9EA**

Application No 15/00357/TPOPP Ward: St Mark's
Applicant: Ms Anne Rowson
Decision: **Permission Granted**
Decision Date: 09 July 2015
Proposal: Oak (T1 of TPO 366) crown lift to crown break. Oak (T3 of TPO 366) remove deadwood and prune back from building to give 2.5 metres clearance. Oak (T4 of TPO 366) remove deadwood
Address **Pegasus Court Rivers Close Farnborough Hampshire GU14 6LZ**

Application No 15/00358/PRIORP Ward: St Mark's
Applicant: SGN
Decision: **Prior approval is NOT required**
Decision Date: 25 June 2015
Proposal: PRIOR APPROVAL: Demolition of steel above ground gas holder and boiler house (heating water for holder)
Address **Transco Lynchford Lane Farnborough Hampshire GU14 6JD**

Application No 15/00364/FULPP Ward: Knellwood
Applicant: Ion lordache
Decision: **Permission Refused**
Decision Date: 23 June 2015
Proposal: Erection of a two storey rear extension and formation of two new dormers within front elevation of roof
Address **72 Canterbury Road Farnborough Hampshire GU14 6QL**

Application No 15/00365/REVPP Ward: Empress
Applicant: Mr Bijay Gurung
Decision: **Permission Granted**
Decision Date: 03 July 2015
Proposal: Variation of condition 14 of planning application 08/00832/FULPP dated 17th March 2009 to allow the erection of single storey rear extension□
Address **14 Kiln Place Farnborough Hampshire GU14 0FD**

Application No 15/00368/REXPD Ward: Rowhill
Applicant: Shane Dunnaway
Decision: **Prior Approval Required and Granted**
Decision Date: 22 June 2015
Proposal: Erection of a single storey rear extension measuring 4 metres (6.8 metres from the original rear wall of the house) x 3 metres to the eaves and 4 metres overall height
Address **2 Stovolds Way Aldershot Hampshire GU11 3LR**

Application No 15/00372/NMA Ward: Fernhill
Applicant: Mr Richard Pyne
Decision: **Permission Granted**
Decision Date: 23 June 2015
Proposal: Non Material Amendment to planning permission 13/00122/FUL dated 15 March 2013 to allow the lowering of the internal floor level of the outbuilding by 1.2m, the lowering of level of adjacent pathway and consequent amendment to elevation and the repositioning of the building so that it is 1m from the adjacent boundaries
Address **34 Fernhill Lane Blackwater Camberley Hampshire GU17 9HA**

Application No 15/00374/FULPP Ward: Fernhill
Applicant: Ms Adrienne Bentley
Decision: **Permission Granted**
Decision Date: 09 July 2015
Proposal: Demolition of existing garage and erection of a two storey side extension
Address **30A Cold Harbour Lane Farnborough Hampshire GU14 9AJ**

Application No 15/00377/FUL Ward: Cove And Southwood
Applicant: Mr M Tye
Decision: **Permission Granted**
Decision Date: 17 June 2015
Proposal: Erection of an attached garage to side following removal of existing garage
Address **41 Southwood Road Farnborough Hampshire GU14 0JH**

Application No 15/00378/CONDPP Ward: St Mark's
Applicant: Mr Peter Trussler
Decision: **Conditions details approved**
Decision Date: 03 July 2015
Proposal: Submission of details to comply with condition 8 (SUDS) attached to planning permission 14/00655/FULPP dated 11 November 2014
Address **Land Off Harrier Road Cody Technology Park Ively Road Farnborough Hampshire**

Application No 15/00380/FULPP Ward: St John's
Applicant: Mr & Mrs Hawkins
Decision: **Permission Granted**
Decision Date: 06 July 2015
Proposal: Erection of a two storey side extension and single storey front extension
Address **1 Nightingale Close Farnborough Hampshire GU14 9QH**

Application No 15/00383/CONDPP Ward: Wellington
Applicant: Grainger (Aldershot) Limited And Secretar
Decision: **Permission Granted**
Decision Date: 01 July 2015
Proposal: Submission of details pursuant to condition 12 (trees) attached to Outline Planning Permission 12/00958/OUT dated 10th March 2014 in respect of works to trees within the Wellesley (AUE) site.
Address **Aldershot Urban Extension Development Site At Queens Avenue Aldershot Hampshire**

Application No 15/00385/FUL Ward: North Town

Applicant: Mr R Pearce

Decision: **Permission Granted**

Decision Date: 18 June 2015

Proposal: Erection of a two storey side extension

Address **1 Redan Road Aldershot Hampshire GU12 4ST**

Application No 15/00386/PDCPP Ward: Manor Park

Applicant: Mr Tom Stanley

Decision: **Development is Lawful**

Decision Date: 25 June 2015

Proposal: CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT: Formation of hip to gable roof, formation of a dormer window in rear roof elevation insertion of one roof light within front roof elevation and one obscure glazed non opening window to side elevation

Address **73 Jubilee Road Aldershot Hampshire GU11 3QD**

Application No 15/00392/FULPP Ward: Empress

Applicant: Mr J Hewitt

Decision: **Permission Granted**

Decision Date: 30 June 2015

Proposal: Erection of a single storey rear extension

Address **14 Marrowbrook Lane Farnborough Hampshire GU14 0AG**

Application No 15/00393/FULPP Ward: Empress

Applicant: Mr TREVOR HATT

Decision: **Permission Granted**

Decision Date: 25 June 2015

Proposal: Erection of single storey front and rear extensions and a two storey side extension

Address **23 Pierrefondes Avenue Farnborough Hampshire GU14 8PA**

Application No 15/00394/NMA Ward: St Mark's

Applicant: Fleet Homes 2000 Ltd.

Decision: **Permission Granted**

Decision Date: 02 July 2015

Proposal: NON-MATERIAL AMENDMENT : Retention of development approved by planning permission 13/00839/FULPP dated 9 January 2014 as built containing the following amendments : (a) Deletion of dormer windows from rear roof slopes and their replacement with Velux-type roof windows in respect of house Units 1-3 inclusive; (b) Enlargement of Velux-type roof windows in front roof slope facing Somerset Road of house Units 1-3 inclusive; (c) Deletion of dormer windows from front and rear roof slopes and their replacement with Velux-type roof windows in respect of all house Units 4-9 inclusive; (d) re-arrangement of the ground floor front elevations of house Units 4-9 inclusive; and (f) alteration to style/proportions of the window units in the side elevations of the terraces.

Address **Proposed Development Site At 11-17 And Land To The Rear Of 3 - 9 Somerset Road Farnborough Hampshire**

Application No 15/00396/FULPP Ward: West Heath

Applicant: Mr Anthony Player

Decision: **Permission Granted**

Decision Date: 26 June 2015

Proposal: Demolition of existing conservatory, erection of a single storey rear extension and porch to front

Address **32 Middleton Gardens Farnborough Hampshire GU14 9PH**

Application No 15/00398/REXPD Ward: Fernhill

Applicant: Mr J Terry-Dawson

Decision: **Prior approval is NOT required**

Decision Date: 25 June 2015

Proposal: Erection of a single storey rear extension measuring 5 metres deep from the original rear wall of the house, 3 metres to the eaves with a flat roof measuring a maximum height of 3 metres

Address **1 Clayton Road Farnborough Hampshire GU14 9DQ**

Application No 15/00399/FULPP Ward: West Heath
Applicant: Mrs Jan Gaines
Decision: **Permission Granted**
Decision Date: 29 June 2015
Proposal: Demolition of of existing conservatory and garage and erection of a single storey rear extension and replacement garage
Address **63 Blunden Road Farnborough Hampshire GU14 8QW**

Application No 15/00400/FULPP Ward: St John's
Applicant: Miss Janet Berry
Decision: **Permission Granted**
Decision Date: 29 June 2015
Proposal: Single storey side extension with pitched roof and roof lights
Address **40 Woodlands Road Farnborough Hampshire GU14 9QF**

Application No 15/00402/REVPP Ward: Knellwood
Applicant: Mr Ben Mahy
Decision: **Permission Granted**
Decision Date: 08 July 2015
Proposal: Conversion of garage to habitable room
Address **3 Rodmel Court Farnborough Hampshire GU14 6TY**

Application No 15/00403/FUL Ward: Knellwood
Applicant: Mr C Elliot -Cooke
Decision: **Permission Granted**
Decision Date: 26 June 2015
Proposal: Erection of a single storey rear extension and formation of matching pitched roof over existing rear dormer
Address **178 Farnborough Road Farnborough Hampshire GU14 7JJ**

Application No 15/00404/FUL Ward: North Town
Applicant: Mr J Thursby
Decision: **Permission Granted**
Decision Date: 01 July 2015
Proposal: Retention of a garage to rear
Address **21 Anglesey Road Aldershot Hampshire GU12 4RF**

Application No 15/00405/FULPP Ward: Rowhill
Applicant: Mr & Mrs M Clarkson
Decision: **Permission Granted**
Decision Date: 02 July 2015
Proposal: Erection of a single storey side extension□
Address **23 Alison Way Aldershot Hampshire GU11 3JX**

Application No 15/00406/PDCPP Ward: Rowhill
Applicant: Mr & Mrs M Clarkson
Decision: **Development is Lawful**
Decision Date: 02 July 2015
Proposal: CERTIFICATE OF LAWFULNESS FOR A PROPOSED
DEVELOPMENT: Formation of a dormer within rear facing roof slope to
facilitate room in roof
Address **23 Alison Way Aldershot Hampshire GU11 3JX**

Application No 15/00409/FULPP Ward: West Heath
Applicant: Mr Kishor Kumar
Decision: **Permission Granted**
Decision Date: 08 July 2015
Proposal: Erection of a single storey rear extension
Address **80 Chaucer Road Farnborough Hampshire GU14 8SP**

Application No 15/00412/FULPP Ward: Aldershot Park
Applicant: Mrs Natalie Durovi
Decision: **Permission Granted**
Decision Date: 01 July 2015
Proposal: Erection of a two storey side extension
Address **104 Gloucester Road Aldershot Hampshire GU11 3SH**

Application No 15/00413/NMAPP Ward: Aldershot Park
Applicant: Mr Sandhu
Decision: **Permission Granted**
Decision Date: 08 July 2015
Proposal: Non-material amendment to application 15/00019/FULPP dated 3rd March 2015 to allow two garage doors to garage at No. 99 and roof style to rear of garage at No.101 from gable end to hip
Address **99 - 101 Brighton Road Aldershot Hampshire GU12 4HN**

Application No 15/00421/REV Ward: Cove And Southwood
Applicant: Mr D Ralph
Decision: **Permission Granted**
Decision Date: 30 June 2015
Proposal: Variation of Condition 20 attached to planning permission 93/00008/FUL (Erection of 181 new dwellings) dated 07 October 1993 to allow the erection of a single storey rear extension following removal of existing conservatory
Address **6 The Topiary Farnborough Hampshire GU14 0RA**

Application No 15/00423/FULPP Ward: North Town
Applicant: Mr Andy Udal
Decision: **Permission Granted**
Decision Date: 08 July 2015
Proposal: Erection of a two storey front extension
Address **6 Brookfield Road Aldershot Hampshire GU12 4UR**

Application No 15/00436/FULPP Ward: Fernhill
Applicant: Mr L Mcloughlin
Decision: **Permission Granted**
Decision Date: 09 July 2015
Proposal: Erection of a single storey side extension and insertion of a dormer window to rear
Address **2A Chapel Lane Blackwater Camberley Hampshire GU17 9ET**

Application No 15/00439/FUL Ward: North Town
Applicant: Mr P Harding
Decision: **Permission Refused**
Decision Date: 09 July 2015
Proposal: Erection of single storey front extension
Address **13 Anglesey Road Aldershot Hampshire GU12 4RF**

Application No 15/00444/FUL Ward: West Heath
Applicant: Mrs P Scott
Decision: **Permission Granted**
Decision Date: 10 July 2015
Proposal: Erection of single storey side extension
Address **24 Horn Road Farnborough Hampshire GU14 8RW**

Application No 15/00445/REXPD Ward: Manor Park
Applicant: Mr D. Brown
Decision: **Prior approval is NOT required**
Decision Date: 10 July 2015
Proposal: Erection of a single storey rear extension measuring 4.013 metres from the original rear wall 2.75 metres high to the eaves and 3.85 metres overall height
Address **23 Jubilee Road Aldershot Hampshire GU11 3QF**

Application No 15/00451/REXPD

Ward: Empress

Applicant: Mr J Krzywinski

Decision: **Prior approval is NOT required**

Decision Date: 10 July 2015

Proposal: Erection of a single storey rear extension measuring 3.395 metres from the original rear wall, 2.50 metres to the eaves and 3.372 metres overall height

Address **140 Pierrefondes Avenue Farnborough Hampshire GU14 8NZ**

Enforcement and possible unauthorised development

1. Introduction

This report considers current matters of enforcement and possible unauthorised development. The taking of planning enforcement action is delegated to the Head of Planning in consultation with the Chairman. Therefore, only a few matters that require Committee decision to take formal action (or not to) are reported to Committee.

It is not an offence to carry out works without planning permission and the National Planning Policy Framework (NPPF) states that enforcement action is discretionary and that local planning authorities should act proportionately in responding to suspected breaches of planning control. Local authorities are also advised to take action only where it is appropriate to do so. The purpose of this report is normally, therefore, is to report to Committee matters that are breaches of planning control but where it is recommended that it is not expedient to take enforcement action.

2. Policy

The Council's Policy on Planning Enforcement is set out in the adopted Planning Enforcement Charter. The essential thrust of the Policy is that We will not condone wilful breaches of planning law but we will exercise our discretion about taking enforcement action if it is considered expedient to do so. The principle enforcement policies are:

Policy PE2

Immediate planning enforcement action will be taken against any unauthorised development that unacceptably affects public amenity or causes harm to land or buildings.

Policy PE3

Formal enforcement action will not normally be taken where a trivial or technical breach of planning control has occurred that causes no material harm

Policy PE24

Where development is being carried out which is considered to be significantly different from the approved plans and the changes cause serious harm to public amenity, immediate enforcement action may be taken, including the issue of a Stop Notice or Enforcement Injunction to stop the unauthorised development. However, where no material harm is being caused or where the works are "de-minimus", no further action will be taken.

3. Items

Each item contains a full description, details of any investigation, and an assessment of the situation and concludes with a recommendation.

This report relates to:

- Item 1** 329 Pinewood Park, Farnborough
- Item 2** 23 Juniper Road Farnborough
- Item 3** Delegated Decisions to take Enforcement Action

All information, recommendations and advice contained in this report are understood to be correct at the time of writing this report. Any change in circumstances will be updated verbally 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.

4. Human rights

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. Any recommendation either to take or not to take enforcement action has been assessed to make sure that the decision is compatible with the Act. If there is a potential conflict this will be highlighted in the individual report on the relevant item.

5. Financial implications

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 enforcement cases 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.

Keith Holland
Head of Planning

BACKGROUND PAPERS

Rushmoor Local Plan Review (1996-2011)
Rushmoor Core Strategy (October 2011)
Planning Enforcement - Policies And Procedures
National Planning Policy Framework (NPPF)
National Planning Practice Guidance

Item 1

Site Location	329 Pinewood Park, Farnborough.
Alleged Breach	Insertion of first-floor window in side elevation.
Recommendation	NO FURTHER ACTION

Description

The site is a terraced property in a row of similar properties in the Pinewood Park development. The dwellings in the terrace are arranged in pairs which are staggered relative to the next pair. Some properties, including no. 329 therefore have a side elevation which adjoins the front garden of the adjoining property to the north, no. 331.

Alleged Breach

The alleged breach concerns a top-hung window inserted in the side elevation at the property. This is identified as a potential source of overlooking and loss of privacy to the neighbouring property.

Investigation

A site visit confirmed that a window had been installed in the flank elevation of the building. This measures approximately 0.60m in width and 0.40m height and serves a bathroom. The window is fitted with obscured glazing and is positioned so that the lower cill is 1.63m above the floor level of the bathroom.

Commentary

Planning permission is required for the window because the opening part of the window is set lower than 1.7m above the floor level of the bathroom and also because an Article 4 Direction in relation to Pinewood Park removes "permitted development" rights for external alterations to the premises.

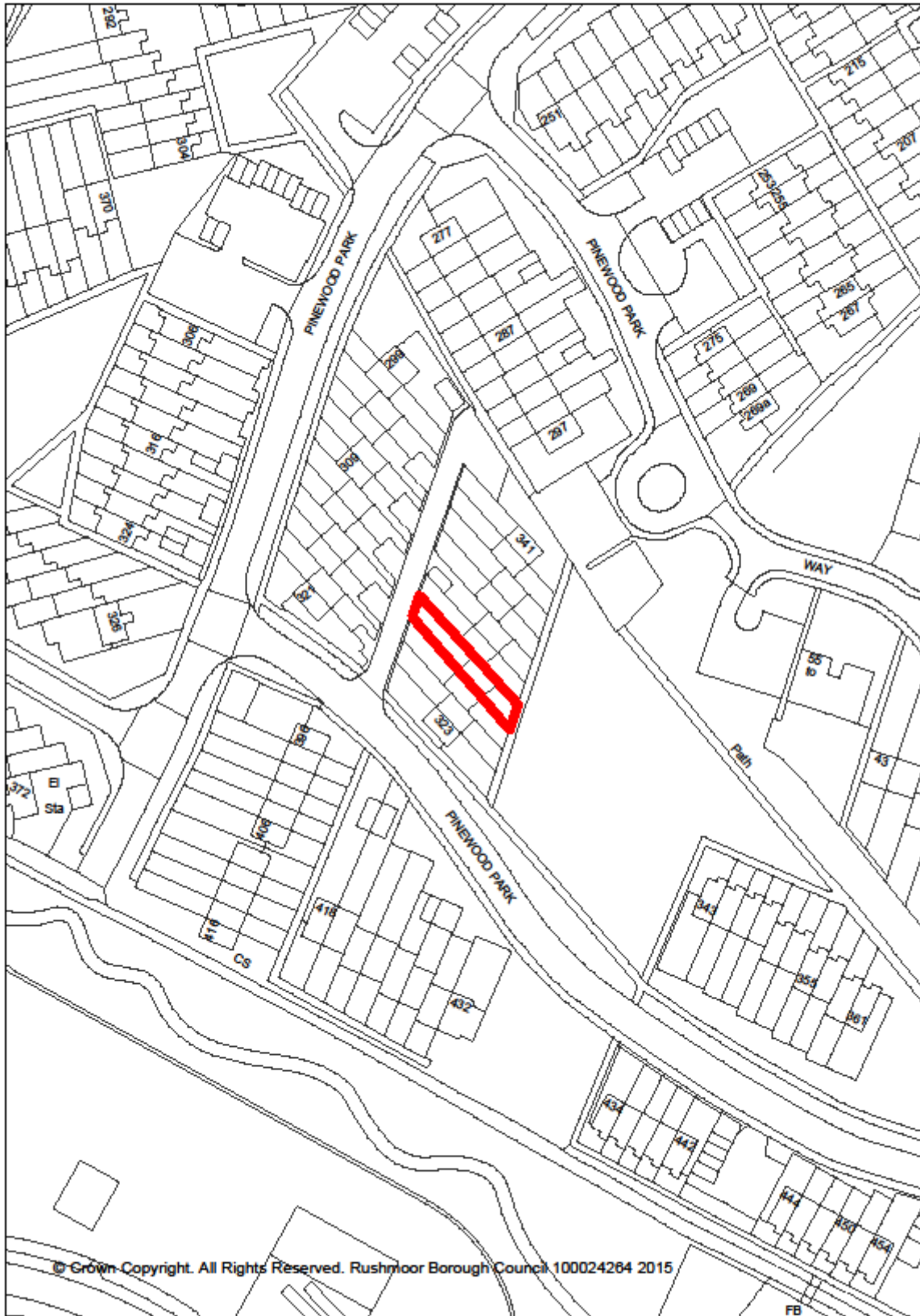
It is considered that the installation of the window has little impact upon the visual amenity of the area.

The window adjoins the open plan front garden of 331 Pinewood Park and is fitted with obscured glazing. Although the opening part of the window is set lower than 1.7m above the interior floor level (the height indicated in the GPDO as sufficient to safeguard privacy) this is only by 7cm. Given the open plan design of the estate it is considered that loss of privacy is not so great as to merit further action.

It is concluded that the unauthorised window does not cause any significant material harm to the visual character of the area or to the amenities of neighbours. Planning permission would be granted by the Council if an application were submitted. Accordingly, in accordance with Policy PE3, it is considered neither expedient nor reasonable for the Council to take enforcement action in respect of the breach of planning control that has taken place.

FULL RECOMMENDATION

It is recommended that **NO FURTHER ACTION** be taken.





Item 2

Site location	23 Juniper Road Farnborough
Alleged breach	Conversion of garage to habitable room
Recommendation	NO FURTHER ACTION

Description

The property is a two storey detached house located on the corner of Juniper road and Baywood Close, locally known as the Herbs Estate. The property has an attached garage with a room over which has been converted to form a habitable room with no external alterations. The front garden is block paved with low shrubbery to one side and has a dropped kerb to the front.

Alleged breach

The original planning permission 91/00083/FUL, for the development of 96 residential units and associated infrastructure, contains a condition that any garages or parking spaces should be retained for parking purposes only. Although the garage door remains in place, the garage is no longer available to park a vehicle.

Investigation

Upon receipt of the Building Control list of commencements it became apparent that this development required planning permission. Contact with the owner of the property, has not resulted in the submission of an application.

Commentary

The Transportation Strategy Officer is satisfied that even with the loss of the garage there is sufficient off-road parking at the property.

It is concluded that as there are no external changes, the unauthorised conversion does not cause any significant material harm to the visual character of the area, also there is no harm to amenities of neighbours or highway safety. Had a planning application been submitted, it would have received a favourable recommendation. Accordingly, in accordance with Policies CP2 and CP16 of the core strategy and saved Policy ENV17 of the Rushmoor Local Plan, it is considered neither expedient nor reasonable for the Council to take enforcement action in respect of the breach of planning control.

Full recommendation

It is recommended that **no further action** be taken.

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Item 3

Delegated Decisions to take Enforcement Action

The following decisions are reported for **INFORMATION** purposes only. They relate to decisions to take enforcement action that have already been made by the Head of Planning in accordance with the Council's adopted Scheme of Delegation.

Address	2 – 8 Halimote Road Aldershot	Ward: Manor Park
Decision	Issue Enforcement Notice	
Decision Date	01 May 2015	
Reasons	Failure to comply with approved plans. Failure to install approved boundary treatments. Removal of the rear bin store/meeting room extension, garage and cycle store and formation of the approved parking layout using the approved surfacing materials. Failure to implement soft and hard landscaping and associated planting. Formation of unauthorised west facing rear roof extension to the two storey side extension. Failure to provide approved refuse and cycle storage arrangements. Failure to clad and finish the exposed steel supports, which support the first floor side extension. Failure to implement approved windows arrangement.	
Alternatives	No action – Would endorse bad, unsatisfactorily executed and partially unauthorised development, therefore enforcement action necessary	
Case Officer	Mark Andrews	
Associated Documents	Planning reference No.11/00623/NMA & Enforcement reference No.14/00069/XPLANS	

Address	185 Victoria Road Aldershot	Ward: Manor Park
Decision	Issue Enforcement Notice	
Decision Date	26 June 2015	
Reason	Formation of two self-contained studio flats to rear of shop unit (Use Class A1) without planning permission. Potentially unacceptable living environment. Failure to address the requirements of the Habitats regulations in respect of the Thames Basin Heaths SPA.	
Alternative	No action – Would endorse bad development therefore enforcement action necessary	
Case Officer	Mark Andrews	
Associated Documents	Enforcement reference No.15/00045/COUGEN	

Recommendation: **To Note**

VARIATION OF LEGAL AGREEMENT RELATING TO NORTH TOWN STAGE II

1. Introduction

North Town is currently undergoing major redevelopment. The purpose of this report is to seek authority to vary the terms of the 2014 legal agreement relating to the payment of the financial contributions in relation to plots 472-482 on a pro rata basis with the remainder of the contributions being paid and the clauses relating to affordable housing and the travel plan taking effect when Phase 6 is implemented in 2017.

2. Background

In October 2009 planning permission, 09/00431/FULPP, was granted for the erection of 471 replacement dwellings in a mix of bungalows, flats, maisonettes, houses and a block of older persons' flats, together with replacement shop units and community centre and associated highway improvements, public open space, landscaping & parking areas following demolition of 471 existing flats, shop units and community centre. (North Town Stage I)

This permission was granted subject to a section 106 legal agreement which included the following:

- a minimum of 40% affordable housing;
- sheltered housing units to be occupied only by persons over the age of 55 with the exception of partners of occupiers, who may be under 55;
- provision & maintenance of public open space comprising children's play space & amenity open space within the development itself;
- a total financial contribution of £277635 towards provision of sports pitches in Aldershot and additional play space & amenity open space off site;
- provision of temporary community facility after demolition of existing North Town base,
- to be retained until permanent replacement facility is completed and available for use;
- replacement shop units comprising part of the North Lane local centre;
- no more than 315 dwellings within the application site to be occupied until all the existing dwellings within the applicant's land bounded by North Lane, Deadbrook Lane & Eastern Road, Aldershot have been demolished; and
- site-wide travel plan with bond & monitoring fees as per County requirements.

Four areas of land to the east and west of Pegasus Avenue were excluded from this proposal as there was no suitable alternative natural green space (SANG) that could act as land suitable to mitigate the impact of additional housing (ie in excess of 471 dwellings) on the Thames Basin Heaths Special Protection Area. The following permission relates to these parcels of land.

In November 2014 planning permission, 13/00081/FULPP, was granted for the demolition of 132 flats and erection of 34 one-bed dwellings, 131 two-bed dwellings, 59 3-bed dwellings and 2 4-bed dwellings (226 in total) with associated highway works, parking, landscaping and amenity areas. (North Town Stage II)

This permission was granted subject to a section 106 legal agreement which included the following:

a) a minimum of 35% of affordable housing in accordance with the requirements of the Head of Environmental Health and Housing including

- the requirement for a definition of “affordable rent” to be incorporated into the 2009 agreement consistent with current tenures,
- variation of clause 1.4 in Schedule 2 so as to allow existing Stage 1 residents to be housed in Stage 2,
- for the avoidance of doubt, provision to ensure no double counting across Stages 1 and 2 so far as Nomination Rights are concerned and
- facility to allow the Council to choose not to exercise its Nomination Rights in appropriate circumstances.

b) a total financial contribution of £348,871.46 towards open space provision as follows:

Improve levels of main grass field (POS), landscaping, infrastructure, park furniture and footpath provision/renewal; provision of new pavilion and car park/access facilities at Ivy Road Playing Fields, Aldershot OR Blackwater Valley Footpath improvements including access improvements

Playground refurbishment at Ivy Road Playing Fields, Aldershot OR North Town Phase 1, Aldershot OR Redan Hill Gardens, Aldershot -

Pitch improvements and improved changing/pavilion provision at Ivy Road Playing Fields, Aldershot

c) a financial contribution of £1,278,225.00 towards Rowhill Copse Suitable Alternative Green Space (SANG and SAMM) as mitigation for impact on Thames Basin Heaths Special Protection Area

d) a financial contribution of 789,784.00 to be used to deliver improvements to the local highway network to include improving access to the east of Aldershot; A323 on road cycle route; Ash Road Safety Improvements; Aldershot rail station improvements as identified in the Rushmoor Transport Statement including pedestrian and cycle improvements, bus interchange improvements and improvements to the rail station forecourt; improvements to the town centre

including the provision of cycle parking, wayfinding improvements and pedestrian improvements; bus stop improvements to 'Connect' routes to encourage bus travel to and from the site; North town public realm environmental improvements; St Josephs School - safer routes to school improvements and Connaught School - safer routes to school improvements

e) completion of a travel plan with bond and monitoring fees;

f) removal of the replacement dwelling ceiling from Stage I North Town permission 09/00431/FULPP subject to payment of SPA contribution as set out above

g) administration and monitoring costs of £120844.02 for the planning obligation

3. Proposed amendment to the legal agreement

Whilst plots 472-482 inclusive were approved as part of the Stage II planning permission, 13/00081/FULP, they are surrounded by development which was approved, and is located, within Phase 4 of the Stage I planning permission, 09/00431/FUL. The applicant has confirmed that in practical terms plots 472-482 will be built as part of Phase 4. This means that the construction of these plots would implement the 2014 permission and would trigger the clauses in the 2014 agreement..

As the remainder of Stage II permission (identified as Phase 6) is not due to be commenced until Summer 2017, the applicant, First Wessex, has requested that the 2014 agreement be amended such the open space, SPA and transport contributions are paid on implementation on a pro rata basis for plots 472-482 with the remainder of the contributions being paid and the clauses relating to affordable housing and the travel plan taking effect when Phase 6 is implemented in 2017.

4. Planning considerations

Given its size, it was recognised that the redevelopment of North Town would be take place over an extended period of time. To date the applicant has completed 243 dwellings pursuant to the 2009 permission. It is noted that, as outlined above, the main reason that plots 472-482 were excluded from the remainder of Phase 4 was due to a lack of SPA mitigation being available in 2009. Given the overall construction programme for the site and the disruption that would arise to future residents of Phase 4 if plots 472-485 were to be built in 2017, the completion of these plots as part of Phase 4 is considered to be a sensible and logical approach to the development of this part of the site and is acceptable. To this end it is agreed that the financial contributions due to Rushmoor in respect of open space and SPA mitigation may be paid on a pro rata basis

The 2009 and 2014 permissions both include clauses relating to the provision of affordable housing. Given the small number of units concerned (4 affordable out of 11), in the context of a total number of units (minimum of 172 affordable out of 431 and 79 affordable out of 226) and the applicants status as a registered social housing provider, it is considered that the proposed variation would not prejudice the overall provision of affordable housing for the North Town redevelopment. The

Council's Strategy and Enabling Officer has been consulted on this issue and any comments received will be updated at the meeting.

The 2009 and 2014 permissions both include provisions for appropriate travel plans. Given this and the evolving nature of sustainable transport, it is considered the proposed variation would not prejudice the long-term objectives for sustainable transport opportunities for the overall site. The County Highway Authority has been consulted on the proposed variation in respect of the transport contribution and the implementation of the travel plan and any comments received will be updated at the meeting.

5. Recommendation

That, subject to the views of the Council's Strategy and Enabling Manager and the County Highway Authority the request to vary the existing 106 agreement with a deed of variation as outlined above be AGREED subject to the costs of Rushmoor Borough Council and Hampshire County Council being paid by the applicant

Keith Holland
Head of Planning

Contact:

Sarita Jones — tel.no. 01252 398792 sarita.jones@rushmoor.gov.uk

Background Papers

Planning permission 09/00431/FULPP and associated legal agreement dated 13 October 2009

Planning permission 13/00081/FULPP dated 28 November 2014 and associated legal agreement dated 27 November 2014