



RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

***Wednesday, 14th October, 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, 14th October, 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

6th October 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/7881>

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 16th September, 2015 (copy attached).

Items for decision

3. **Planning applications –**

To consider the Head of Planning's Report No. PLN1550 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. PLN1551 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

Items for information

5. **Appeals progress report –**

To receive the Head of Planning's Report No. PLN1552 (copy attached) on the progress of recent planning appeals.

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14th October 2015
Report No. PLN1550

| Item No. | Case Number | Address | Recommendation | Page No. |
|-----------------|--------------------|---|-----------------------|-----------------|
| 1 | 15/00719/REMPP | Land At Junction With Templar Avenue Meadow Gate Avenue Farnborough Hampshire | For Information | 21 |
| 2 | 15/00318/FULPP | Land To The Rear Of 42 - 44 Newfield Avenue Farnborough Hampshire | Would Refuse | 22 |
| 3 | 15/00606/FULPP | 31 To 33 Queens Road And 62 Peabody Road Farnborough Hampshire | Grant | 42 |
| 4 | 15/00663/FULPP | 10 Marrowbrook Close Farnborough Hampshire GU14 0BD | Grant | 66 |
| 5 | 15/00699/FULPP | 11 Alma Square Farnborough Hampshire GU14 6AD | Grant | 78 |
| 6 | 15/00723/ADV | Princes Hall Princes Way Aldershot Hampshire | Grant | 85 |

Development Management Committee
14th October 2015

Head of Planning

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 |
|-----------------|--------------------------|---------------------|--------|
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DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 16th September, 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 | a | Cr. P.I.C. Crerar | Cr. D. Gladstone |
| Cr. D.M.T. Bell | | Cr. Sue Dibble | Cr. C.P. Grattan |
| a Cr. R. Cooper | a | Cr. Jennifer Evans | Cr. J.H. Marsh |

Non-Voting Member

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

Apologies for absence were submitted on behalf of Crs. R. Cooper, P.I.C. Crerar, Jennifer Evans.

Cr. S.J. Masterson attended as standing deputy in place of Cr. Rod Cooper and Cr. P.F. Rust attended as standing deputy in place of Cr. Jennifer Evans.

Note: Cr. D. Gladstone arrived at 7.20 p.m. during the discussion on Planning Application No. 15/00475/FULPP (The Queen's Head, No. 97 North Lane, Aldershot) and did not vote on this or the previous item.

28. DECLARATIONS OF INTEREST –

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

| Member | Application No. and Address | Interest | Reason |
|----------------|---|-------------|---|
| Cr. G.B. Lyon | 1500475/FULPP (The Queen's Head, No. 97 North Lane, Aldershot) | Personal | Member of the Campaign for Real Ale. |
| Cr. J.H. Marsh | 15/00606/FULPP (31 – 33 Queen's Road and No. 62 Peabody Road, | Prejudicial | Friend of the owner of the site/applicant and had spoken to the applicant about |

| | | | |
|-----------------|---|-------------|--|
| | Farnborough) | | this application. |
| Cr. B.A. Thomas | 1500475/FULPP (The Queen's Head, No. 97 North Lane, Aldershot) | Prejudicial | Runs a public house within a mile of the application premises. |
| Cr. P.F. Rust | 1500475/FULPP (The Queen's Head, No. 97 North Lane, Aldershot) | Personal | Member of the Campaign for Real Ale. |

29. **MINUTES –**

The Minutes of the Meeting held on 19th August, 2015 were approved and signed by the Chairman.

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

RESOLVED: That

- (i) planning permission/consent be refused in respect of the following application and as set out in Appendix "A" attached hereto for the reasons mentioned therein:

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

- (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. PLN1544, be noted;

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

15/00562/FULPP (The Old Mint, Pound Road, Aldershot);
and

- (iv) the current position with regard to the following application be noted pending consideration at a future meeting:

15/00606/FULPP (No. 31 – 33 Queen's Road – No. 62 Peabody Road, Farnborough).

- * The Head of Planning's Report No. PLN1544 in respect of this application was amended at the meeting.

31. REPRESENTATIONS BY THE PUBLIC –

In accordance with the guidelines for public participation at meetings, the following representations were made to the Committee and were duly considered before a decision was reached:

| Application No. | Address | Representation | In support of or against the application |
|------------------------|--|------------------------------|---|
| 15/00475/FULPP | (The Queen's Head, No. 97 North Lane, Aldershot) | Mr. J. Coll Ms. R. Haines | Against In support |

32. APPLICATION NO. 15/00462/FULPP – THE OLD MINT, POUND ROAD, ALDERSHOT –

The Committee considered the Head of Planning's Report No. PLN1544 regarding the retention of two three-bedroom flats with associated works at The Old Mint, Pound Road, Aldershot.

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

RESOLVED: That

- (i) subject to the completion of a satisfactory agreement under Section 106 of the Town and Country Planning Act, 1990 by 12th October, 2015 to secure an appropriate contribution towards Special Protection Area mitigation and open space, 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. PLN1544; however
- (ii) in the event that a satisfactory Section 106 agreement is not received by 12th October, 2015, the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal fails 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; fails to provide mitigation for the impact of the development on the Thames Basin Heaths Special Protection Area in accordance with the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy contrary to Policy CP13 of the Rushmoor Core Strategy; does not provide appropriate car

and cycle parking in accordance with the Council's adopted car and cycle parking standards or make satisfactory provision for refuse storage as required by Saved Local Plan Policy ENV17 and Core Strategy Policies CP2 and CP17.

33. **ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT –**

(1) **No. 177 Ash Road, Aldershot –**

The Committee received the Head of Planning's Report No. PLN1546 regarding the unauthorised change of use of commercial space into residential accommodation at No. 177 Ash Road, Aldershot.

It was reported that No. 177 Ash Road was a long-established hot food takeaway (Star Kebabs) located in the middle of the ground floor of the building. To the east side of this was a sub-divided area of the building with lawful planning use as a separate hot food takeaway shop on the ground floor and with storage space above. No. 177a Ash Road was located to the west side of Star Kebabs and was also understood to be in the same ownership and was currently in use as a hairdressers. There was also a self-contained residential one-bedroom flat located on the first floor of the building, No. 177c. It was highlighted that there was limited on-site parking due to its position alongside the traffic-light junction of Ash Road, Lower Newport Road and Lower Farnham Road.

Following complaints, an inspection had revealed that parts of the eastern takeaway premises were being occupied residentially, in the form of a pair of studio units on the ground floor and with a further flat in the ancillary storage space on the first floor. The owner had submitted a planning application in June, 2015 which had been declared invalid due to material inaccuracies in the plans. Although the applicant's agent had advised that work was afoot to prepare corrected plans, this work had not, to date been completed and no corrected plans had been submitted to the Council.

The Committee was informed that the conversion of these premises would be considered acceptable in principle. However, such conversions would only be granted planning permission, subject to conditions to secure and retain various provisions in the interests of the amenities of the area, the amenities of neighbours, highway safety etc. In this case this would involve the provision, allocation and retention of parking spaces, and provision and retention of bin storage. This had not been possible in the circumstances of this site and the unauthorised development in question since there had been no means to impose the requisite conditions to render the proposals acceptable in planning terms.

In addition, none of the usual Section 106 financial contributions had been secured, most notably the contribution for special protection area mitigation and avoidance. This was considered fundamentally unacceptable and in conflict with the Habitats Regulations, Government Planning Policy and Guidance and adopted Development Plan Policy. It was also considered that

there would have been a requirement for a public open space contribution in this case. These matters were therefore considered to be grounds for serving an Enforcement Notice.

RESOLVED: That an Enforcement Notice be served requiring the cessation of the unauthorised material change of use of the land for residential use with a period of six months for compliance for the following reasons:

- (i) the unauthorised development intensified the use of the property and was provided with inadequate and unsatisfactory on-site parking to meet its functional needs in a vicinity of limited on-street parking opportunities. The proposed residential development would thereby be likely to attract indiscriminate, dangerous and obstructive parking in the streets nearby, to the detriment of the safety and convenience of highway users. The proposal would thereby be unacceptable, contrary to the National Planning Policy Framework and adopted Rushmoor Core Strategy Policies CP2 and CP16;
- (ii) the unauthorised development was provided with inadequate facilities for the on-site storage of refuse to the detriment of the visual amenities of the area and the living environment of occupiers contrary to adopted Rushmoor Core Strategy Policy CP2;
- (iii) the proposal failed 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 was thereby contrary to the requirements of Policies CP13 and CP15 of the Rushmoor Core Strategy adopted in October, 2011; and
- (iv) The proposals did 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".

(2) **No. 19 Whittle Crescent, Farnborough –**

The Committee received the Head of Planning's Report No. PLN1546 regarding the erection of a single storey rear extension at No. 19 Whittle Crescent, Farnborough.

It was reported that it had come to the Council's attention that a single storey rear extension had been built measuring 3.7 metres from the original rear wall of the home. The extension would have required planning permission as it was 700 mm greater than the permitted development tolerance for this type of property, as set out in Schedule 2, Part 1, Class A of the general Permitted Development Order, 2015. The owner's response to contact had been that they were not in a position to submit a formal planning application.

On considering the matter it was felt that the extension did not cause any significant material harm to the visual character of the area, to the amenities of the neighbours or to highway safety. Had a planning application been submitted, it would have received a recommendation that permission be granted. Therefore, in accordance with Policies CP2 and CP16 of the Core Strategy and saved Policy ENV17 and H15 of the Rushmoor Local Plan, it was considered neither expedient or reasonable for the Council to take enforcement action in respect of the breach of planning control in this case.

RESOLVED: That no further action be taken.

34. **MOUNTBATTEN COURT, BIRCHETT ROAD, ALDERSHOT – SECTION 52 LEGAL AGREEMENT –**

The Committee considered the Head of Planning's Report No. PLN1547 (as amended at the meeting) which sought approval to relax a clause in a legal agreement which restricted the age of the occupiers of flats in Mountbatten Court, Birchett Road, Aldershot.

The Committee was informed that the owners of Flat No. 5 Mountbatten Court had written to the Council requesting a relaxation of the clause because the age restriction had been causing problems with the sale of the flat.

Planning permission had been granted for the erection of a three-storey block of seventeen two-bedroom flats and nine one-bedroom flats in August, 1987. At the time, parking standards had been considerably higher and based on minimum standards. The developer had provided less than the full requirement on the basis that the flats would be for the elderly. A clause in the legal agreement had therefore been drawn up under Section 52 of the Town and Country Planning Act, 1971 which required that the sixteen flats on the ground and first floors should be occupied by at least one person of pensionable age.

Following consultation with the residents of Mountbatten Court one letter had been received from the executors of the late owner of Flat No. 13 who indicated that they had no objections in respect of the request from the owners of Flat No. 5 and, in addition, making their own request for non-enforcement in respect of Flat No. 13. Another letter had subsequently been received from the managing agents for the Mountbatten Court Management Company, who confirmed that they were in support of the Council not

enforcing the terms of the Legal Agreement in terms of the age restriction of occupiers.

It was also noted that none of the age-restricted flats at Mountbatten Court had been designed to current mobility standards and the age restriction had only been imposed because the developer had been unable to provide enough parking on the site for the development. Since planning permission had been granted the Council's parking requirements had changed significantly in response to changes in Government planning guidance. The parking standards applicable to residential development had changed and there was no longer any distinction made in terms of parking requirements between general purpose flats and those restricted to residents of pensionable age. The only reductions in parking requirements available for residential development now related to sheltered housing establishments providing care to much less mobile residents. Furthermore, current Government guidance and the Council's adopted parking requirements allowed for significant reductions in parking provision in town centre locations.

On considering the above, the Committee agreed that retention of the age restriction would no longer serve a planning purpose. In addition, the approach had previously been agreed for other flats in the development, the most recent being Flat No. 10 in November, 2013. Similar age-restricted flats in Phoenix Court had also been subject to requests for relaxations and had been allowed by the Council. In the circumstances, it was therefore felt that the Council should not seek to enforce the terms of the legal agreement in respect of Flat Nos. 5 and 13 Mountbatten Court.

RESOLVED: That the Solicitor to the Council be authorised to advise the persons making the above request that the Council is minded not to enforce the terms of the Section 52 Agreement in respect of Flat Nos. 5 and 13; and that they be invited to enter into a Deed of Release, upon payment of the Council's legal costs, to release the property from the terms of the Section 52 Agreement..

35. **HAM AND BLACKBIRD, NO. 281 FARNBOROUGH ROAD, FARNBOROUGH –**

The Committee received the Head of Planning's Report No. PLN1548 which requested authority for the Council to complete a Section 106 legal agreement in relation to the Ham and Blackbird site at No. 281 Farnborough Road, Farnborough.

The Committee was reminded that permission had been refused by the Development Management Committee in January, 2015 for the demolition and redevelopment of the Ham and Blackbird site at No. 281 Farnborough Road. Permission had been refused for reasons relating to the impact of traffic movement on highway safety and the local network, failure to secure Section 106 contributions (towards special area protection mitigation and public open space) and failure to provide appropriate provision of affordable housing (as set out in full in the Head of Planning's Report).

The applicants had subsequently lodged an appeal which was due to be heard on 9th December, 2015 and the Committee was advised that, in preparation for the appeal, the applicants and the Council would need to prepare a 'Statement of Common Ground' to identify to the Inspector those issues on which there was no dispute. The applicants had indicated that they intended to submit a draft Section 106 agreement to the Inspector at the hearing in order to address the reasons for refusal that related to failure to secure Section 106 contributions.

In respect of the failure of the proposal to provide affordable housing, the applicants had agreed to make provision to meet the Council's requirement in full (22 units (35%) of the total number of units). In this respect the applicants were proposing that eleven affordable units would be provided in the scheme and, at the request of the Head of Housing, a financial contribution would be secured equivalent to the cost to the developer of providing the remaining eleven units within the scheme. This would provide affordable housing off-site that would be more appropriate to meeting local housing needs. Although subject to discussion relating to the value of the contribution, should agreement be reached on this matter, this financial contribution would also need to be secured by the Section 106 agreement.

The applicants had approached the Solicitor to the Council to request that work be undertaken with the Council to produce a draft Section 106 Agreement seeking to address reason for refusal Nos. 2, 3 and 4. Authority was therefore being sought from the Development Management Committee for the Head of Planning, in consultation with the Solicitor to the Council to prepare the necessary draft Section 106 Agreement to address these matters.

The Committee was assured that this work would not affect the Council's position in relation to Reason for Refusal No. 1 as set out in the Head of Planning's Report, but would remove the need for the Council to defend Reason for Refusal Nos. 2, 3 and 4 at the forthcoming appeal hearing.

RESOLVED: That the Head of Planning, in consultation with the Solicitor to the Council be authorised to complete a legal agreement to address the impacts of the development as identified in Reason for Refusal Nos. 2, 3 and 4 as set out in detail in Report No. PLN1501 considered by the Development Management Committee on 7th January, 2015.

36. **APPEALS PROGRESS REPORT –**

The Committee received the Head of Planning's Report No. PLN1549 concerning the following new appeal:

| Application No. | Description |
|------------------------|--|
| 14/00956/EDCPP | Against the Council's decision to refuse an application for a Certificate of Lawful Existing Use as a single |

dwelling at 35A Camp Road, Farnborough. The appeal would be dealt with by way of the written procedure.

RESOLVED: That the Head of Planning's Report No. PLN1549 be noted.

The Meeting closed at 8.15 p.m.

G.B. LYON
CHAIRMAN

**Development Management Committee
16th September 2015**

Appendix "A"

Application No. & Date Valid: **15/00475/FULPP** **26th June 2015**

Proposal: 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 at **The Queens Head 97 North Lane Aldershot Hampshire**

Applicant: Mr G Boulden

- Reasons:**
- 1 It has not been satisfactorily demonstrated that there is no longer term need for the Public House and that alternative Public Houses are readily accessible to meet the needs of the community in the vicinity in accordance with the requirements of the Council's "Development Affecting Public Houses" Supplementary Planning Document formally adopted by the Council's Cabinet on 2 June 2015. The proposed development would thereby result in the unjustified loss of a community facility contrary to Government Planning Policy and Guidance and also Policy CP10 of the Rushmoor Core Strategy (November 2011).

 - 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 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".

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 21

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 21

Section C – Items for DETERMINATION – Pages 22 to 89

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 90 to 105

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 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 |
|------|----------------|--|
| | 15/00719/REMPP | <p>PART RESERVED MATTERS: Erection of a single storey building for use as a coffee shop with drive through facility, including customer ordering point/height restrictor, and external seating area with associated car parking, access and works pursuant to Conditions 4(a)-(l) inclusive attached to Outline Planning Permission Ref: 99/00744/OUT dated 17th November 2000</p> <p>Land At Junction With Templar Avenue Meadow Gate Avenue Farnborough Hampshire</p> <p>This application has recently been received and consultations are under way.</p> |

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 | David Stevens |
| Application No. | 15/00318/FULPP |
| Date Valid | 20th May 2015 |
| Expiry date of consultations | 10th July 2015 |
| Proposal | Erection of a pair of 3 bedroom semi-detached dwellings, with associated access and parking |
| Address | Land To The Rear Of 42 - 44 Newfield Avenue Farnborough Hampshire |
| Ward | West Heath |
| Applicant | Rio Homes |
| Agent | Pegasus Planning Group |
| Recommendation | Permission would be REFUSED |

Description

This report is in respect of a planning application submitted to the Council in respect of which an appeal has been submitted against the Council's failure to determine the application within the 8 week statutory period. As a result, the Planning Inspectorate are now the determining authority for the application. The purpose of this report is for this Committee to consider what decision would have been taken had the appeal not been submitted. The resulting decision in this respect will form the basis of the Council's case in respect of the appeal.

The application site is formed from the rearmost portions of the gardens of Nos.42 and 44 Newfield Avenue. No.44 Newfield Avenue is a detached bungalow on a corner plot at the junction with Severn Road. No.42 Newfield Avenue is a semi-detached house that has been in use as a small House in Multiple Occupation (falling within Use Class C4) for a number of years.

The site is irregular in shape, approximately 0.032 hectares (320sqm) in area, and measures a maximum of 23 metres deep from Severn Road (east-west) and 15.4 metres wide (north-south). To the rear (north) of the land is a private garage courtyard area used by occupiers of properties in Severn Road and some properties backing onto it from Sunnybank Road. The north-east corner of the site contains a significant Oak tree subject to Tree Preservation

Order (TPO) No.282. There is a further group of Oak trees also covered by the same TPO in the rear garden of No.40 Newfield Avenue.

The proposal is for the erection of a staggered pair of semi-detached 3-bedroom houses on the land, named Plots 1 and 2 on the submitted plans. The houses would front Severn Road, sited at right-angles to Nos.42 and 44 Newfield Avenue, and occupy most of the west half of the site. Each house would have a footprint measuring 5.4 metres wide by 9.2 metres deep. Both would be slightly set back from the road frontage: between 0.8 and 2.4 metres for Plot 1; and between 1.8 and 2.8 metres for Plot 2. The eastern half of the application site would accommodate the rear gardens of the proposed houses, together with the parking for Plot 1. Plot 1 is shown with a rear garden measuring a maximum of 7.2 metres wide by 8 metres deep. Plot 2 would have a slightly larger garden measuring a maximum of 7.7 metres wide by 8.8 metres deep.

Both are shown with two on-site parking spaces. For Plot 1 these are shown beside the rear garden areas with access from the adjoining private garage forecourt. Because these parking spaces would be beneath the canopy of the adjoining TPO Oak tree, the spaces are angled to maintain a degree of separation from the trunk. For Plot 2, parking is shown between the side of the proposed house and the new boundary with No.44 Newfield Avenue. The submitted plans also show sheds for cycle storage and bins within each individual plot.

The proposed houses are of conventional design, with brickwork and tile-hanging and concrete tile roofs. The roofs would have a simple transverse ridge form reaching a maximum 7.4 metres at the ridge.

The application was accompanied by a Planning, Design & Access Statement; and an Arboricultural Impact Assessment and Tree Survey Report. In this latter respect, it is suggested that the parking spaces for the proposed Plot 1 house could be protected from debris falling from the tree by the construction of a car port structure.

The applicants are aware of the need to prepare a s106 Planning Obligation in the form of a Unilateral Undertaking to secure 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 and Avoidance.

Consultee Responses

Transportation
Strategy Officer

Objection : Parking and access for Plot 1 is not suitable and may lead to indiscriminate parking off-site. Sight-lines for access onto road from parking for Plot 2 will need to be demonstrated. A Transport Contribution of £7490 required to address the requirements of the Council's adopted SPD.

Further comments following receipt of information from Hampshire County Council dated 5th August 2015:- I have received confirmation from HCC Highway authority that the access road to the garages is **not** public highway. It would appear that the applicant does not have the right of access to a public highway as stated in their application. Presumably they would now need to demonstrate that they have served notice on the owner of the land that forms an access to garages and confirmation that they have a right for vehicular access over it.

| | |
|--------------------------------------|--|
| Environmental Health | No objections subject to condition and informatives. |
| Natural England | Standing Advice : Unless the appropriate Special Protection Area mitigation and avoidance financial contribution is secured by way of a s106 Planning Obligation (in this case £14,422), the proposals would be likely to have an adverse impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. |
| Aboricultural Officer | Objection : the proposals do not satisfactorily address the issue of the shading impact of the adjoining TPO tree on the living environment that would be created for the proposed new dwellings. There is a consequent likelihood that 'future resident pressure', should the proposed development be permitted, would oblige the Council to permit otherwise inappropriate works to the adjoining significant TPO tree to seek to reduce the shading impact to the detriment of the health, stability and amenity value of the tree. |
| Community - Contracts Manager (Bins) | No objections. |
| Ecologist Officer | No objection on the grounds of biodiversity. |
| Parks Development Officer | No objections and provides information on the POS projects on which the s106 contribution would be used. |
| Environment Agency | The proposals have a low environmental risk. Due to workload prioritisation the EA are unable to make an individual response in respect of the proposed development at this time. |
| Thames Water | No objections. |
| Hampshire & I.O.W. Wildlife Trust | No comments received. |
| Hampshire Fire & Rescue Service | No objections but provides generic fire safety/prevention advice. |
| Crime Prevention Design Advisor | No comments received. |

Neighbours notified

In addition to posting a site notice and press advertisement, 26 individual letters of notification were sent to properties in Newfield Avenue, Severn Road, Swale Road and Sunnybank Close, including all properties physically adjoining the site.

Neighbour comments

The occupiers of 27 Newfield Ave raise objections on the grounds of traffic congestion and parking and overdevelopment in an already crowded area. Allowing additional properties to be built would add to the parking problems on Severn Road, Newfield Avenue and Swale Roads. The new dwellings are claimed to overlook houses on Severn Road and Newfield Avenue causing loss of privacy. A development this close to existing large oak trees may disturb the root system and cause damage.

The occupiers of 34 Newfield Avenue cite past problems with behaviour of tenants at 42 Newfield Ave and suggests that permission for another 2 houses would increase the possibility for more of the same.

The occupiers of 44 Newfield Avenue object to two dwellings being erected.

The occupiers of 46 Newfield Avenue object to the consequent cars and the movement it would generate. The proposed houses would overlook existing back gardens. The owner of the application site would profit at the expense of other residents [Officer Note : this latter point is not a matter that can be taken into account in the consideration of a planning application].

The occupiers of 48 Newfield Avenue object on the grounds that parking will be worse than at present.

The occupiers of 11 Severn Road object to the impact on the parking situation and the lack of visitor spaces for the new houses and to the overlooking impact on houses in Severn Road.

The occupiers of 14 Severn Road object to the impact of the development opposite their home and the loss of openness and privacy, to the resulting additional parking pressure which already impedes refuse and emergency vehicles.

The occupiers of 16 Severn Road object to the parking arrangement for Plot 2 with access close to the corner with Newfield Avenue, a busy junction where cars often park on both sides of Severn Road. Also trees on the plans marked as 'retained' have already been removed.

The occupiers of 4 Swale Road consider the site is too small for two houses and the development will spoil the view

The occupiers of 10 Swale Road object to the access to the dwelling to the rear of No 42 which will cause problems for the resident holders of the garages. The dwelling to the rear of property 44 will cause congestion with any additional vehicles likely to park on the street affecting the surrounding roads in this area.

The occupiers of 98 Sunnybank Road object to rear access to one of the new properties via the entrance to garages at the rear. They also refer to multiple tenants at like No 42 giving rise to antisocial issues. They support retention of the trees.

The occupiers of 1 Middleton Gardens object to the extremely cramped development which does not fully cater for parking. The current street scene will be destroyed as the proposed development looks totally different to anything else.

Support for the proposals is expressed by the occupier of No.40 Newfield Avenue.

Policy and determining issues

The site is located within the built-up area of Farnborough. It is not in a Conservation Area, nor located adjoining a Listed Building.

The Rushmoor Core Strategy was adopted by the Council in October 2011 and, as such, has replaced the Rushmoor Local Plan Review (1996-2011) as being part of the Development Plan for the area. To this end Core Strategy 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 will therefore remain in use for the time being until they are replaced by future tranches of local planning policies. In this respect, Local Plan Policies ENV13 (development affecting trees), ENV17 (general development criteria), H14 (amenity space), TR10 (transport), 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) and National Planning Policy Guidance (NPPG) is also relevant.

Core Strategy Policy CP6 requires, subject to viability, provision of 35% affordable housing with developments of 15 or more net dwellings. However, since the scheme proposes only two additional units, the requirements of this policy do not apply in this case.

In this context, the key determining issues are considered to be:

1. The Principle of the proposals;
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 -

Policy SS1 of the Core Strategy directs new residential development to the urban areas. The site is within the built-up area, where residential development is considered to be acceptable as a matter of basic principle. However, this is provided that the proposed development is appropriate to the character of the area and is found acceptable in respect of all the usual detailed development control issues, such that it satisfies the relevant policies of the Development Plan. The proposed development is clearly seeking to make more efficient use of land within the confines of the urban area, which, within reason, continues to be an objective of both Government planning guidance and local planning policy. This approach is also acknowledged in the Council's adopted Supplementary Planning Document "Housing Density and Design" published in April 2006. However, the National Planning Policy Framework (NPPF) excludes land in private residential gardens from the definition of previously developed land and also suggests that local authorities should consider setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area (Paragraph 53). In this respect, the Guidance also encourages Local Planning Authorities to consider the intrinsic value that garden land has when considering proposals for the development of such land.

Paragraph 7 (Reference ID: 26-020-20140306) of the National Planning Practice Guidance (NPPG) Design Section states that planning should promote local character (including landscape setting). Development should seek to promote character in townscape and landscape by responding to and reinforcing locally distinctive patterns of development. The successful integration of all forms of new development with their surrounding context is an important design objective, irrespective of whether a site lies on the urban fringe or at the heart of a town centre.

Paragraph 20 (Reference ID: 26-020-20140306) of the National Planning Practice Guidance (NPPG) Design Section states that a well-designed space has a distinctive character. Distinctiveness is what often makes a place special and valued. It relies on physical aspects such as:

- * the local pattern of street blocks and plots;
- * building forms;
- * details and materials;
- * style and vernacular;
- * landform and gardens, parks, trees and plants; and
- * wildlife habitats and micro-climates.

As a small urban authority, it is recognised that there is likely to be continued pressure on the development of residential garden land in order to help meet future housing requirements and that in some cases, such proposals could be acceptable. Consequently, it would not be appropriate to restrict development on all residential garden land as a matter of policy, recognising the role that gardens can play in meeting housing need. However, the proposed development in this case has the potential for a number of harmful impacts particularly including on the character of the area, and on living conditions. Residential gardens make a significant contribution to local character, they contain trees, provide safe and secure play space, support biodiversity, help to reduce flood risk and mitigate the effects of climate change. Gardens represent an important wildlife resource, providing a habitat for a wide range of wildlife including garden birds, and collectively can create important local 'green corridors' within the urban area. It is therefore important to weigh these issues up in the balance when assessing the proposal's role in meeting housing need.

In this context, the proposed development is considered to conflict with Paragraph 53 of the NPPF, Paragraphs 7 and 20 of the NPPG Design Section, saved Local Plan Policy ENV17, Policy CP2 of the Core Strategy and Paragraph 4.3 of the Housing Density and Design SPD. In conclusion it is considered that the proposals are unacceptable as a matter of basic planning principle in this instance.

Although objectors have raised concern about the possibility of one or both of the proposed dwellings being occupied in the future as Houses in Multiple Occupation the Council must consider the proposals objectively on their relevant planning merits as submitted. The future intentions of the applicant in this respect, or also their existing HMO use of No.42 Newfield Avenue, are not matters that can be taken into account in the consideration of the current planning application.

2. Design and Visual Impact –

Policy CP2 – Design and Heritage – states that development proposals will be permitted “*where they include high quality design that respects the character and appearance of the local area*”. Additional support for this approach is provided by the NPPF.

Saved Local Plan Policy ENV17 states that development on smaller sites, which accord with other policies of the local plan, “*will be permitted provided that:-*

- (i) The development does not result in any demonstrable harm to amenity;*
- (ii) The scale, layout, materials and design are consistent with the character and appearance of the area and the relationship with adjoining development;*
- (iii) Adequate consideration has been given to the design of spaces around and between buildings, with use of hard and soft landscaping; and*
- (iv) Existing landscape features are used to advantage and, where appropriate, new landscaping is included.”*

Paragraph 4.3 of the Housing Density and Design SPD (2006) states that all development, regardless of its density, and with particular regard to Conservation Areas and Special Character Areas, must respond to its context in terms of layout, building form, height, scale, and materials and should reinforce any appropriate features in the area. In established residential areas, the landscape characteristics are as important as the building characteristics. The NPPF attaches notable weight to good design, and the approach in the Housing Density and Design SPD reflects this and thereby remains a material consideration.

In this case the proposed development is located in a prominent position in a street on a well-frequented busy road link (Severn Road) between adjoining areas of housing estate. The prevailing character of the area containing the application site is one of two-storey semi-detached and terraced properties in relatively narrow plots, but with relatively spacious private rear gardens and also, notably, front garden areas and a corresponding set-back of the buildings from the road frontage to provide spacious streets. Given the age of the existing dwellings in the area, it is apparent that this character dates back at least 40 years and was a deliberate aspect of the Estate layout design undertaken on a comprehensive basis.

It is considered that the proposed development would be an unacceptable overdevelopment through seeking to accommodate too much development for the size and constraints of the site. It is considered that the proposed development would not reflect the existing spatial character of the area because the proposed properties would have plot and garden sizes that would be substantially smaller than existing properties in the vicinity. Significantly, it is

considered that material planning harm would arise because the proposed development would, unlike all other property in the vicinity, have a minimal set back from the site road frontage. Despite the applicant's comments in this respect, there would be only very limited opportunities for landscape planting to the frontage of the site to soften its appearance. Compounded by the prominent position adjacent to a well-frequented Estate link road, it is considered that the proposed new houses would appear unduly prominent in the street; simply serving to emphasise the unacceptably discordant nature of the proposed. The proposed house design would not match adjoining and nearby properties and would, in combination with the prominent position of the site, result in a development that would appear unsympathetic to the established character and appearance of its surroundings.

It is considered that the proposed development would relate poorly to the established spatial character defined by surrounding houses and gardens and, in this context, would appear unduly cramped and poorly contrived to the detriment of the visual character and appearance of the area. It is considered that the form and layout of the proposed development is unacceptable as it would not respect the character of the area, contrary to Policy CP2 of the Rushmoor Core Strategy, saved Local Plan Policy ENV17; National Planning Policy Guidance; and the NPPF.

3. Impact on Trees –

The application site contains a large Oak tree covered by TPO No.282. This tree, together with the further group of TPO Oak trees beyond, makes a significant contribution to the character and appearance of Severn Road. The application is accompanied by an Arboricultural Impact Assessment (AIA) and Tree Survey that considers the impact of the proposed development on these trees during and after construction, and measures to be taken to ensure that these trees would be retained intact. The canopy spread of the TPO tree encompasses the whole of the on-site parking spaces for Plot 1, approximately a third of the rear garden area of Plot 1, and a corner of the rear garden of Plot 2. On this basis the AIA proposes that the parking spaces be constructed with a low-impact construction method; and that bollards be installed to ensure that vehicles cannot collide with the tree whilst being parked alongside. It is also suggested that the parking spaces are covered with a car port arrangement to shelter vehicles from leaves and other tree litter.

The need to locate parking spaces directly under the TPO tree is a further indication of the proposal representing overdevelopment failing to take adequate account of the constraints of the site. If the applicant's view that the development could be implemented without causing significant harm to the tree were accepted, it is considered that there is a strong likelihood in this case that the long-term health, stability and amenity value of the tree would be compromised by 'future resident pressure'. This is the pressure applied in the future by residents of houses for works to be undertaken to remove or inappropriately prune adjoining or nearby tree(s) seeking to improve their living environment.

The kitchen/dining rooms and master bedrooms of both proposed houses would face rear gardens which would be substantially shaded by the TPO tree, especially so in the case of Plot 1. Notwithstanding the suggested car port arrangement to cover the Plot 1 parking, it is considered that there is also the nuisance effect of the tree in terms of leaves, other tree debris rendering difficult the maintenance of a lawn and flower borders within the gardens of the proposed houses. The submitted AIA is dismissive of the 'future resident pressure' concern, possibly on the basis that the Council should be easily able to resist requests from future residents. However it is the Council's experience that such demands are much more difficult in practice. They are often more sustained (sometimes over many years of

campaigning) and difficult to resist when residents argue that their dwellings should never have been permitted in the first instance so close to the trees concerned.

It is considered that the proposed development is likely to threaten the continued existence of TPO trees contributing to the visual character and appearance of the area. The proposals are therefore unacceptable having regard to the requirements of saved Local Plan Policy ENV13.

4. Impact on Neighbours –

The application site immediately abuts existing residential properties to the rear (east) and south side, Nos.40, 42 and 44 Newfield Avenue respectively. The applicant owns No.42 and is understood to have an option to purchase No.44 Newfield Avenue. The closest properties opposite (at a minimum separation of 18 metres wall to wall) are Nos.14 and 16 Severn Road. Other properties located obliquely opposite the application site with a greater separation distance are Nos.10 & 12 Severn Road and 46 Newfield Avenue. To the north, No.11 Severn Road is located beyond the garage court.

However, 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.

Both Nos.42 and 44 Newfield Avenue would retain rear gardens of in excess of 10 metres in depth, thereby retaining adequate amenity space for the use of residents of these existing properties.

5. The Living Environment Provided –

Notwithstanding the concerns already identified in respect of overdevelopment and the shading impact of the adjoining TPO trees, the internal layout and environment of a development is generally solely a functional matter between a developer and his client and is to some extent covered by the Building Regulations. Nevertheless, the application proposes three-bedroom houses of reasonable internal accommodation of a size that could be occupied by families including children. Furthermore, it is considered that the environment into which the proposed houses would be located is considered to be deficient since the majority of the rear garden area of Plot 2 would be subject to potential material direct overlooking from first floor windows in the existing property at No.42 Newfield Avenue. Whilst the submitted plans indicate that some form of screen planting could be provided to overcome this concern, this would be at the expense of further shadowing and confining the rear garden areas and rear windows of the proposed houses. Screening of this nature would take some time to establish and could not be relied upon to remain in perpetuity, especially on account of the shadowing issues that would arise.

It is considered that these deficiencies in the proposed scheme are further evidence of overdevelopment of the site since the concerns arise simply because the site is too small to satisfactorily accommodate the proposed development having regard to the clear constraints imposed by the proximity of established neighbouring residential properties.

6. Highways Considerations –

The application proposes the provision of two on-site parking spaces for each of the proposed dwellings in order to meet the Council's adopted Parking Standards in full.

In this respect, it is considered that the proposed on-site parking for the Plot 2 house is satisfactory in terms of dimensions and proposed access directly onto Severn Road. Nevertheless, with respect to Plot 1, as has been noted in consultee communication between the Council's Transportation Strategy Officer and the Highway Authority (Hampshire County Council), the applicant evidently seeks to rely on the garage court to the north of the site (outside the red-line of the application site) being highway land over which vehicular access can be gained. However, the garage court is not highway land and is in private ownership over which the applicant appears unable to demonstrate that they have a legal right of access. An immediate consequence of this is that there appears to be no legal right of access available to the applicant to the on-site parking spaces shown to be provided for Plot 1.

Setting aside this technical legal concern, the Transportation Strategy Officer has also expressed concern about the poorly contrived way in which the parking for the Plot 1 house is arranged to avoid contact with the TPO tree, since vehicles manoeuvring in and out of the Plot 1 parking spaces are considered likely to result in conflict with users of the garage court. Representations received suggest that the garage court is used by some local residents for off-street parking which would be compromised by the proposed Plot 1 access. As evidenced by the objections raised by a number of local residents, the surrounding roads in the vicinity of the application site have severe existing on-street parking congestion problems, especially in the evenings, overnight and at weekends. It is considered that the net result, whether from vehicles used by occupiers of the proposed Plot 1 house and/or by the displacement of existing parking from the garage court, would be the exacerbation of existing on-street parking congestion problems in the vicinity to the detriment of the safety and convenience of highway users. The proposals are clearly contrary to the Council's adopted 'Parking Standards' SPD and adopted Development Plan policies.

The applicants are aware of the need to make a financial contribution in accordance the Council's Transport Contributions SPD. In this case, this would be £7490 towards highways improvements as identified in the Council's Transport Improvements List to support the School Travel Plan for Cove School. Nevertheless, the necessary s106 Planning Obligation in the form of a Unilateral Undertaking to secure the required Transport Contribution has not been pursued to date by the applicants.

7. Impact on Wildlife –

The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy is now in place. This comprises two elements. Firstly the maintenance 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. Although the applicant is aware of this requirement and the need to make a financial contribution of £14,422 to provide and maintain the SANG at Hawley Meadows to be secured by way of a Section 106 planning obligation, they have not pursued this. 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. However, since the applicants have not to date taken steps to address this policy requirement it is considered that they have not mitigated for the impact of their proposed development on the Thames

Basin Heaths Special Protection Area. The proposals thereby fail to comply with the requirements of Core Strategy Policies CP11 and CP13.

8. Drainage Issues –

The site is located within Flood Zone 1 (land at the lowest risk of flooding), albeit that the area of Severn Road to the north of the adjoining garage court is located within Flood Zone 2 (land at intermediate risk of flooding). The Environment Agency raise no objections as Standing Advice in such circumstances. Nevertheless, the proposal seeks to develop an area of land at the application site that is currently garden land that is undeveloped and not hard-surfaced. The proposed development would result in a significant increase in the amount of hard-surfaced ground at the application site. Core Strategy Policy CP4 requires all new buildings and the development of car parking and hard standings to incorporate Sustainable Drainage Systems (SUDS). Although no specific details are provided, the applicants indicate that surface water drainage would be directed into soakaways. However, this is not necessarily the appropriate response depending upon the drainage characteristics of the ground in this location, the small size of the site and the proximity to TPO trees. Furthermore, the alternative of diverting surface water into the main sewers would not address the requirements of Policy CP4.

9. Renewable Energy and Sustainability –

The supporting Planning, Design & Access Statement seeks to address the requirements of Policy CP3. In this regard it is noted that the submission states that the proposed development has been designed to attain Level 3 of the Code for Sustainable Homes, albeit that the correct requirement of the Policy is to attain Level 4.

However 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 subject to conditions requiring compliance with 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, for the time being, require the attainment of energy performance meeting that of Code Level 4 (or equivalent). This is a reduced requirement from that that would previously have been required to comply with all areas of the Code for Sustainable Homes. It is considered that such measures may be secured by way of condition and on this basis no objection is raised to the proposal in terms of compliance with Policy CP3.

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 garden/private amenity space.

This is a circumstance where a contribution towards off-site provision [in this case £3,800 towards the off-site provision of public open space comprising: a contribution towards replacement playground equipment at Blunden Road Recreation Ground, Farnborough (£2,443.40); and a contribution towards multi-use ball court at Nightingale Close,

Farnborough (£1,356.60)] secured by way of a planning obligation in the form of a Unilateral Undertaking would be appropriate. However, although the applicant is aware of this requirement, they have not pursued addressing this matter. Accordingly, the proposal is not considered acceptable within the terms of Core Strategy Policies CP10, CP11 and CP12 and saved Local Plan Policy OR4.

Other Matter : Revised Proposals –

The applicants have recently submitted an amended plan to the Council in respect of their proposals in the hope that this would be considered more favourably, enable a fresh planning application to be submitted to the Council for consideration, and possibly enable the current appeal to be withdrawn. The main changes to the scheme involve the re-design of the Plot 1 house associated with its reduction to one-bedroom size, thereby reducing the on-site parking requirement for this house to one space only and enabling the enlargement of the rear garden for the Plot 2 house. Internally, it is noted that the Plot 1 house is arranged such that the main habitable rooms have windows facing the street rather than looking over the rear garden.

It is considered that these revised proposals do not address the Council's identified concerns about the current proposals already at appeal. The proposed development would still involve the unacceptable development of garden land; and the proposed development would appear unduly prominent, out of character and unsympathetic to its surroundings. It is considered that the revised design would appear more incongruous and poorly contrived. It is considered that the proposals still fail to adequately address the potential impacts upon the TPO tree : the parking is still shown to be located under the canopy of the tree with a bicycle storage shed located alongside also. It is considered that the 'future resident pressure' issue remains a significant concern in terms of the outlook from the proposed houses, the use of the garden areas and the other nuisance impacts of the adjoining TPO tree. Vehicular access for Plot 1 would remain via the adjoining garage court over which the applicant has not demonstrated any legal right of access. Whilst the revised plan shows a one-bedroom unit, the floor area of the single bedroom exceeds the area of two of the bedrooms in the adjoining Plot 2 house, suggesting that the parking requirement for the property ought to remain two spaces. The issue of overlooking of the rear garden area of the Plot 2 house from the first floor of No.42 Newfield Avenue remains. Dealing with this matter by the provision of screen planting would only exacerbate the extent of shading and enclosure of the rear gardens of the proposed houses. The applicant has been advised that their revised plans are not considered to form any basis for an acceptable scheme and clearly continue to demonstrate symptoms of unacceptable overdevelopment.

Conclusions -

Since it is clear Government guidance that Local Planning Authorities should reject poorly designed unsustainable schemes that fail to properly take account of the characteristics of the site and their surroundings, and also the functional requirements for the proposed development, it is recommended that the Council should advise that Planning Inspectorate that planning permission would have been refused had the application remained with the Council for determination. In addition, the applicant has not addressed the requirements of adopted Development Plan Policies relating to all of the developer contributions required in this case : SPA Mitigation and Avoidance, Transport Contribution and Public Open Space, all of which would have also been reasons for refusal.

FULL RECOMMENDATION

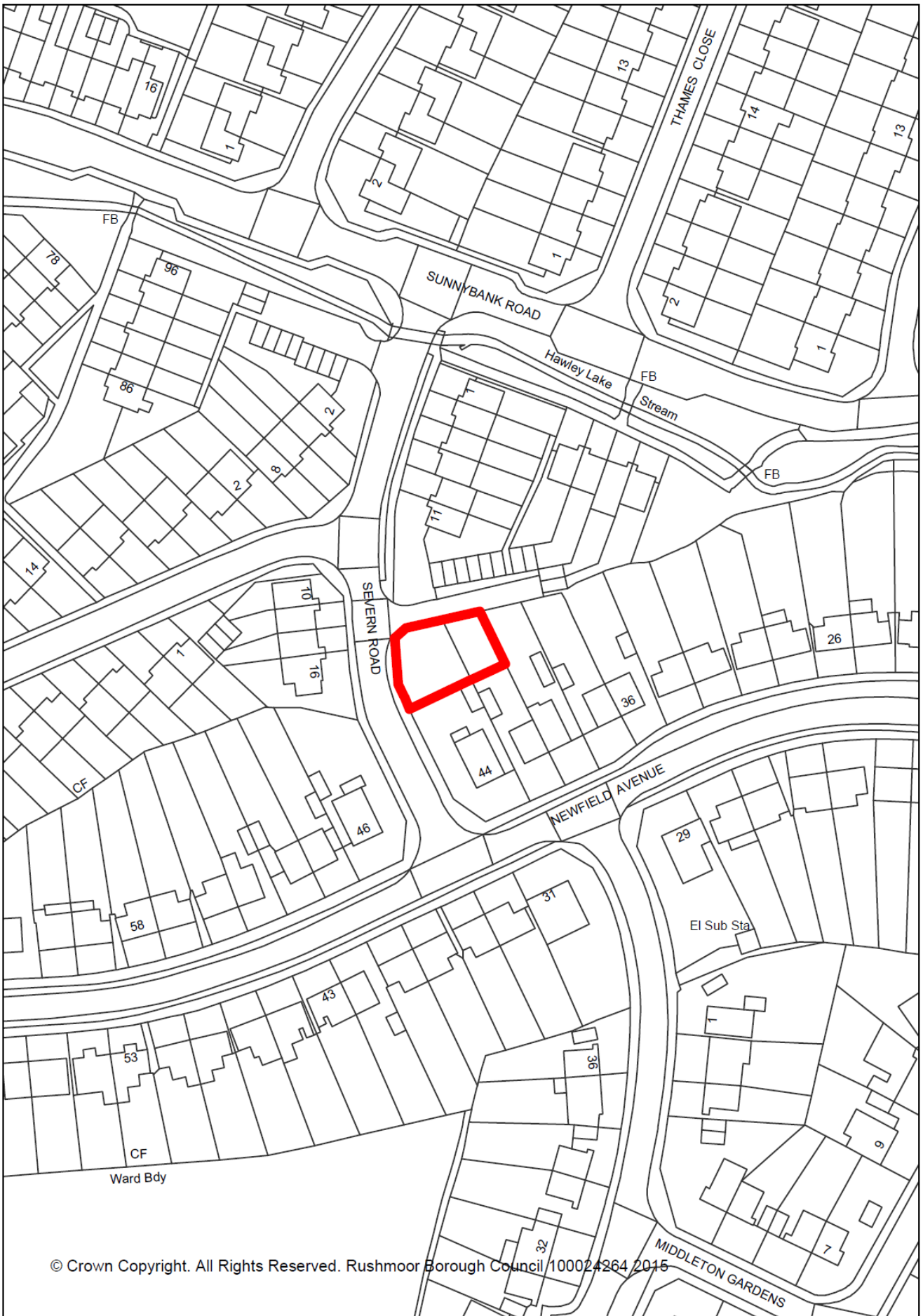
It is recommended that the Planning Inspectorate be advised in respect of the appeal that, had the application remained with the Council for determination, the application would have been **REFUSED** for the following reasons:-

- 1 The proposed development, by reason of the prominent readily visible location, restricted size of the plot, the footprint of the proposed building, the design of the proposed development and the lack of adequate space around the proposed building would be an unacceptably cramped, poorly contrived, unsustainable and incongruous form of development which would relate poorly and unsympathetically to its surroundings in terms of its setting and context, plot and garden size, details and materials, style and vernacular and likely adverse impact on established trees and biodiversity. The proposal would therefore adversely affect the character and amenity of the area and constitute an unacceptable overdevelopment of residential garden land contrary to the provisions of Rushmoor Core Strategy Policies CP1 and CP2 and saved Local Plan Policies ENV13 and ENV17; the National Planning Policy Framework/Practice Guidance; and the Council's adopted "Housing Density and Design" and "Sustainable Design and Construction" Supplementary Planning Documents, both adopted in April 2006.
- 2 The proposal, by reason of the potential future loss of trees worthy of retention (subject to Tree Preservation Order No.282), would have a material and detrimental impact on the visual character and appearance of the area, contrary to Policy CP2 of the Rushmoor Core Strategy (October 2011), saved Local Plan Policies ENV13 and ENV17, the Council's adopted SPD "Housing Density and Design" and National Planning Policy Framework/Practice Guidance.
- 3 The proposed development would fail to provide an adequate living environment for potential future occupiers contrary to the provisions of Rushmoor Core Strategy Policies CP1 and CP2 and saved Local Plan Policies ENV17 and H14.
- 4 It has not been demonstrated that a legal right of access exists across adjoining private land (garage court) outside the application site to the public highway at Severn Road that is relied upon to enable the use of the on-site parking proposed for the Plot 1 house. Furthermore the proposed contrived arrangement of the parking for the Plot 1 house would be likely to lead to vehicular movements in conflict with the users of the adjoining garage court to the detriment of the safety and convenience of users of this adjoining land. The lack of any demonstrated legal rights to gain access to the proposed parking for the Plot 1 house in perpetuity could result in provision of a new dwelling that would be totally deficient in on-site parking. The proposals are thereby likely to give rise to lead to significant additional indiscriminate parking on the road in a vicinity with severe existing on-street parking congestion problems, to the detriment of the safety and convenience of highway users. The inability to provide adequate on-site parking is a further symptom of the unacceptable overdevelopment of the site. The proposals are thereby contrary to Policies CP2 and CP16 of the adopted Rushmoor Core Strategy and the Council's adopted Parking Standards SPD 2012.
- 5 The proposals fail to provide adequate details of surface water drainage to take account of the significant additional hard-surfaced area that is proposed contrary to Policy CP4 of the adopted Rushmoor Core Strategy (2011).

- 6 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.
- 7 The proposal does 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.
- 8 The proposal does 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".

INFORMATIVE

- 1 **INFORMATIVE - THE FOLLOWING PLANS WERE CONSIDERED IN MAKING THIS DECISION:-** PSD Architectural Services Drawing No.197/001 REV.A; and K.A.RYLANCE LTD. Drawing No.14:4770.



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NOTE:
Rear access drive is onto public highway.

1.8m high timber post and panel fencing

Car space of 2400mm wide positioned on the angle min 600mm off the existing tree which is to be retained all in accordance with site visit / advice from tree officer.

Acro 5000 carport (see image) for Plot 1 (3600mm wide x 5000mm long x 2400mm high)

2 New dwellings approx. 800sqft each

Approx 20m separation distance

Existing tree retained.

New Tree.

1.8m high timber post and panel fencing

Existing Bungalow and detached garage to rear garden

Existing Bungalow and detached garage to rear garden

NOTE:
Secure cycle sheds within rear gardens.

New Tree.

Low level box hedge to front garden to provide defensible barrier (Max 600mm high)

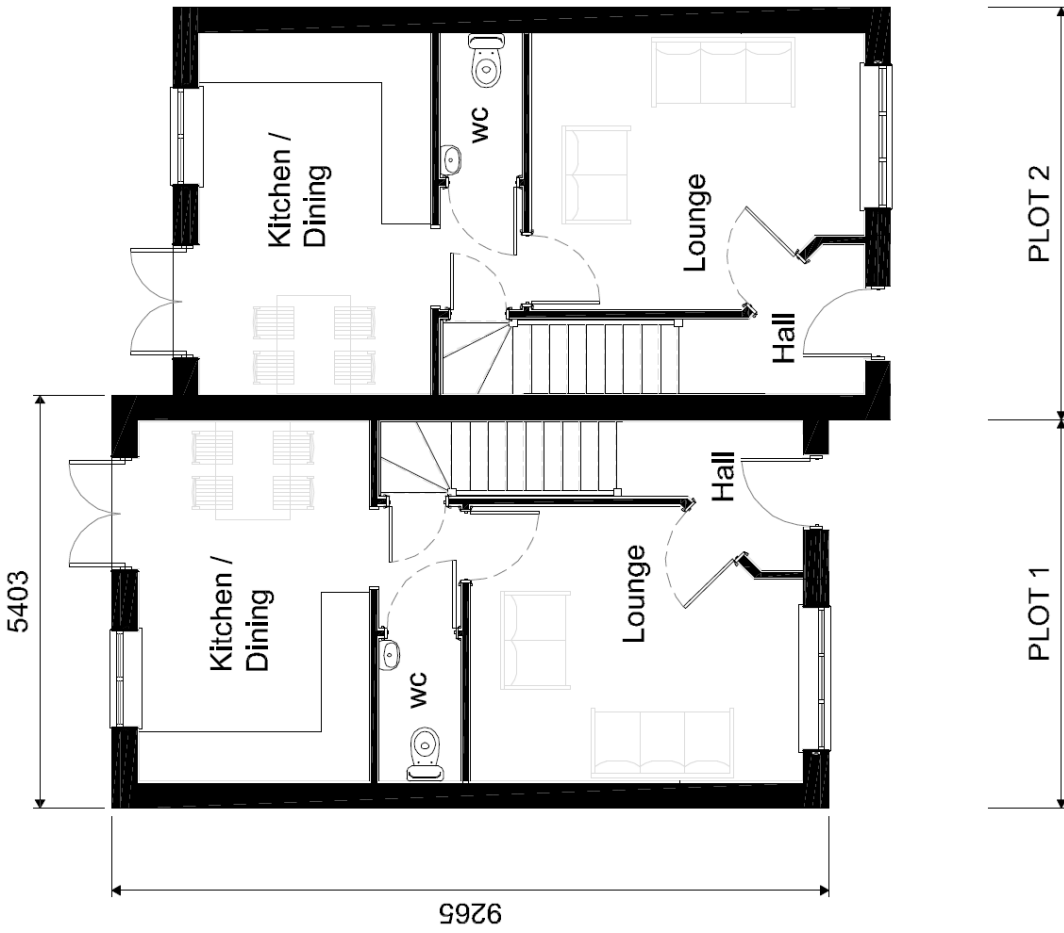
4ft high timber fence (TBC)

Low level box hedge to front garden to provide defensible barrier (Max 600mm high)

Visibility splays 2.4m x 43m (red dashed lines)

2 New car spaces for Plot 2 (2400mm x 4800mm with space to circulate around cars)

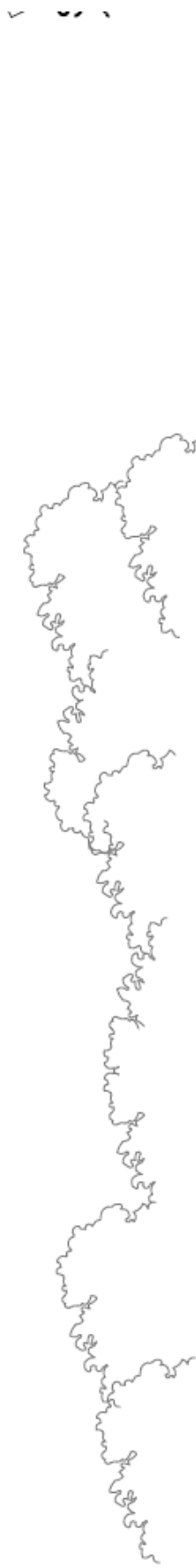
Existing trees retained.



Plot 1 & 2 - Ground Floor Plans
1:100 Scale

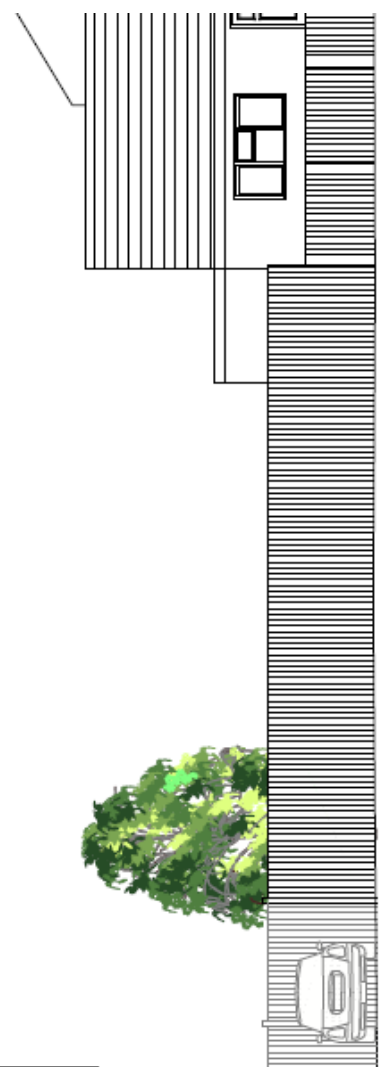


Plot 1 & 2 - First Floor Plans



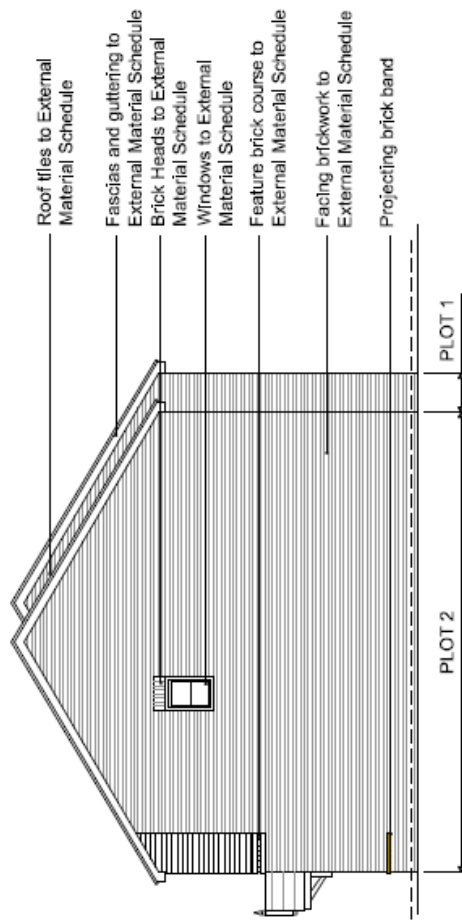
Low level box hedge to front garden to provide defensible barrier (Max 600mm high)

Plots 1 & 2
Draft Sketch Street Scene
(Severn Road)
Scale 1:100



No. 44

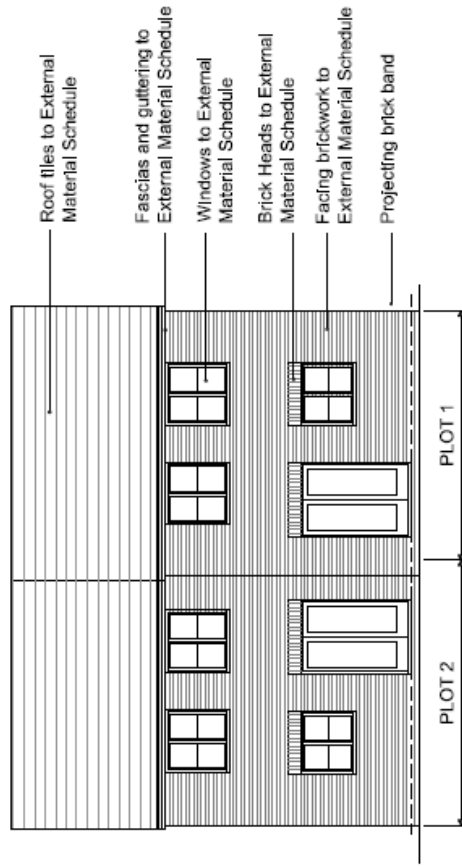
Low level box hedge to front garden to provide defensible barrier (Max 600mm high)



- Roof tiles to External Material Schedule
- Fascias and guttering to External Material Schedule
- Brick Heads to External Material Schedule
- Windows to External Material Schedule
- Feature brick course to External Material Schedule
- Facing brickwork to External Material Schedule
- Projecting brick band

PLOT 2 PLOT 1

Plot 1 & 2 - Side Elevation

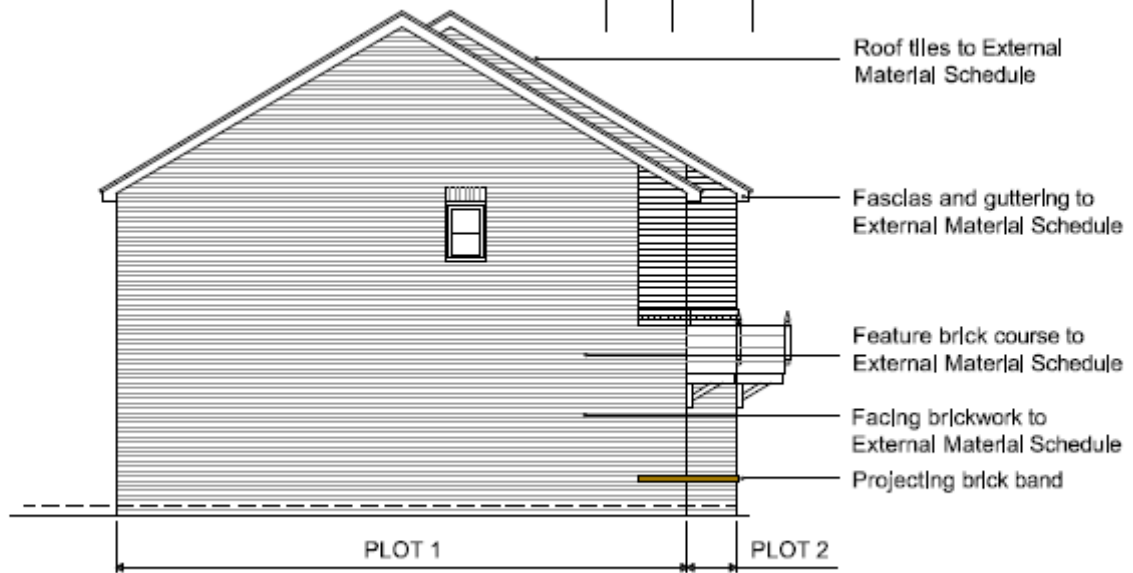


- Roof tiles to External Material Schedule
- Fascias and guttering to External Material Schedule
- Windows to External Material Schedule
- Brick Heads to External Material Schedule
- Facing brickwork to External Material Schedule
- Projecting brick band

PLOT 2 PLOT 1

Plot 1 & 2 - Rear Elevation

| Rev. | Date | Details |
|------|----------|-----------------------------------|
| A | 19.05.15 | Planning officers comments added. |



Plot 1 & 2 - Side Elevation

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 | Sarita Jones |
| Application No. | 15/00606/FULPP |
| Date Valid | 14th August 2015 |
| Expiry date of consultations | 7th September 2015 |
| Proposal | Demolition of existing buildings and erection of 8 three bedroom houses and 5 two bedroom apartments with associated car parking and formation of new vehicular access onto Queens Road. |
| Address | 31 To 33 Queens Road And 62 Peabody Road Farnborough Hampshire |
| Ward | St Mark's |
| Applicant | Sheldons Bakery (Farnborough) Ltd |
| Agent | Mr Michael Simpson |
| Recommendation | GRANT subject to undertaking |

Description

This generally rectangular site is located adjacent to the roundabout junction of Queens Road and Peabody Road. The majority of the site is occupied by a previously extended part single, part two storey building (31 Queens Road) which is surrounded by areas of hardstanding used as for car parking and servicing of all buildings on the site. This building is currently vacant and was last used as a bakery (2008). It is of a dark hued multi brick construction with a pantile roof and has been much altered. There is also a detached two storey building, with frontages to both Queens Road and Peabody Road (33 Queens Road and 62 Peabody Road), which is also vacant. It was last used as a florists on the ground floor with a self-contained residential flat above. This building is of a red brick and tile construction and appears to date from the late 19th/early 20th century. Whilst the site appears generally flat, there is a difference in level of about 0.8 metres between eastern (highest) and west (lowest) site boundaries. There are two existing vehicular access points serving the site, both of which are on Queens Road. St Mark's Church of England Primary School lies to the west of the site. The school building is of a red/orange brick construction and is characterised by gables with pitched roofs. It is designated as a Building of Local Importance. Adjacent to the common boundary with the site there are flexible surfaced play areas with learning and growing areas. The existing common boundary treatment consists of a variety of fencing, brick walls and trellis of different heights. 60 Peabody Road lies to the south and is within the ownership of the applicant. This is a two storey end terrace property

with parking to the front and garden to the rear. The parking/garage court serving 24-30 (evens) High Street, a terrace of two storey dwellings circa mid/late 20th century, also lies to the south. 35 Queens Road and 47a Peabody Road lie to the east of the site. These premises comprise a part single, part two storey building, with a white painted and render finish, which has been subdivided and is in use as an Indian restaurant and takeaway (Queens Road) and Italian restaurant (Peabody Road) with residential accommodation above. 62-76 Queens Road lie to the north of the site and comprises a terrace of two storey dwellings built in the first half of the 20th century with small front gardens (some 3 metres in depth). These properties do not benefit from off street car parking. Adjacent to this terrace there is also an overgrown area enclosed by low wooden fencing/boards. This is the subject of a planning appeal for a pair of semi-detached houses with access from Peabody Road which is currently awaiting a decision from the Planning Inspectorate, 15/00041/FULPP. To the north east of the site there is a single storey building which is in use as a convenience store. On-street parking controls are in operation in Queens Road as is a residents' permit scheme.

There is a varied planning history on this site with the following applications considered to the most relevant to the current proposal.

In May 1993 planning permission, 91/00635/COU was granted for the erection of single storey and first floor side extensions and change of use of social club to bakery. This permission was subject to a section 106 obligation which restricted the use of 31 Queens Road to that of a bakery and for no other purpose within Use Class B1 of the Town and Country Planning (Use Classes) Order 1987 as amended and also to preclude bulk deliveries of raw materials to premises except between 8am to 6pm Mondays to Fridays. This permission was implemented.

In March 1996 a variation of condition 14 attached to planning permission 91/00635/COU was approved, 96/00061/FUL, to allow re-allocation of car parking spaces within the approved car park. This included the retention of three car parking spaces for visitors to 33 Queens Road/62 Peabody Road.

The current proposal seeks permission to demolish all existing buildings on the site and erect a terraced development with a pitched roof consisting of 8 three bedroom houses and 5 two bedroom apartments with associated car parking, and formation of new vehicular entrance from Queens Road. Two terraces of four houses, one fronting Queens Road and the other onto Peabody Road would be linked by a three storey element at the junction containing 5 two bedroom apartments. Separation distances of some 0.5 metres are retained between the houses and the common boundaries with St Mark's Church of England Primary School to the west and 60 Peabody Road, to the south. The proposed houses are two storey in appearance with accommodation in the roofspace facilitated by velux windows to the front and dormer windows to the rear. The houses would have rear gardens with gated pedestrian access to the car parking area. The apartment element is part two storey, part three storey with accommodation in the roofspace facilitated by velux windows to the front and rear. It is served by a staircase and a lift. The general height of the development is about 11 metres increasing to a maximum ridge height of 11.5 metres with gabled pitched roofs. The roofs for the houses also include chimneys in the rear roof planes. The proposed materials include a mixture of facing brick and render with mock slate roof tiles. The existing vehicular entrance points from Queens Road will be stopped up and a new entrance provided some 17 metres from the junction of Queens Road and Peabody Road. A gated archway, with gates situated some 6 metres back from the highway would pass beneath the building leading to a parking court of 21 spaces at the rear. One space would be to disabled standard. This opening also provides the main pedestrian access into the flats. An enclosed communal bin/cycle store

for the flats is provided within the ground floor of the apartment adjacent to the entrance.

The application is supported by a marketing/sustainability report, a design, access and planning statement, a Stage I desktop study and walkover survey report and an outline SUDS drainage design.

Consultee Responses

| | |
|--------------------------------------|--|
| Planning Policy | raises no objection to the proposal. |
| Community - Contracts Manager | raises no objection to the proposal. |
| Parks Development Officer | raises no objection subject to a financial contribution in relation to "saved" local plan policy OR4. |
| Hampshire Fire & Rescue Service | advises that the development should take place in accordance with Approved Document B5 of the Building Regulations and section 12 of the Hampshire Act 1983. It also makes recommendations in relation to access for high reach appliances, water supplies, the use of sprinklers, fire fighting and the environment and timber framed buildings. |
| Transportation Strategy Officer | raises no objection to the proposal. |
| Thames Water | raises no objection to the proposal in terms of sewerage infrastructure. In terms of surface water it advises that it is the responsibility of the developer to make proper provision for drainage to ground, watercourses or a suitable sewer. It recommends that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. |
| Surface Water Drainage Consultations | is satisfied with the general principles for surface water drainage and recommends further information be submitted as part of a more detailed design phase. |
| Environmental Health | raises no objection to the proposal subject to conditions. |
| Environment Agency | raises no objection to the proposal and makes recommendations in respect of the use of soakaways. |

Neighbours notified

In addition to posting two site notices (one on Queens Road and one on Peabody Road) and

press advertisement, 52 individual letters of notification were sent to High Street, Peabody Road and Queens Road including and St Mark's Church of England Primary School.

Neighbour comments

Representations have been received from 26 and 28 High Street objecting to the proposal on the following grounds:

- the three storey height of the houses is out of place in an area predominated by 2 storey terraced houses;
- the proposed development will result in direct overlooking to house and garden resulting in a loss of privacy and enjoyment of home and garden;
- the density is too high for an area where local residents are already unable to find primary school places in local schools;

Whilst recognising the need for new housing, Cllr Corps writes in her role as local councillor and as Governor of St Mark's Primary School raising the following concerns:

- does not think that the close proximity of building with windows overlooking the school play area is acceptable in view of child safety issues;
- the noise, mess and disruption while building close to learning areas will be extremely difficult for the staff and pupils;
- the plans are too near the boundary with the school and are too compact;
- car parking spaces are at a premium in the areas of Queens Road and Peabody Road and with the most basic of required spaces, there will inevitably be an overspill of cars and on what is a very busy corner creating a safety issue;
- parking is required in this area - notably for the staff at the school.

Whilst supporting the development of the site for housing the Farnborough Society's Planning Group objects to the proposal on the following grounds:

- overdevelopment of the site, resulting in rather cramped, confined living conditions;
- the parking arrangements are unsatisfactory believing this could well result in neighbour disputes.

The Chair of Governors for St Mark's CE Primary School raises the following concerns and issues:

- potential for extensive disruption to children's education due to noise and dust and recommends that demolition takes place outside term time, suitable screening be supplied and installed to their two Early Years doors to prevent dust entering the building, limited noise before 9.30am during act of worship and statutory testing times (the school would welcome consultation on this);
- inadequate height of perimeter fencing during construction and recommends that the fencing will be of an adequate height to ensure users of the school site are safe at all times;
- having regard to their legal duty of care for health, safety, security and wellbeing of all pupils and staff, concern that the Early Years setting within the school may be in direct or indirect sight from windows of the newly constructed properties and seeks assurances that controls are in place to ensure appropriate behaviour and conduct of construction site personnel working in proximity to a school. There is a request that any future alterations to windows are refused, the existing perimeter wall is increased in height, rest areas for construction staff are placed away from the school boundary and all construction staff undertake a DBS check;

- increase in contractor related traffic and parking during the development and the knock on effect for parking on High Street. There is a request that deliveries take place outside school drop off and pick up times and welcome any additional solutions to alleviate the reduction in available parking for parents;
- information on the removal/relocation of the foundation stone from site belonging to the school.

A representation has been received from 25 Lynchford Road which comments that noise pollution could adversely affect learning, and that dust and other contaminants pose health risks in children. It seeks assurances as a parent of a child at St Marks that the regulating bodies have mandated sufficient precautions regarding dust and other debris polluting the school grounds.

A representation has received from 70 Queens Road seeking confirmation that existing parking outside the site will be retained in the NC2 permit area as it is important that this is retained as it is used by existing residents/visitors to the area and the new development will only serve to exacerbate demand. A request is made to impose restrictions on construction hours.

Policy and determining issues

The application site is located within the North Camp area of Farnborough. As such Policies SS1 (The Spatial Strategy), 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), CP8 (Supporting Economic Development), CP10 (Infrastructure Provision), 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) of the Rushmoor Core Strategy and “saved” Local Plan Policies ENV16 (Development Characteristics), ENV19 (New Landscaping Requirements), ENV41-44 (Flood Risk), ENV48, ENV49, ENV50 and ENV51 (Environmental Pollution and Noise), H14 (amenity space), TR10 (Contributions for Local Transport Infrastructure), and OR4/OR4.1 (Open Space) are relevant to the consideration of this proposal. The Council's adopted planning documents (SPD) on 'Housing Density and Design' (May 2006), 'Planning Contributions - Transport' 2008; and 'Car and Cycle Parking Standards', 2012, the Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy as updated July 2014 and the advice contained in the National Planning Policy Framework/Planning Practice Guidance are also relevant.

The main determining issues are the principle of development, the effect on the character of the area, the impact on neighbours, the living environment created, flood risk and drainage issues, highway considerations, open space provision, nature conservation and renewable energy and construction.

Commentary

The principle of development

The site is located outside of the defined District Centre. There is therefore no protection

offered to the existing A1 ground floor use. Such a use would be better located within the defined centre/shopping core. Subsequently, there is no objection to the loss of the existing retail unit.

It is noted that the existing planning permission for 31 Queens Road restricts its use, by legal agreement, to a bakery within Use Class B1 which would severely limit any potential new occupiers of the site. Notwithstanding this, the premises have been marketed for general B1 purposes. It is recognised that the existing B1 use is not located within a defined Key Employment Site. Despite ongoing marketing, no viable tenant has been found. This view is confirmed by the submitted Hollis Hockley report. Paragraph 22 of the NPPF states that where there is no reasonable prospect of a site being used for employment use, applications for alternative uses should be treated on their merits having regard to market signals and the need for different land uses. There is an evident need for housing and subsequently there is no objection to the loss of the existing B1 use. Having regard to the above, there is no objection in principle to residential redevelopment of the site subject to consideration of the following matters.

The effect on the character of the area

North Camp was the original town centre for Farnborough. Following the relocation of the town centre to its current position, North Camp has evolved into a vibrant district centre serving the local community. The visual character of the general North Camp area is eclectic with buildings of varying heights, designs and use of materials serving a variety of land uses. The majority of the application site is unusual in that it does not comprise frontage development, nor does it have a conventional rectangular or square footprint which is typical in the area. The existing bakery is sited centrally within the site and is encircled by car parking and servicing areas. Given its visually disjointed appearance, it is not considered to make a significant contribution to the character of the area.

33 Queens Road/62 Peabody Road is a red brick building located at the junction of Queens Road and Peabody Road. It is a reflection of typical edge of pavement development that is characteristic of this part of Peabody Road, to the south of the roundabout. In the immediate vicinity of the site there is a mixture of two storey housing, part single/part two storey buildings in mixed commercial/residential uses and a primary school building. With the exception of the school there is limited, if any, space between buildings and the back of the pavement.

It is recognised that the proposed development will have a different impact on the character of the area in terms of both built form and land use particularly the introduction of a three storey element, accommodation within the roofspace and the overall height. However it includes many elements which may be seen in the area, including frontage development, symmetrical elevations, pitched roofs and chimneys, the use of brick and render and residential use. Furthermore existing three storey development may be seen in the vicinity of the site for example at Queenstone Mews 42 Queens Road, Arnella Court 92 Queens Road, 39-43 odds Queens Road and 1-11 The Ferns 44 Peabody Road.

The application site is important in that it occupies a prominent junction location. The proposed development will introduce a visually more significant building which will redefine this junction. It is considered to be compatible with existing development in terms of layout, pattern of development, design and use of materials. The increase in height and amount of development is different but is not considered to be unacceptable in this location. Having regard to the above no objection is raised to the proposal in visual amenity terms.

The impact on neighbours

St Marks Church of England Primary School lies to the west of the site. Whilst the Governors do not object to the principle of development, they raise various concerns about the practical implications of developing the site. In this regard, development sites are controlled by different legislative controls including Planning, Building Control, Environmental Health and the Health and Safety Executive. From a planning perspective, it is proposed to impose conditions concerning the submission of a construction method statement to include protection of the common boundary during construction, the location of site buildings and parking of contractors vehicles, to preclude deliveries before 10am Mondays to Fridays and to require the submission of details of the final boundary treatment. As the planning system deals with land use it cannot impose restrictions concerning the need to complete Disclosure and Barring Service checks for construction staff. If concerns are raised about inappropriate behaviour, they would become a matter for investigation by Hampshire Police

It is recognised that the school will be overlooked by windows in the upper floors of the development. However, the school is already subject to direct and indirect overlooking from the existing bakery building and residential properties in Queens Road, High Street and, to some extent, Peabody Road. Having regard to the existing situation and the nature of overlooking proposed, which is primarily from bedroom windows, the proposal is not considered to result in material loss of privacy to pupils or teachers. Furthermore the introduction of a wholly residential use on this site when compared to a fully operational bakery with its associated activities is considered to be a long term benefit to all adjoining occupiers.

With regard to the occupiers of 24-30 evens High Street, it is noted that, in terms of direct overlooking, a separation distance in excess of 33 metres will be retained between the rear elevations of the proposed houses on Queens Road and these properties. Indirect overlooking will occur from the proposed houses in Peabody Road with a minimum separation distance of 26 metres shown to be retained. The proposed separation distances are considered to be sufficient to retain appropriate levels of privacy for these occupiers. No material loss of privacy to these occupiers is considered to result. Given the orientation of the development and the separation distances proposed, no material overshadowing or overbearing impacts are considered to result from the proposal. The proposed car parking area for the development is proposed adjacent to the common boundary for the parking/garage court that serves 24-30 High Street. This relationship is considered to be acceptable.

With regard to the existing properties in Queens Road to the north of the site, including the proposed houses the subject of appeal, it is recognised that there will be an increase in direct overlooking to these residents. However given that separation distances in excess of 19 metres will be retained between existing and proposed facades and as the resultant relationship is one that is typically seen within suburban streets, no material loss of privacy is considered to result. The proposed development is to the south of the houses and has the potential to result in a degree of overshadowing/overbearing impacts as a result of its height and siting. However having regard to the separation distances to be retained the resultant impacts are not considered to result in an unacceptable loss of amenity to these occupiers.

With regard to the occupiers of 60 Peabody Road, it is noted that this property is owned by the applicant. Notwithstanding this is, it is appropriate to assess the impact of the proposal on this property. As existing 60 Peabody Road is an end terrace property with a parking area to the front. The outlook from existing front windows will change as the proposed

houses on the Peabody Road frontage are proposed to be sited some two metres forward of the existing house. This will result in some impact to these occupiers but given the relatively small distance proposed this is not considered to result in unacceptable building relationships. In this regard, it is also noted that a similar building relationship exists between 43 and 45 Queens Road, some 69 metres to the east of the application site. There will be a change to the existing pattern of overlooking in that bedroom windows in the houses and a first floor kitchen window serving a flat will overlook the side elevation of 60 Peabody Road and its rear garden. However, given that will either be oblique, in some part screened from the existing two storey rear projection at 60 Peabody Road or windows will be some distance away ie bedroom/kitchen windows for development on the Queens Road frontage no material loss of privacy to the occupiers of 60 Peabody Road is considered to result. No objection is therefore raised to the proposal in terms of its impact on these residents.

As existing the first floor flat at 62 Peabody Road directly overlooks the food and drink uses at 35 Queens Road and 47a Queens Road and the first floor residential accommodation above. With the introduction of the flats on the junction and the continuation of residential development up to the boundary with 60 Peabody Road, there will be an increase in direct overlooking from new bedrooms for the houses and kitchen/dining/living rooms with juliet balconies. However, having regard to existing building relationships, the mixed residential/commercial character of this part of Peabody Road, separation distances of between 14 and 15 metres being retained between existing and proposed facades, no material loss of privacy is considered to result. The proposed development is to the west of the houses and has the potential to result in a degree of overshadowing/overbearing impacts as a result of its height and siting. However, given the existing building relationships, the orientation of development and the separation distances to be retained, the resultant impacts are not considered to result in an unacceptable loss of amenity to these commercial/residential occupiers.

The living environment created

In space terms the proposed dwellings would provide an acceptable living environment for its future occupants. The proposed houses have rear gardens which are comparable in size to those seen at 24-30 High Street to the rear of the site. The majority of the flats have juliet balconies. Having regard to the proximity of the Queens Road recreation ground, it is considered that an acceptable level of usable amenity space commensurate with the type of development proposed would be provided. Refuse/recycling bin and cycle storage would be provided within each house with a communal storage area for proposed for the flats which may be secured by way of condition. The design of the development and retained separation distances proposed between dwellings are considered sufficient to safeguard the amenities of future occupiers in terms of privacy and outlook. However it is considered appropriate to impose conditions securing the use of obscure glazing in the first floor south elevation of the flats to safeguard appropriate levels of privacy to the occupiers of the houses proposed fronting onto Peabody Road and to remove permitted development rights for the houses. Subject to the imposition of these conditions, it is considered that the proposal would create a satisfactory living environment for future residents and is acceptable.

Flood risk and drainage issues

Policy CP4 relates to surface water flooding and seeks details of sustainable drainage systems that will be incorporated into the development. It is noted that there are no permeable areas within the existing site. The introduction of garden areas and the use of permeable hard surfaces will be a positive benefit to surface water drainage. Notwithstanding this the application is supported by an outline SUDS drainage design. This

information has been considered in detail by the Environment Agency (EA), Hampshire County Council, in its role as Lead Local Flood Authority (LLFA) and Thames Water. The EA, LLFA and Thames Water are satisfied with the information submitted to date subject to further information being submitted as part of a more detailed design phase. These details may be secured by way of condition. Furthermore Thames Water raise no objection to the proposal in terms of sewerage infrastructure. Subject to the imposition of a condition as set out above no objection is raised to the proposal in terms of policy CP4.

Highway considerations

The Rushmoor Car & Cycle Parking Standards SPD (March 2012) refers to 2 parking spaces per unit for 2/3 bedroom units. In considering this application the Council's Transportation Strategy Officer has taken into account that development in the vicinity of the site has been allowed on appeal by the Planning Inspectorate with off street parking less than the parking standard on the basis that this area is considered to enjoy good accessibility with local shops within walking distance and access to bus and rail public transport within a reasonable walking distance. In his view it is reasonable for a development of this scale to provide 2 parking spaces for each of the three bedroom houses and 1 parking space for each of the residential flats, a total of 21 parking spaces as shown on the site layout. Our parking standard would also require consideration of 3 visitor parking spaces. However, in view of the proximity of the Peabody Road public car park he is satisfied that this requirement is not needed on site. The location of the proposed bin and cycle stores are acceptable and are to be secured by way of condition.

The Transportation Strategy Officer has considered the proposed parking layout and access arrangements and he is generally satisfied with the proposed arrangements. However the relationship of parking spaces to the rear access gates is such that it is considered appropriate to impose a condition seeking a parking allocation plan to ensure that appropriate rear pedestrian access to the proposed houses is retained. The gated access into the development on the vehicular access is 4.8m wide with a margin of 500mm on one side. The gates are located at more than 6m into the site (from the back of the footway) to enable vehicles to pull off Queens Road. However for this access to operate safely it is important that no obstructions for example bins, are placed in this access way. It is therefore considered appropriate to impose a condition requiring the access to be kept clear. The proposed vehicular access to the development will replace two existing vehicular access which will need to be reinstated to full height together with an extension to the existing on street parking bays to relate to the new street scene. These works may also be secured by way of condition.

The Transportation Strategy Officer is also satisfied that as there is no increase in multi modal trips arising from the development when compared to the existing uses on site, there is no requirement for a financial contribution in respect of the Council's SPD on Planning Contributions - Transport. Subject to the imposition of conditions as set out above, no objection is raised to the proposal on highway grounds.

Open space provision

The Local Plan seeks to ensure that adequate open space provision is made to cater for future residents in connection with new residential developments. 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 garden/private amenity space. This is a circumstance where a contribution towards off-site provision, in this case for the development of copse area for nature conservation/education, the provision of upgraded gate and improvement to changing facilities all at Queens Road Recreation Ground by way of a planning obligation may be appropriate. The applicant is in the process of completing the necessary agreement and subject to this no objection is raised to the proposal within the terms of Policy OR4.

Nature conservation

The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy is now in place. This comprises two elements - a Suitable Alternative Natural Greenspace (SANG) at Hawley Meadows/Blackwater Park to divert additional recreational pressure away from the Thames Basin Heaths Special Protection Area (TBHSPA) and 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 Hawley Meadows/Blackwater Park SANG will be considered. In accordance with the strategy the applicant has agreed to make the requisite financial contribution. The applicant is in the process of completing the necessary agreement and subject to this no objection is raised to the proposal in terms of its impact on the TBHSPA having regard to the above strategy and development plan policy.

Renewable energy and construction.

Following the Royal Assent of the Deregulation Bill 2015 (26 March 2015) the government's current policy position is that planning permissions should not be granted requiring or subject to conditions requiring, compliance with any technical housing standards for example the Code for Sustainable Homes, other than for those areas where authorities have existing policies. In Rushmoor's case 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.

Conclusion

In conclusion the proposal is acceptable in principle. It would have an acceptable impact on the character of the area, it will create a satisfactory living environment for future occupiers, have an acceptable impact on adjoining non-residential and residential occupiers and meet the functional requirements of the development. The proposal is acceptable in highway terms, it makes satisfactory provision for public open space and an appropriate contribution towards SPA mitigation measures and secures appropriate energy efficiency measures. It complies with development plan policies, the Council's adopted Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and the National Planning Policy Framework/Planning Practice Guidance and is recommended for approval.

Full Recommendation

It is recommended that subject to the completion of a satisfactory Agreement under s106 of the Town and Country Planning Act 1990 by 5 November 2015 to secure financial contributions towards SPA mitigation and open space 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 s106 Agreement is not received by 5 November 2015 the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal fails 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 and to provide mitigation for the impact of the development on the Thames Basin Heaths Special Protection Area in accordance with the Council's Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy contrary to Policy CP13 of the Rushmoor Core Strategy.

- 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 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. The development shall be completed and retained in accordance with the details so approved.

Reason - To ensure satisfactory external appearance.*

- 3 No works shall start on site until a schedule and/or samples of surfacing materials, to be used in the development 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 satisfactory external appearance and drainage arrangements.*

- 4 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, access road 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,

- 5 Notwithstanding any details submitted with the application 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

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking and re-enacting that Order), no development falling within Classes A, B, C, D, E, F, G and H of Part 1 of Schedule 2 shall be carried out without the prior permission of the Local Planning Authority.

Reason – In the interests of visual and residential amenity and surface water drainage

- 7 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.

- 8 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) a programme of construction work;
- ii) the provision of facilities for contractor parking;
- iii) the arrangements for deliveries associated with all construction works;
- iv) access and egress for plant and deliveries;
- v) protection of pedestrian routes and boundaries with adjoining land/buildings during construction;
- vii) location of temporary site buildings, site compounds, construction materials and plant storage areas;
- vii) controls over dust, noise and vibration during the construction period; and
- viii) 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 - To protect the amenities of neighbouring, to prevent pollution and to prevent adverse impact on highway conditions in the vicinity.*

- 9 Notwithstanding any details submitted with the application the development shall not be occupied 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. Once approved the landscaping scheme shall be implemented in full prior to the first occupation of any part of the development or the first available planting season whichever is the sooner. Any tree/shrub removed, dying or becoming seriously diseased within five years of planting shall be replaced by trees/shrubs of similar size and species to those originally required to be planted.

Reason - To ensure the development makes an adequate contribution to visual amenity and in the interests of biodiversity

- 10 No dwelling shall be occupied until the off-street parking facilities shown on the approved plans relevant to that dwelling 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) and, in the interests of clarity, not used for the storage of caravans, boats or trailers .

*

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

- 11 No part of the development hereby approved shall be used or occupied until the means of vehicular access onto Queens Road has been completed and made available for use.

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

- 12 Any existing means of access or part thereof not incorporated within the approved access arrangement hereby permitted shall be permanently closed as soon as the new means of access has been constructed and brought into use. A footway shall be provided and the kerbs raised in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development.

Reason - In the interest of highway and pedestrian safety.*

- 13 In the event that unforeseen ground conditions or materials which suggest potential or actual contamination are revealed at any time during implementation of the approved development it must be reported, in writing, immediately to the Local Planning Authority. A competent person must undertake a risk assessment and assess the level and extent of the problem and, where necessary, prepare a report identifying remedial action which shall be submitted to and approved in writing by the Local Planning Authority before the measures are implemented. Following completion of measures identified in the approved remediation scheme a verification report must be prepared and is subject to approval in writing by the Local Planning Authority.

Reason - To ensure that the site is safe for the development permitted and in the interests of amenity and pollution prevention

- 14 Prior to the commencement of development, and notwithstanding any details submitted with the application, a detailed Sustainable Drainage Systems (SUDS) strategy 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 that part of the development to which they relate and retained in perpetuity.

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

- 15 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 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 plot to which they relate and retained in perpetuity.

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

- 16 Notwithstanding the provisions of conditions 7 and 8 above, no deliveries shall take place before 10am on Mondays to Fridays.

Reason - In the interests of highway safety

- 17 Notwithstanding the provisions of condition 10. Above, the parking spaces shown on the approved plans shall be provided in accordance with a plan which shows car parking spaces allocated to individual properties which shall be submitted to the Local Planning Authority for approval prior to first occupation of the development and once approved shall be retained as such.

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

- 18 The bathroom window and the lower half of the kitchen window in the first floor south elevation of the development shall be completed and retained in obscure glazing with no side openings permitted.

Reason - In the interests of residential amenity

- 19 The access from Peabody Road leading to the car parking area shall be kept free of obstruction at all times. It shall be cross hatched and marked "Keep Clear" in accordance with a scheme to be submitted to the Local Planning Authority for approval. The development shall not be occupied until the access has been marked in accordance with the approved details and thereafter retained in a clear legible form.

Reason - In the interests of highway and pedestrian safety*

- 20 No works shall start on site until details of communal aerial/satellite facilities for the development have been submitted to and approved in writing by the Local Planning Authority. The approved system shall then be installed and made operational before the relevant dwellings are occupied. *

Reason - In the interests of the visual amenity of the area.

- 21 The permission hereby granted shall be carried out in accordance with the following approved drawings - 1004_101_P3, 102_P2, 103_P2, 104_P6, 105_P2, 106_P3, 107_P1, 108_P1, 200_P4, 400_P5 and 401_P3 and SD13848-01.

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

Informatives

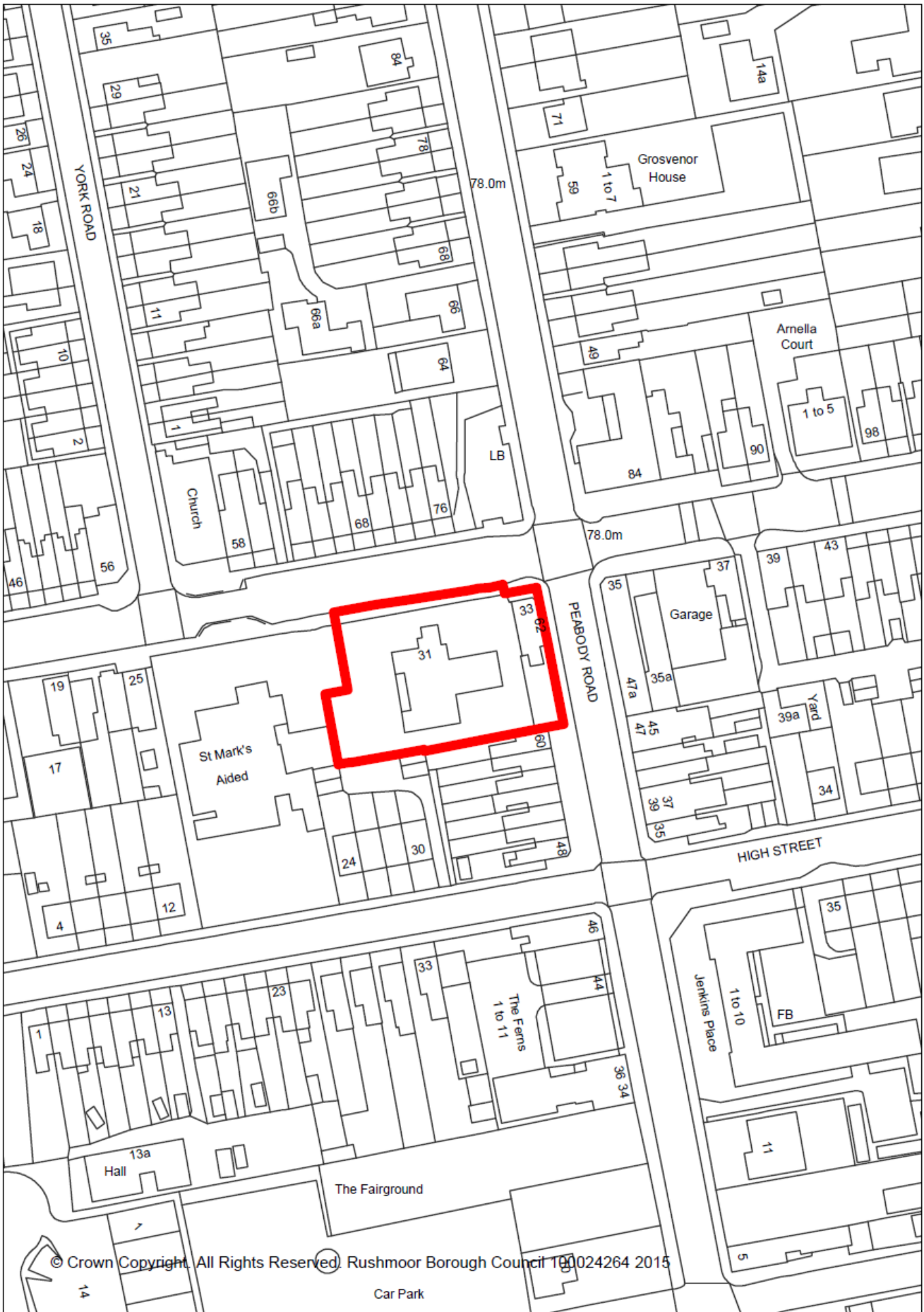
- 1 INFORMATIVE - The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, free of charge, and assistance in the validation and determination of applications through the provision of clear guidance regarding

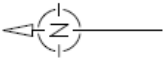
necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.

- 2 INFORMATIVE - REASONS FOR APPROVAL - The Council has granted permission because the proposal would have an acceptable impact on the character of the area. It has been satisfactorily demonstrated that the proposal that it will create a satisfactory living environment for future occupiers, have an acceptable impact on adjoining non-residential occupiers and meet the functional requirements of the development. The proposal is acceptable in highway terms, it makes satisfactory provision for public open space and an appropriate contribution towards SPA mitigation measures. As such it complies with development plan policies, the Council's adopted SPD on Building of Local Importance and The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and the National Planning Policy Framework/Planning Practice Guidance. It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.
- 3 INFORMATIVE - Your attention is specifically drawn to the conditions marked *. These conditions 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. Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out WITHOUT PLANNING PERMISSION. The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 5 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.
- 6 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.
- 7 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.
- 8 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 County Council Highways Sub Unit, M3 Motorway Compound, Hook, Hampshire, RG27 9AA.
- 9 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.
- 10 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.
- 11 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.
- 12 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.
- 13 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. 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 are encountered at any point during development then all works must stop immediately and you should contact Natural England.
- 14 INFORMATIVE - The applicant is advised that during the demolition and construction phases 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.

- 15 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.
- 16 INFORMATIVE – It is recommended that appropriate measures are taken to safeguard the foundation stone in the bakery building during the demolition process. In this regard it may be helpful to liaise with the Head Teacher of St Mark’s Church of England Primary School or the Vicar of St Mark’s Parish Church.
- 17 INFORMATIVE – The applicant’s attention is drawn to water efficiency and the new national technical standard i.e. all new homes have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day).
- 18 INFORMATIVE- Given the proximity of the site to St Mark’s Church of England Primary School, the developer may wish to consider demolishing the buildings on the site during school holidays. The Head Teacher would be happy to provide these details on request.





York Road

78.0m

Peabody Road

Peabody Road

Queens Road

High Street

St Mark's Church of England Aided Primary School

Church

LEGEND

- Red line - New (to be demolished or) boundary
- Blue line - Existing boundary
- Blue hatched area - Proposed parking spaces
- Red hatched area - Proposed cycle storage
- Blue hatched area - Proposed release storage

Sheltons Bakery
 (Part of the site)
 35, 36 Queens Road &
 62 Peabody Road,
 North Camp, Edinburgh
Proposed Site Plan

1:2000 A1 Feb 2014
 100_104_06

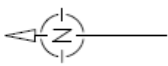
Schedule of Accommodation

- 1x No. 3850' Town House
- 1x No. 2549' Flat
- 1x No. 2030' Flat
- 1x No. Dwellings (Approx. 0.4 ha) (the area)
- 27 no. parking spaces (6 additional with 15 spaces in the adjacent car park, 18 spaces per house & 1 no. per flat)



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 Edinburgh
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 4 York Road
 Edinburgh
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 M: +44 (0) 777 696 8008
 E: info@msaarch.co.uk



1:1000
 1:1000
 1:1000
 1:1000
 1:1000



LEGEND

- Red line: Boundary
- Blue line: Proposed boundary
- Black line: Existing boundary
- Blue hatched: Proposed parking spaces
- Black hatched: Existing parking spaces
- Green hatched: Green spaces

Schedule of Accommodation

Bldg. 35: 20 Town Houses
 Bldg. 48: 20 Town Houses
 Bldg. 60: 20 Town Houses
 Bldg. 76: 20 Town Houses
 Bldg. 80: 20 Town Houses
 Bldg. 84: 20 Town Houses

Total: 120 Town Houses
 Total: 120 Town Houses
 Total: 120 Town Houses

27no. Parking spaces (6 additional with 16 existing parking spaces on site) (2no. allocated per house & 1no. per flat)

Shedons Bakery
 (Farnborough) Limited
 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120
 Proposed First Floor 20m Pin
 1:2000 A1 Oct 2015
 1004_107_01

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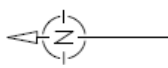
Peabody Road

Peabody Road

High Street

York Road

Queens Road



78.0m

35

76

68

58

Church

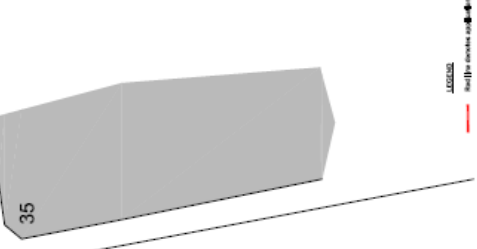
60

48

30

24

St Mark's Church of
 England Aided
 Primary School



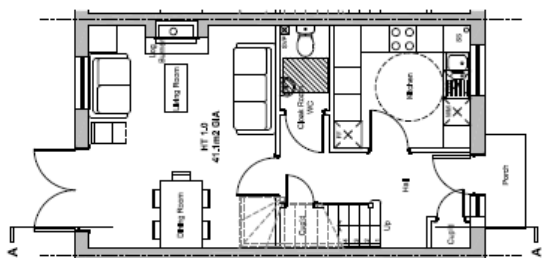
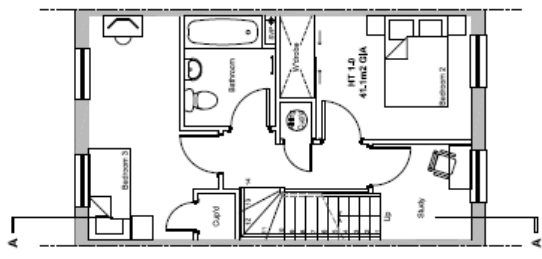
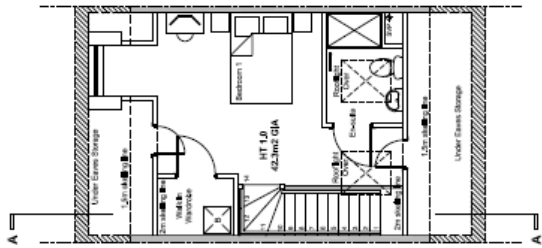
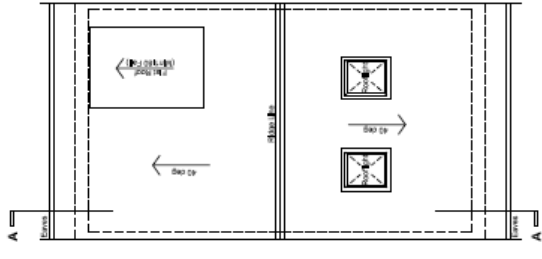
- LEGEND**
- Red line: Existing structure
 - Blue line: Proposed structure
 - Green line: Boundary
 - Grey hatched: Footprint of existing structure
 - Black hatched: Footprint of proposed structure
 - Black line: Boundary of proposed structure
 - Black dots: Proposed parking spaces
 - Black dots with 'P': Existing parking spaces

Schedule of Accommodation

| | |
|--------------------------|--|
| Site: 38/39 Queen's Road | 1st Flr: Dwelling (approx. 6, King of the area) |
| Site: 29/30/31/32 | 2nd Flr: Parking spaces (8 additional with 16 existing parking spaces on site) (2m, allocated per house & 1no. per flat) |
| Site: 29/30/31/32 | 3rd Flr: Dwelling (approx. 6, King of the area) |



Scale 1:200



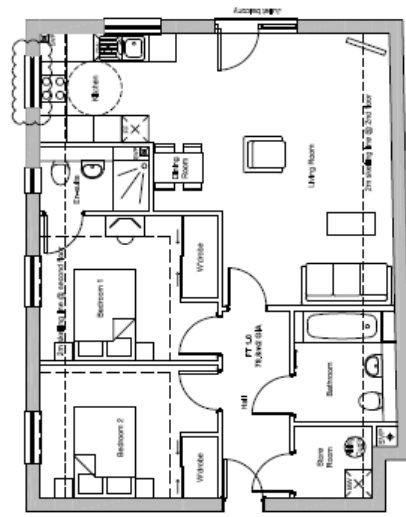
PROPOSED ROOF PLAN

PROPOSED SECOND FLOOR PLAN

PROPOSED FIRST FLOOR PLAN

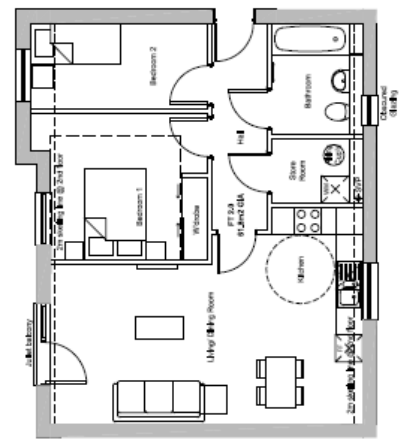
PROPOSED GROUND FLOOR PLAN

3 BEDROOM TOWN HOUSE - (124.5m² GIA)



PROPOSED FLOOR PLAN

**2 BEDROOM APARTMENT
TYPE 1 - (78.8m² GIA)**



PROPOSED FLOOR PLAN

**2 BEDROOM APARTMENT
TYPE 2 - (61.8m² GIA)**

Wildsons Bakery
Farmborough Limited
31, 35 Queens Road &
52 Palace Road,
Lymington, Hampshire
Proposed House & Apartment
Floor Plans
Date: 15/06/2014
100%_2014_04

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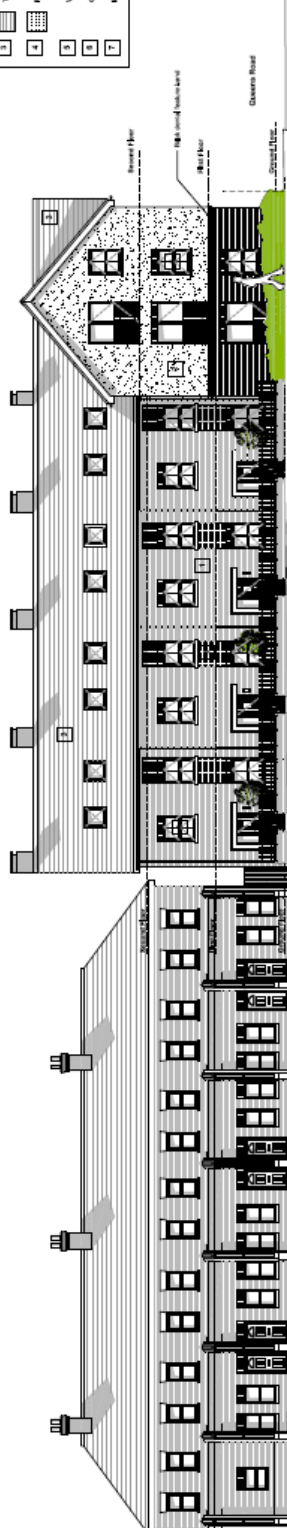
DATE: 10/11/2014
PROJECT: Swallows Bakery
CLIENT: Swallows Bakery
ARCHITECT: Michael Simpson Architecture
SCALE: 1:1000
DATE: 10/11/2014
PROJECT: Swallows Bakery
CLIENT: Swallows Bakery
ARCHITECT: Michael Simpson Architecture
SCALE: 1:1000
DATE: 10/11/2014



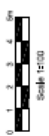
MATERIAL LEGEND

| | |
|---|---|
| 1 | Brickwork to match local red brick |
| 2 | Render |
| 3 | Timber to match existing stone contact |
| 4 | Reconstituted brick, sand coloured to match |
| 5 | 100% PVC - Stone effect |
| 6 | Grey floor tiles |
| 7 | Black (dark) |

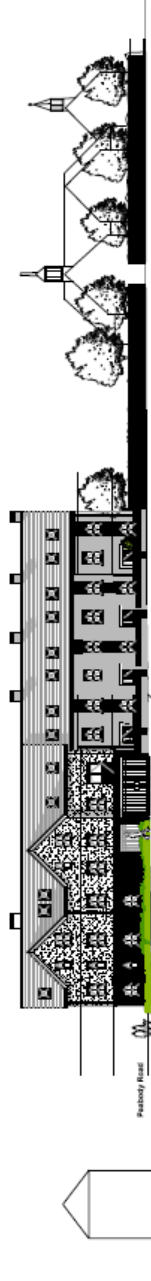
**PROPOSED NORTH ELEVATION
 (Queens Road)**



**PROPOSED EAST ELEVATION
 (Peabody Road)**



DATE: 10/11/2014
PROJECT: Swallows Bakery
CLIENT: Swallows Bakery
ARCHITECT: Michael Simpson Architecture
SCALE: 1:1000
DATE: 10/11/2014



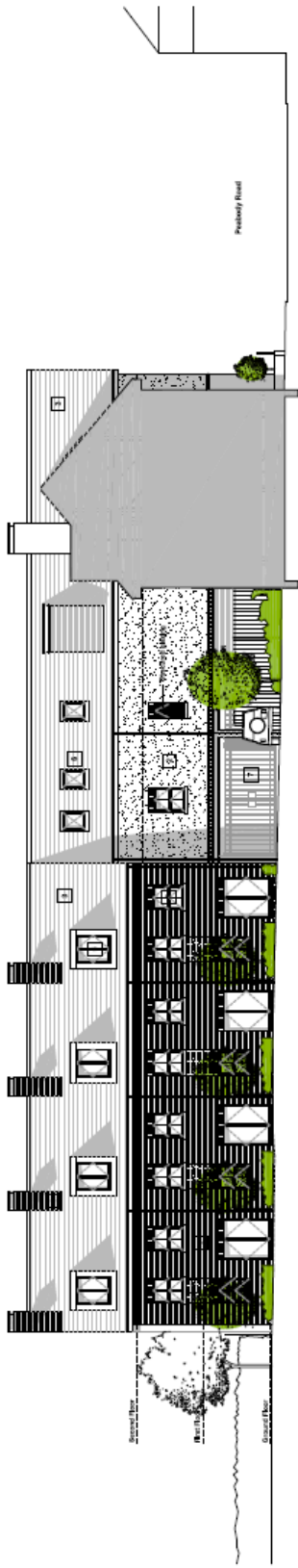
**PROPOSED STREET ELEVATION @ 1:200
 (Queens Road)**



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 4 Avon Road
 Northampton
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 T: +44 (0) 1602 632288
 E: info@msa-arch.co.uk

DATE: 02/20/14
 DRAWN BY: M.S.
 CHECKED BY: M.S.
 PROJECT: 100%_01_P3

SCALE: 1:1000
 SHEET: 0
 TOTAL SHEETS: 10
 PROJECT: 100%_01_P3



PROPOSED COURTYARD SOUTH ELEVATION

MATERIAL LEGEND

| | |
|---|--|
| 1 | Brickwork to match existing fabric |
| 2 | Render |
| 3 | Timber to match existing door frames |
| 4 | Recessed fabric panel connecting walls |
| 5 | White UPVC window doors |
| 6 | Grey wood cladding |
| 7 | Woodwork (Oak) |



PROPOSED COURTYARD WEST ELEVATION



PROJECT: 100%_01_P3
 DATE: 02/20/14
 DRAWN BY: M.S.
 CHECKED BY: M.S.
 PROJECT: 100%_01_P3

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 Harrogate
 North Yorkshire
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 F: +44 (0) 1773 200 330
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PROPOSED REAR ELEVATION @ 1:200



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. | 15/00663/FULPP |
| Date Valid | 8th September 2015 |
| Expiry date of consultations | 8th October 2015 |
| Proposal | Demolition of garage and erection of a three bedroom dwelling and associated access, parking and landscaping. |
| Address | 10 Marrowbrook Close Farnborough Hampshire GU14 0BD |
| Ward | Empress |
| Applicant | Fleet Homes 2000 Ltd |
| Agent | Mr Nicholas Cobbold |
| Recommendation | GRANT subject to legal agreement |

Description

The application site forms part of the garden of 10 Marrowbrook Close, a development of 10 detached and linked-detached properties. The garden area of No.10 was originally much smaller and irregularly shaped than at present, but was enlarged to its current size by subsequent acquisition of land from adjoining properties in Cove Road. The part of the garden included in the application is currently occupied by a detached double garage, a greenhouse, a grassed area, a vegetable patch and a number of small trees and shrubs.

The proposal is for demolition of the garage and erection of a detached three-bedroom house with two parking spaces, a shed for cycle storage and a bin storage area. The building would be constructed with a tiled and hipped roof and walls of facing brick with tile hanging. The existing property would also be provided with a driveway with space for three cars, a cycle storage shed and a bin storage area.

Consultee Responses

| | |
|-------------------------------|--|
| Community - Contracts Manager | No Objection |
| Parks Development Officer | No Public Open Space contribution to be sought, due to lack of any projects that would comply with pooling |

restrictions.

Hampshire Fire & Rescue
Service

No objection.

Environmental Health

No Objection subject to an hours of construction condition.

Transportation Strategy Officer

No Highway Objection subject to financial contribution.

Thames Water

No objection with regard to sewerage infrastructure capacity.

Neighbours notified

In addition to posting a site notice and press advertisement, 15 individual letters of notification were sent to adjoining and near-by houses in Marrowbrook Close and Cove Road.

Neighbour comments

Letters of objection have been received from the occupiers of 1, 2, 3, 4, 5, 6, 7, 11 and 12 Marrowbrook Close, who oppose the proposal on the grounds that: The proposed dwelling would not match any of the existing properties in terms of its roof design and materials, its position relative to the highway boundary, the location of the front door and the design and proportions of the windows; the parking proposed would be inadequate for the existing and proposed properties, unworkable in practice and would lead to increased on-street parking in an area with existing on-street parking problems; the proposed dwelling would adversely affect the light, outlook and privacy of the occupants of the adjoining properties; the proposal would result in the loss of several trees from the site; the proposal would constitute "garden grabbing" which is prohibited by national planning policy; the construction of the dwelling would result in an unacceptable degree of disturbance to existing residents, including shift-workers; the proposed development could encroach onto land owned by the occupiers of 7 Marrowbrook Close.

Policy and determining issues

The site is located within the built-up area as defined in the Rushmoor 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 issues are considered to be the principle of the development, impact upon visual amenity and the character of the area, impact upon residential amenity, living environment created, transport issues, impact upon trees, public open space, nature conservation and other matters.

Commentary

Principle

The proposed development is seeking to make more efficient use of land within the confines of the urban area, which, within reason, 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 proposal is to construct a dwelling on under-used land in a larger than average plot and is considered to be acceptable in principle, subject to normal development control criteria.

Impact upon visual amenity and the character of the area

The proposed dwelling would be positioned in line with the adjoining properties to the east and would be similar in its height, scale, mass and orientation to the other properties on this side of the road. It would be on a plot which is comparable with others in the road, as would the existing property at No.10. It is considered that the proposed dwelling would reflect the existing pattern of development within the area and that the erection of a dwelling in the position proposed would not in itself adversely affect visual amenity or the character of the area. The proposed dwelling would not replicate the design of any of the existing properties in the road, which are of a uniform appearance. The objectors have argued that in this regard, the proposal fails to meet the requirement of Policy CP2, which states that development proposals will be permitted where they include high quality design that respects the character and appearance of the local area. The existing properties are of a design typical for their age but are of no particular architectural merit whereas the proposed dwellinghouse is more in keeping with current fashion. This includes partially tiled elevations and a Juliet balcony on the rear elevation. It is considered unlikely that an infill property erected here would be mistaken as being part of the original development even if its design more closely reflect that of the existing properties. There is nothing in the design of the proposed building that can be singled out as representing poor design or as being so far from the established character of the area that it would have a significant adverse impact upon visual amenity that would warrant refusal. A condition can be imposed to ensure that the external materials used will complement those of the existing buildings in the Close.

Impact upon the amenity and outlook of adjoining residents

The proposed dwelling would have a comparable relationship with the existing property at No.10 as to that found elsewhere in the Close, and the separation between the properties on the opposite side of the Close to the south and on Cove Road to the north would also be comparable with existing relationships and consequently, it is considered that the proposal would have little impact upon the light, outlook, amenity and privacy of the occupiers of these properties. The proposal would have more impact upon the outlook of the properties immediately to the west, and in particular, No.6 Marrowbrook Close. The western flank wall of the proposed property would be approximately 14m from the front wall of this adjoining dwellinghouse. The proposed property would have a relative height of 6.7m, taking into account the lower ground level and this results in an angle of 22 degrees from the ground floor windows of number 6, which the applicants state in their design statement is substantially less than the normally accepted angle of 45 degrees which is used for assessing loss of light and overbearance. However, while the Council has not formally adopted any such standards for the purposes of determining planning applications, having visited the site, it is the case officer's assessment that while the development would undoubtedly alter the outlook of these properties, it would not adversely affect the outlook and natural daylight to such a degree that would warrant refusal. Furthermore, the relationship that would be created is not unusual in modern developments.

Some objectors have commented that having the front door on the side elevation of the

building would result in a loss of privacy at Nos 6 and 7 Marrowbrook Close and would result in increased noise and disturbance. However, it is considered that the separation of the properties would be such that any impact would be minimal. The only window in the proposed property directly facing towards these properties would be located on the stairs and behind which the occupants of the property would be unlikely to linger. It is considered unlikely that this would result in any significant loss of privacy.

It is acknowledged that redevelopment of the site would have some impact upon residential amenity whilst construction is on-going and to this end the Head of Environmental Health has recommended the standard condition in respect of hours of construction. The fact that some of the neighbours may be shift-workers is noted, but it is not possible to cater for their specific requirements whilst also permitting development to occur.

Living Environment Created

It is considered that the proposal would provide an acceptable living environment in terms of room sizes, natural daylight and ventilation. A small private garden would be provided and there would be adequate provision for the storage and removal of refuse and recyclables. A similar acceptable environment would be retained for the existing property.

Transport Issues

The proposal includes two parking spaces plus a secure cycle store for the new property and three parking spaces for the existing property, with cycle storage, which the Transportation Strategy Officer considers is acceptable and meets the requirements of the Car and Cycle Parking Standards SPD. Objectors have commented that they consider that the parking arrangements would not be workable in practice as vehicles may have to be shuffled in order to allow the required vehicle to be removed, but the Transportation Strategy Officer considers that this would be acceptable in a small cul-de-sac such as Marrowbrook Close. Objectors have also challenged the view expressed by the applicants that visitors to the properties could be catered for by on-street parking - they have indicated that there is significant demand for on-street parking in the close at certain times and some objectors have submitted photographs to demonstrate this. Whilst it is clear from these that demand for on-street parking is, at times, high, it is considered that it would not be necessary for the applicants proposal to resolve any problems that arise from this, but merely to ensure that the proposal does not result in any worsening of the situation. In this respect, some of the photographs provided show that the majority of the parking that takes place in the turning head of the cul-de-sac is located in front of the double garage which is to be demolished and it is therefore assumed belong to or are associated with No.10 Marrowbrook Close. The depth of the forecourt of this garage is insufficient to allow vehicles to be parked entirely clear of the highway. It is not known whether this garage is ever used for the parking of vehicles, but its internal dimensions are such that it would be difficult to accommodate a standard size vehicle - it certainly would not meet the current requirements for a garage which is intended to provide useable parking spaces. Consequently, it is considered that the removal of these substandard parking facilities and their replacement with a total of five spaces that comply with the requirements of the Car and Cycle Parking Standards would not increase demand for on street parking and may even result in a slight reduction. Consequently, it is considered that the proposal would not adversely affect highway safety.

The Transportation Strategy Officer has identified a need for a Transport Contribution of £3745 pursuant to the Council's Planning Contributions: Transport Supplementary Planning Document and Policies CP10 and CP16 of the Rushmoor Core Strategy. The published

Council Transport improvements list includes several projects aimed at improving walking, cycling links between Cove and Farnborough (RBC 0056) and the sum raised would be put towards these. Subject to the completion of a Unilateral Undertaking to secure this, it is considered that the proposal would comply with the relevant planning policies.

Impact upon trees

Whilst there is a good deal of vegetation on the site, some of which would need to be removed, the only tree that would be lost is an Acacia tree located to the rear of the garage, which is showing signs of considerable die-back and which makes little contribution to the amenity of the area. It is therefore considered that no trees of amenity value would be lost as a result of this proposal.

Public Open Space

No open space is provided in the development within the terms of saved policy OR4, but this is a circumstance where a contribution towards off-site provision by way of a planning obligation may be appropriate. However, due to pooling restrictions introduced for applications after 5 April 2015 in accordance with the Community Infrastructure Levy Regulations 2010 (as amended), the Parks Development Officer has been unable to identify any public open space projects that could be fairly related to the proposal and comply with the pooling restriction. Accordingly, no contribution has been sought.

Nature Conservation

The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy is now in place. This 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. A contribution of £7211 is required to mitigate the impact of the proposal on the TBHSPA. Provided that a satisfactory Unilateral Undertaking is received to secure this, it is considered that the proposal would not adversely affect the SPA or its wildlife.

Drainage

Policy CP4 requires that developments including buildings and car parks incorporate Sustainable Urban Drainage Systems. Although the application contains no specific information regarding this, it appears that this could be dealt with by means of a planning condition.

Energy Efficiency

Policy CP3 requires that all new residential developments meet the requirements of Code Level 4 of the Code For Sustainable Homes. However, following the Royal Assent of the Deregulation Bill 2015 (26 March 2015) the government's current policy position is that planning permissions should not be granted requiring or subject to conditions requiring compliance with any technical housing standards for example the Code for Sustainable Homes, other than for those areas where authorities have existing policies. In Rushmoor's case 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.

Other Matters

In response to the plans originally submitted, the owners of 7 Marrowbrook Close wrote to say that they believed that part of the proposed driveway at the proposed property would encroach onto their property; their surmise being that when a previous owner of their property constructed a retaining wall to support a new drive, it was not positioned exactly on the boundary line. Therefore, that the applicants may have assumed that all of the land to the east of this retaining wall belonged to them. These comments were forwarded to the applicants' agent who was asked to respond. The agent replied that their plans were based on a site survey and acknowledged that a small portion of the drive did encroach onto the adjoining land. In consequence of this, they submitted an amended site layout plan which shows that the driveway would be constructed wholly on land within the control of the current owners, who have been served the requisite Notice. Neighbours have been re-consulted in respect of this amendment, with a deadline of 8 October 2015 being given for response. Members will be updated on any additional comments made. At the time of writing, it is believed that the applicants have addressed this issue and that the application remains valid. This adjustment does not materially affect the dimensions of the parking area.

In conclusion the proposal is considered to have an acceptable impact on the character of the area. It has been satisfactorily demonstrated that the proposal will create a satisfactory living environment for future occupiers, have an acceptable impact on nearby residents and would meet the functional requirements of the development, including the existing house.. The proposal is acceptable in highway terms, and subject to receipt of a satisfactory Unilateral Undertaking , will make satisfactory provisions for public open space and an appropriate contribution towards SPA mitigation measures and highways improvement works. The proposal accords with Policies CP1, CP2, CP3, CP4, CP5, CP10, CP12, CP13, CP16 and CP17 of the Rushmoor Core Strategy together with saved Policies ENV17 and OR4/OR4.1 of the Rushmoor Local Plan Review..

Full Recommendation

It is recommended that subject to the receipt of a satisfactory Unilateral Undertaking under Section 106 of the Town and County Planning Act 1990 by 28 October 2015 to secure:

A financial contribution of £7211 towards SPA mitigation and improvements to transport infrastructure the Head of Planning in consultation with the Chairman be authorised to **GRANT** permission subject to the following conditions and informatives:-

However, in the event that a satisfactory Unilateral Undertaking is not received by 28 October 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 mitigation for the impact of the development on the Thames Basin Heaths Special Protection Area in accordance with the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy contrary to Policy CP13 of the Rushmoor Core Strategy and does not make an appropriate transport contribution in accordance with the Council's adopted Transport Contributions SPD and Core Strategy Policies CP16 and CP17.

- 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 The permission hereby granted shall be carried out in accordance with the following approved drawings – 15/16/024/3 Rev B and 15/16/024/4 Rev A.

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

- 3 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. The Development shall be completed and retained in accordance with the details so approved.

Reason - To ensure satisfactory external appearance.*

- 4 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 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.*

- 5 Prior to the commencement of development, details of measures to incorporate Sustainable Drainage Systems (SUDS) or equivalent into the 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 that part of the development to which they relate and retained in perpetuity.

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

- 6 The parking spaces shown on the approved plans for the existing and proposed properties shall be provided before the first occupation of the development hereby permitted and used only for the parking of vehicles ancillary and incidental to the residential use. These spaces shall be kept available at all times for parking and shall not be used for the storage of caravans, boats or trailers.

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

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, (or any Order revoking and re-enacting that

Order), 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.

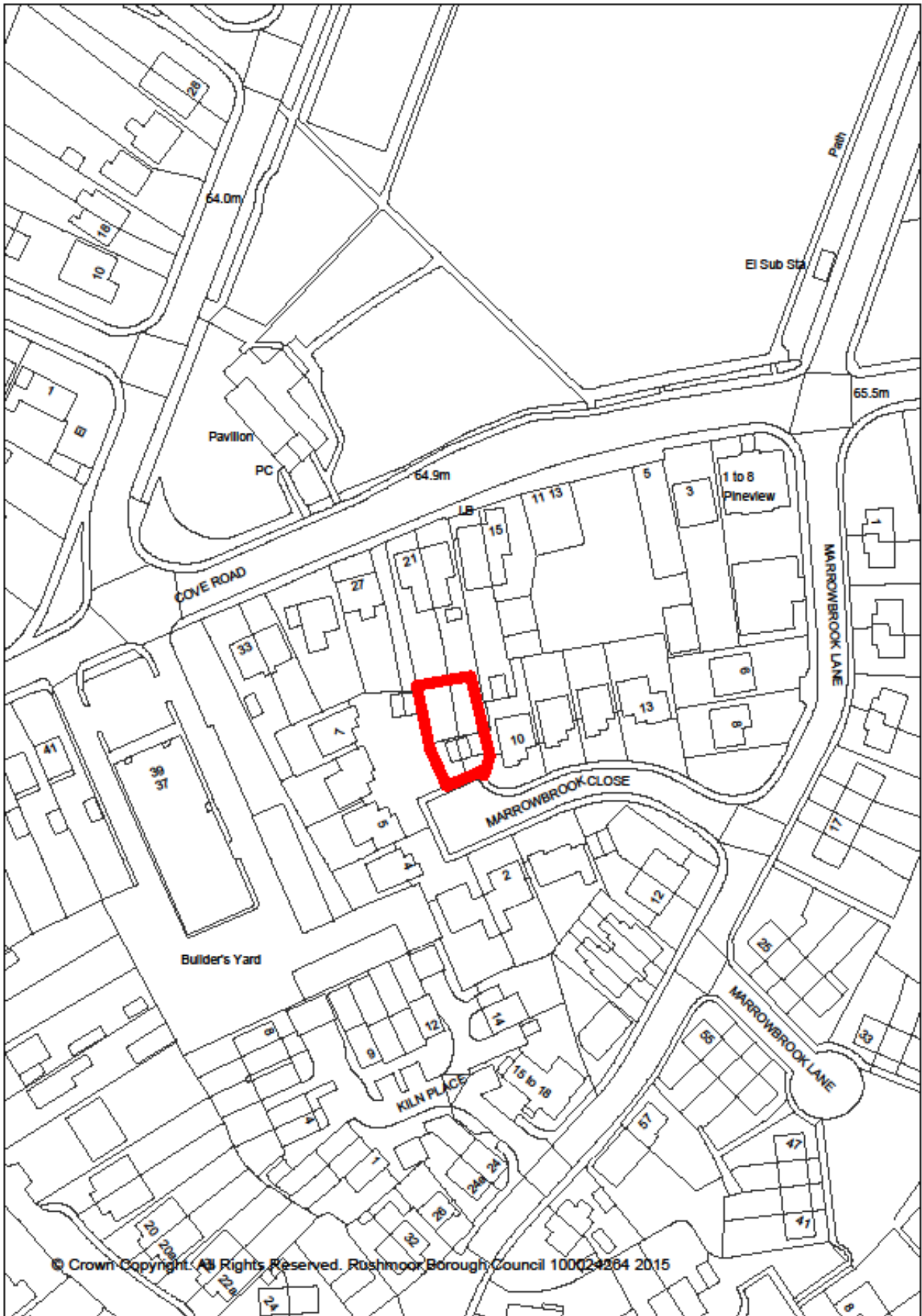
- 8 Construction or demolition work of any sort within the area covered by the application shall only take place between the hours of 0800-1800 on Monday to Fridays and 0800-1300 on Saturdays. No work at all shall take place on Sundays and Bank or Statutory Holidays.

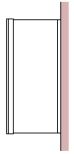
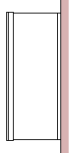
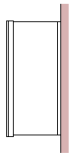
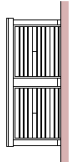
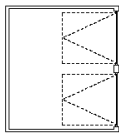
Reason - To protect the amenities of neighbouring residential properties and to prevent adverse impact on traffic and parking conditions in the vicinity.

Informatives

- 1 **INFORMATIVE** – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, 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.
- 2 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because the proposal is considered to have an acceptable impact on the character of the area. It has been satisfactorily demonstrated that the proposal will create a satisfactory living environment for future occupiers, have an acceptable impact on nearby residents and would meet the functional requirements of the development, including the existing house. The proposal is acceptable in highway terms, and makes satisfactory provision for public open space and an appropriate contribution towards SPA mitigation measures. The proposal accords with Policies CP1, CP2, CP3, CP4, CP5, CP12, CP13, CP16 and CP17 of the Rushmoor Core Strategy together with saved Policies ENV17 and OR4/OR4.1 of the Rushmoor Local Plan Review. It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.
- 3 **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**. Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out **WITHOUT PLANNING PERMISSION**. The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.

- 4 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 5 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.
- 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 - 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 County Council Highways Sub Unit, M3 Motorway Compound, Hook, Hampshire, RG27 9AA.
- 8 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.
- 9 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.
- 10 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.





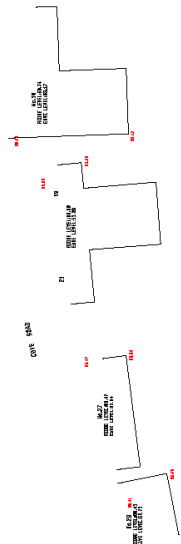
Front Elevation

Side Elevation

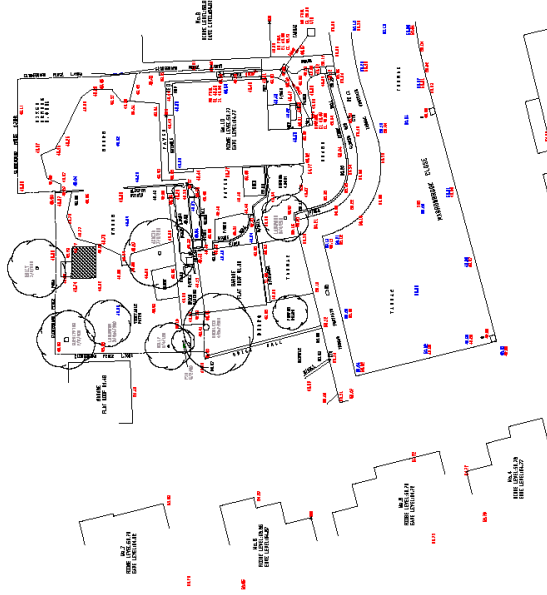
Front Elevation

Side Elevation

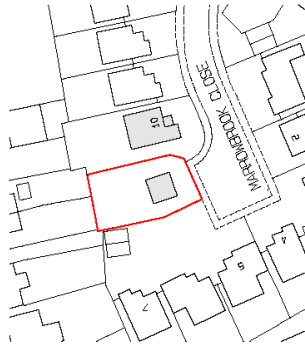
Garage to be demolished
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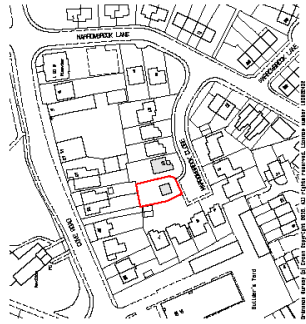
Existing Site Survey
1 : 200



Proposed Site Layout
1 : 200



Block Plan
1 : 500



Location Plan
1 : 1250

| | |
|-------------------|---------------|
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| Scale Bar 1:1000 | 0 2m 4m 6m |
| Scale Bar 1:5000 | 0 10m 20m 30m |
| Scale Bar 1:12500 | 0 25m 50m |

Milburn Designs

Chris Milburn BRICS NCABE
Frampton Close
Farnborough
GU14 6PL
Tel: 01252 882827
Email: info@milburndesigns.com

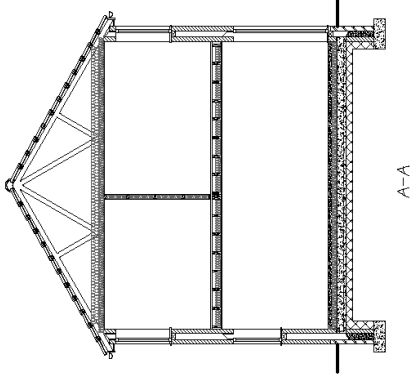
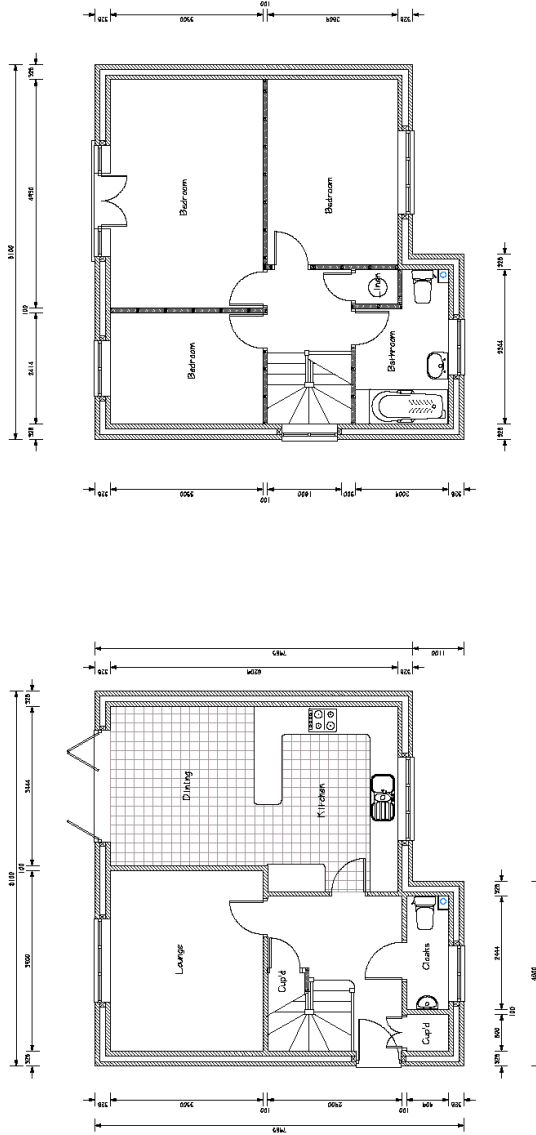
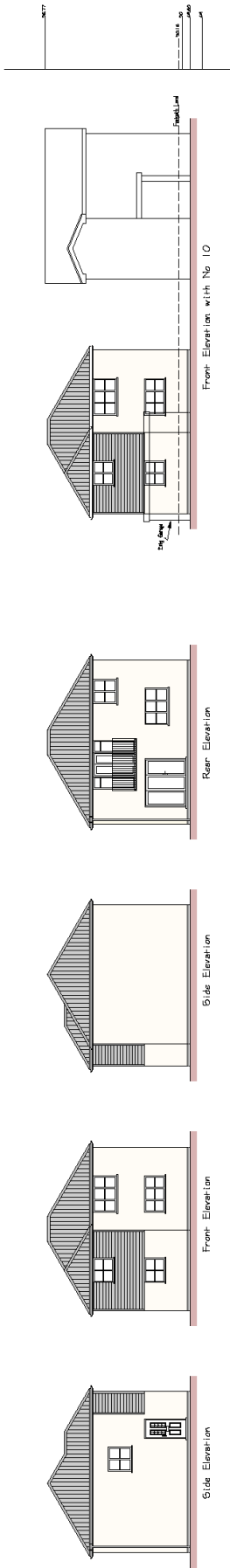
PROJECT: Proposed New Dwelling at
Lancaster 10, Marlowbrook Close,
Farnborough
GU14 0BD

CONTRACT: Mr M Dunbar & Mrs Y Bond

SCALE: 1:12500 1:5000 1:2000

DRAWING: 15/16/004/3

SITE PLANS



Milburn Designs
 CIVIL ENGINEERING SERVICES
 5 Innes Close
 Canterbury
 GU11 6 PL
 Tel: 01226 200207
 Email: info@milburndesigns.co.uk

Proposed New Dwelling at
 Land ad. 10 Marrowbrook Close,
 Marrowbrook, High
 GU14 0BD

CONTRACT: 15/06/2024
 DRAWN: 15/16/2024 / A

SHEET: 15/16/2024 / A

Scale Bar 1:150
 Scale Bar 1:100
 Scale Bar 1:500
 Scale Bar 1:1250

Sheet size A1
 Scale Bar 1:150
 Scale Bar 1:100
 Scale Bar 1:500
 Scale Bar 1:1250

PROPOSED HOUSE PLANS

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 | Tara Cowell |
| Application No. | 15/00699/FULPP |
| Date Valid | 13th September 2015 |
| Expiry date of consultations | 7th October 2015 |
| Proposal | Erection of single storey rear extension following demolition of rear single storey extension. |
| Address | 11 Alma Square Farnborough Hampshire GU14 6AD |
| Ward | St Mark's |
| Applicant | Mr & Mrs K Edwards |
| Agent | Mr Ray Scully |
| Recommendation | Planning Permission be GRANTED |

Description

The site is part of a period residential terrace, of which there are two other terraces forming a small square set back from a more substantial residential road in Farnborough.

It is located within St Marks conservation area which consists of a wide variety of period and more modern residential properties.

The property itself is a cottage style terraced house dating from the late 19th century and has retained many of its original features. It forms part of a unified group. The main body of the dwelling has two-storeys with pitched roof over, and a single storey element to the rear with a pitched roof it shares with the neighbouring property, along with a flat roofed single storey extension beyond forming a bathroom for the dwelling. In the remaining garden area, there is a storage shed and a dedicated bin store that faces into the rear alleyway. This alleyway belongs to the property but the neighbouring properties have access along it. This application has been brought to Committee as the applicant is related to a Rushmoor Officer.

Consultee Responses

Conservation Team No objections, subject to the condition of external materials and rainwater goods.

Neighbours notified

In addition to posting a site notice and press advertisement, individual letters of notification were sent to 10-12 Alma Square and 29 Cross Street.

Neighbour comments

No letters have been received as a result of neighbour notification

Policy and determining issues

The site is in St. Marks conservation area as defined by the Rushmoor Core Strategy. Policy CP2 (Design and Heritage) and CP16 (Reducing and Managing Travel Demand) of the Rushmoor Core Strategy is relevant to the consideration of this application.

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 will therefore remain in use for the time being until they are replaced by future tranches of Local Development Framework documents. In this respect, Local Plan Policy ENV17 (Development on Smaller Sites) and H15 (Home extensions) are relevant to the consideration of this proposal.

The relevant determining issues are considered to be:-

Design
Impact on neighbours
Impact on the conservation area
Highway safety

Commentary

Design

The applicant wishes to remove the existing rear flat roofed extension and form a new extension beyond the existing kitchen in order to re-locate the bathroom and create a family room/living space. It is also desired to retain the externally accessed bin-store so this will be incorporated within the design.

The proposal is designed to occupy the rear portion of the garden and form part of the rear boundary with the alleyway, and leave an access pathway along the side boundary enabling access from the rear alleyway into the rear garden of the property.

Impact on neighbours

The proposal has been designed to have minimal impact on the neighbouring properties. The proposed extension has been set back 900mm away from the boundary of No.10 to

avoid a hemming in effect and the neighbour to the rear, 29 Cross Street, is side on to the application site with 2 obscure glazed windows overlooking the alley way. It is considered to have minimal effect on these neighbours. The neighbour at No. 12 Alma Square has a small piece of land to the rear of the property measuring 3.4 metres deep to the rear boundary with a window overlooking the area. Their main garden area is to the side of their property. At present, there is a shed occupying this small piece of land and the window is overshadowed by the existing single storey extension at our application site. It is considered that the proposed extension would have the same impact to that of the existing arrangement therefore is acceptable in terms of impact on neighbouring properties.

Impact on Conservation Area

As the extension is to the rear of the property, it will not be visible from the street nor will it have any impact on the visual coherence of the square formed by the frontages of the group. The applicant has stated that all materials will be matching and will blend in seamlessly with the existing house. The Conservation and Design Officer has no objection to the application subject to the imposition of conditions relating to materials and rainwater goods. Whilst there have been discussions of alternative designs there remains no objection in principle. The proposal is consequently considered to be acceptable in terms of impact on the Conservation Area.

Highway safety

As the extension is in the rear garden, there is no impact on highways safety.

Full Recommendation

It is recommended that planning permission be **GRANTED** subject to the following 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 external walls of the extension hereby permitted shall be finished in materials of the same colour and type as those of the existing building, and in the case of brickwork matching the existing bond and pointing. All rainwater goods shall be of the same colour materials and type of those of the existing building. 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 – 154/01 – 154/02 and 154/03

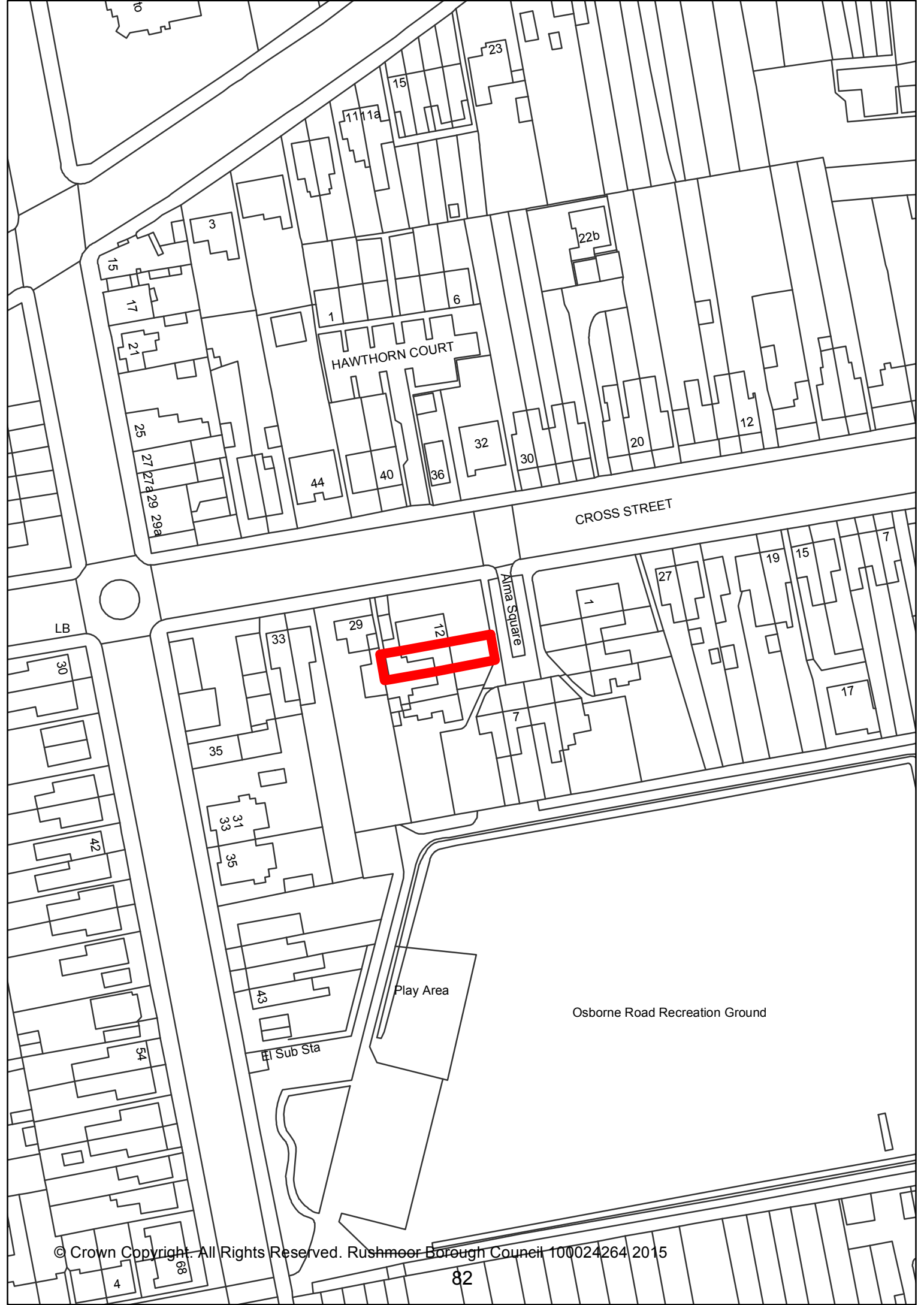
Reason - To ensure the development is implemented in accordance with the permission granted

Informatives

- 1 INFORMATIVE – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, 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.
- 2 INFORMATIVE - REASONS FOR APPROVAL- The Council has granted permission because the proposal is considered to have no adverse visual impact on the appearance of the building or on the character of the conservation area. It is acceptable in amenity, visual and highway safety terms and has no significant material or harmful impact on any neighbours. The proposal is therefore considered acceptable having regard to policies CP2 and CP16 of the Rushmoor Core Strategy and "saved" policies ENV17, ENV 34 and H15 of the Rushmoor Local Plan, and the Council's supplementary planning document Car and Cycle Parking Standards 2012.

It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.

- 3 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.



HAWTHORN COURT

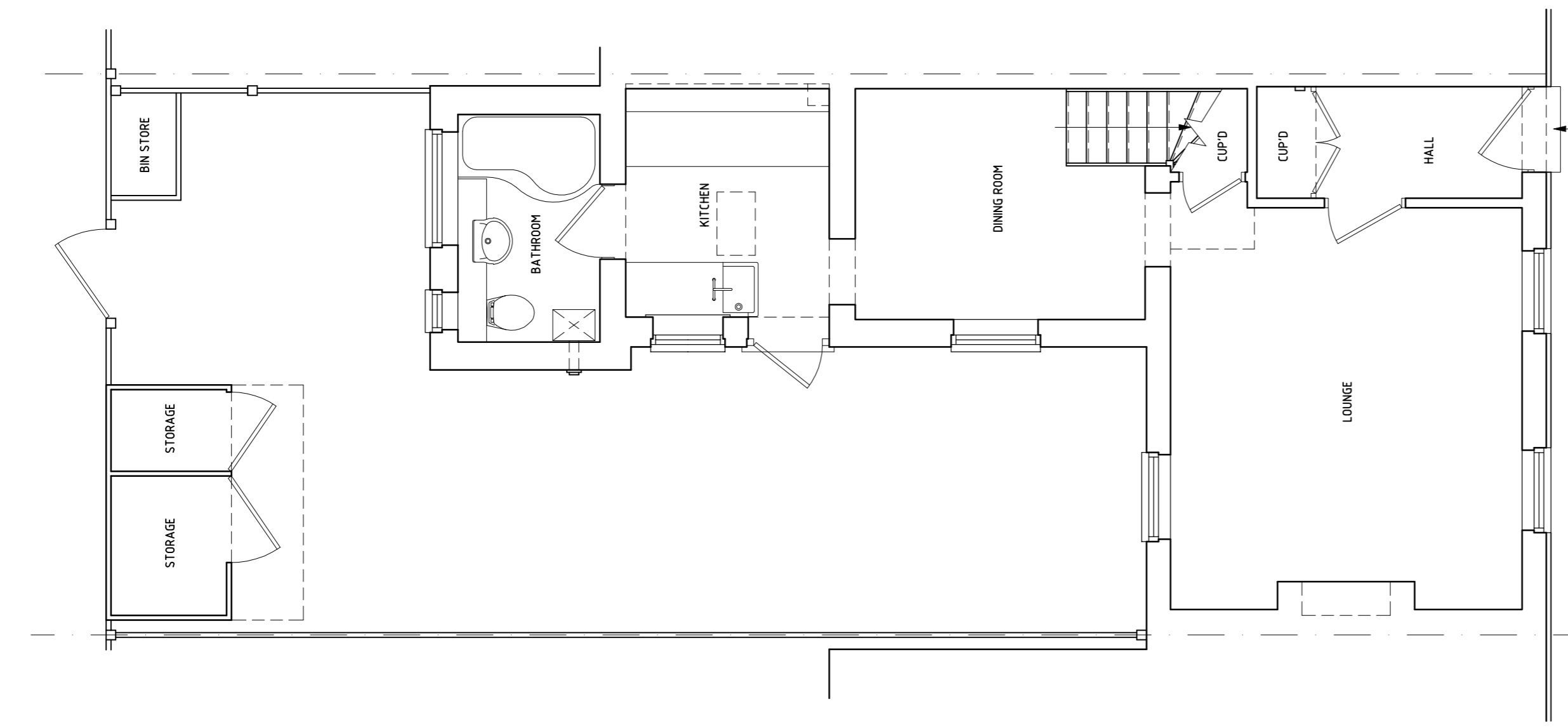
CROSS STREET

Alma Square

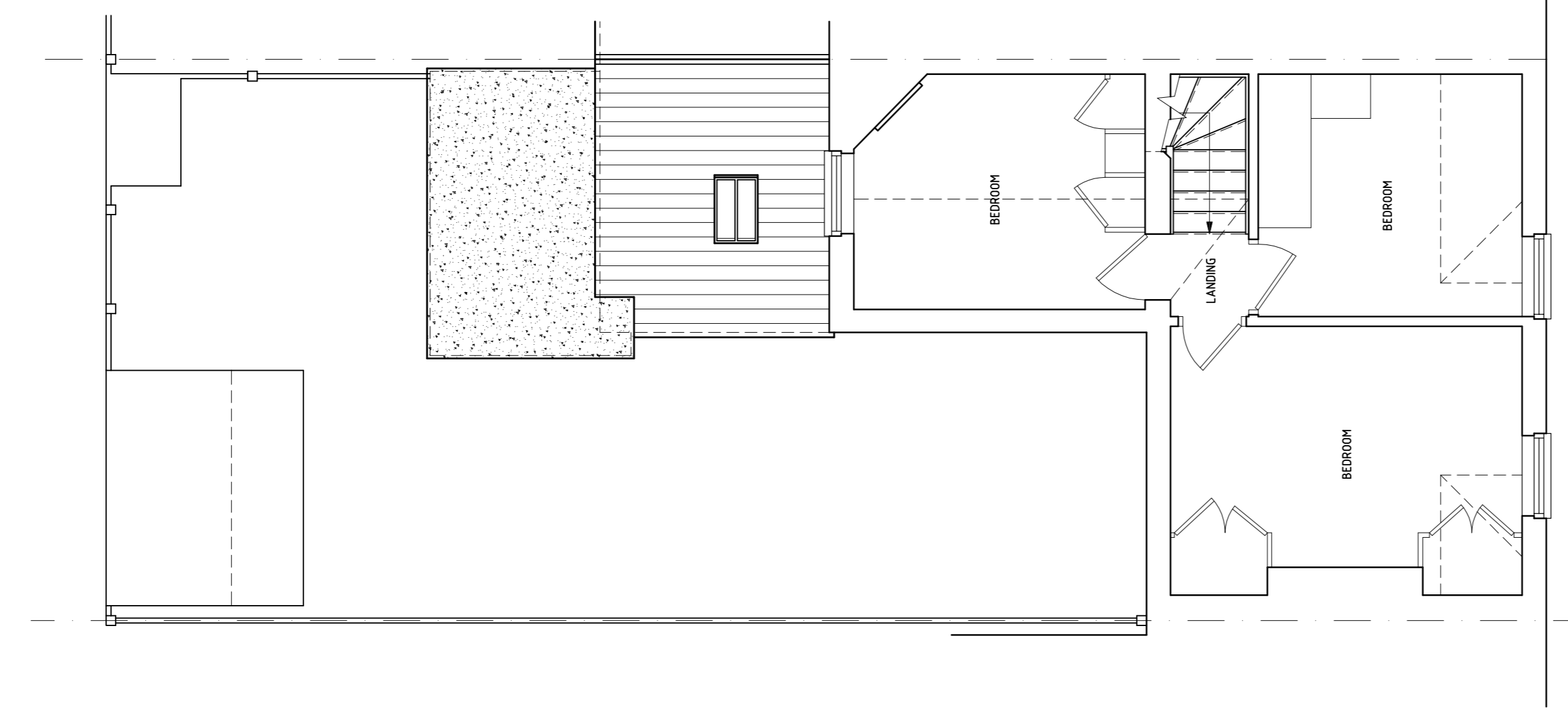
Osborne Road Recreation Ground

Play Area

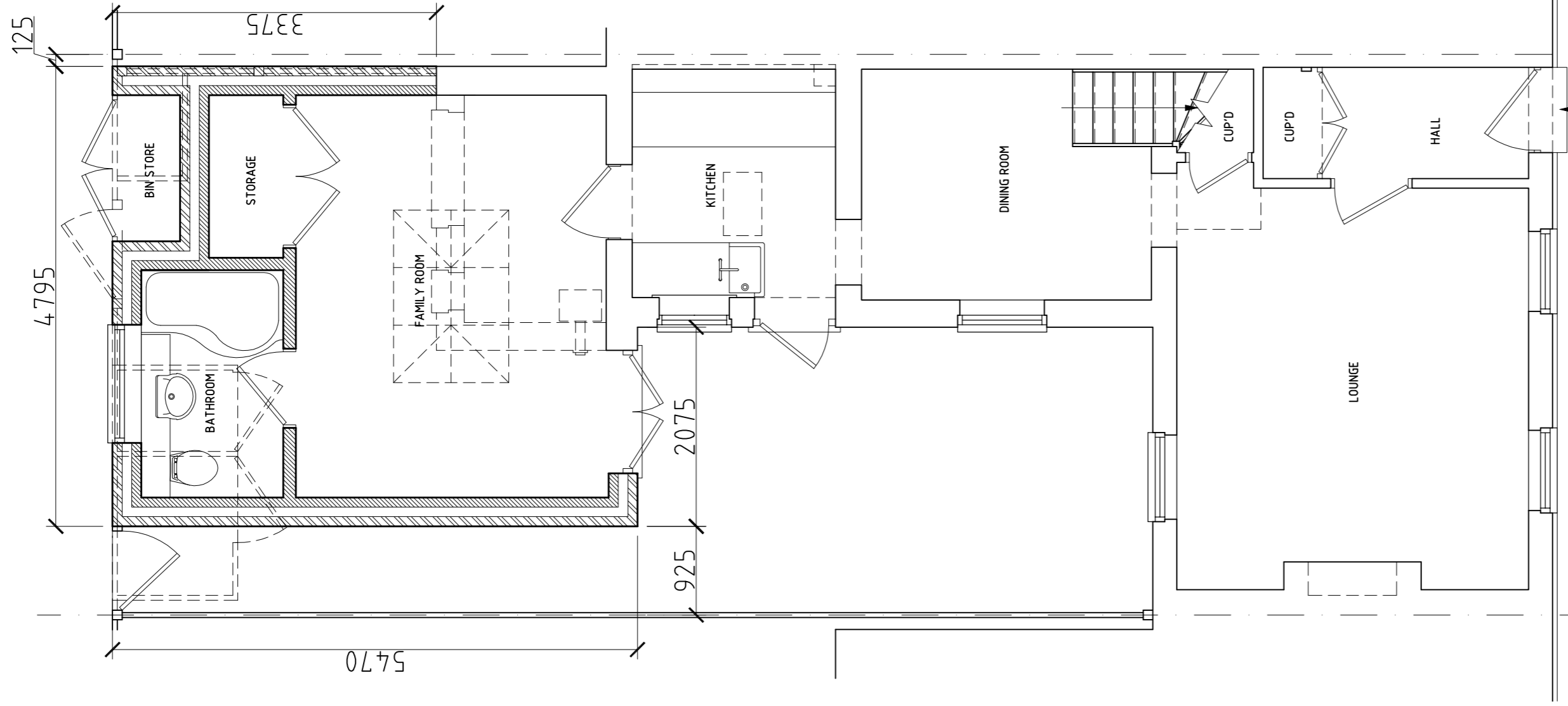
Sub Sta



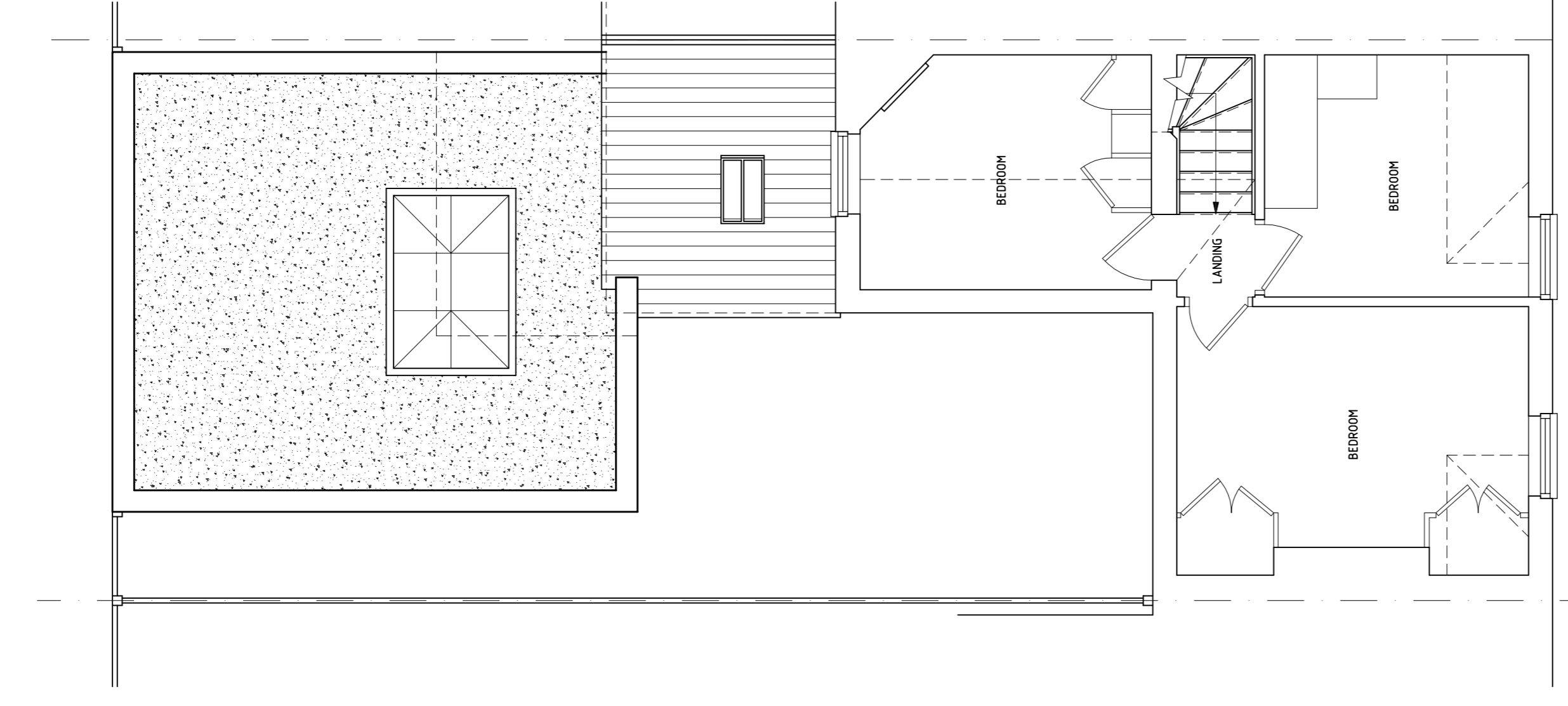
EXISTING
GROUND FLOOR



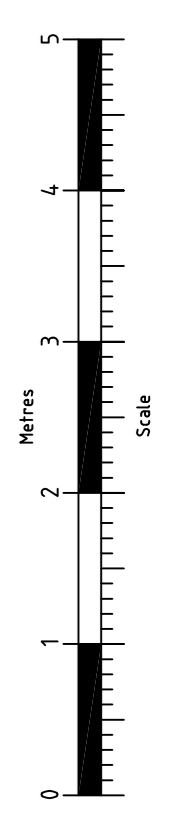
EXISTING
FIRST FLOOR



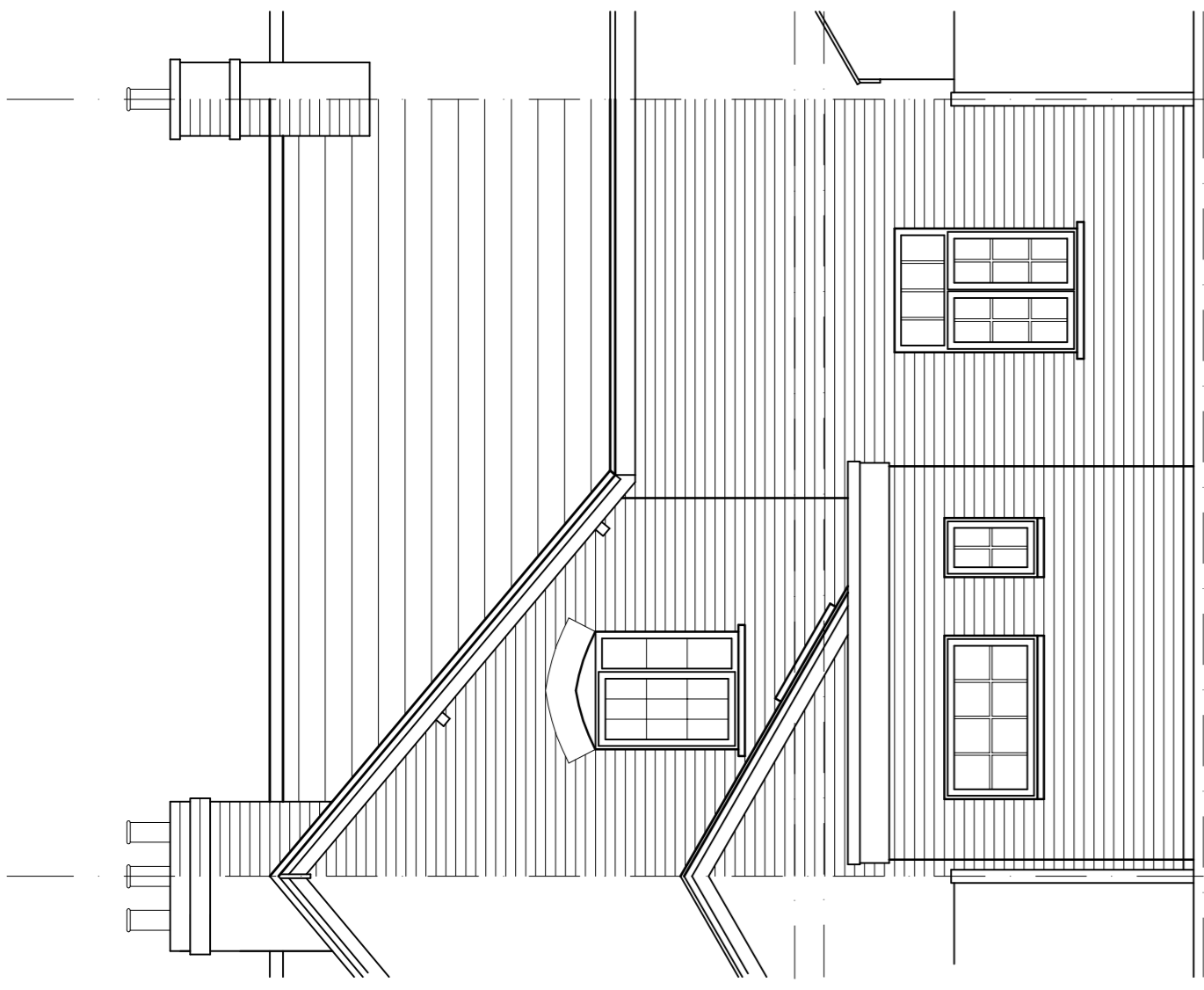
PROPOSED
GROUND FLOOR



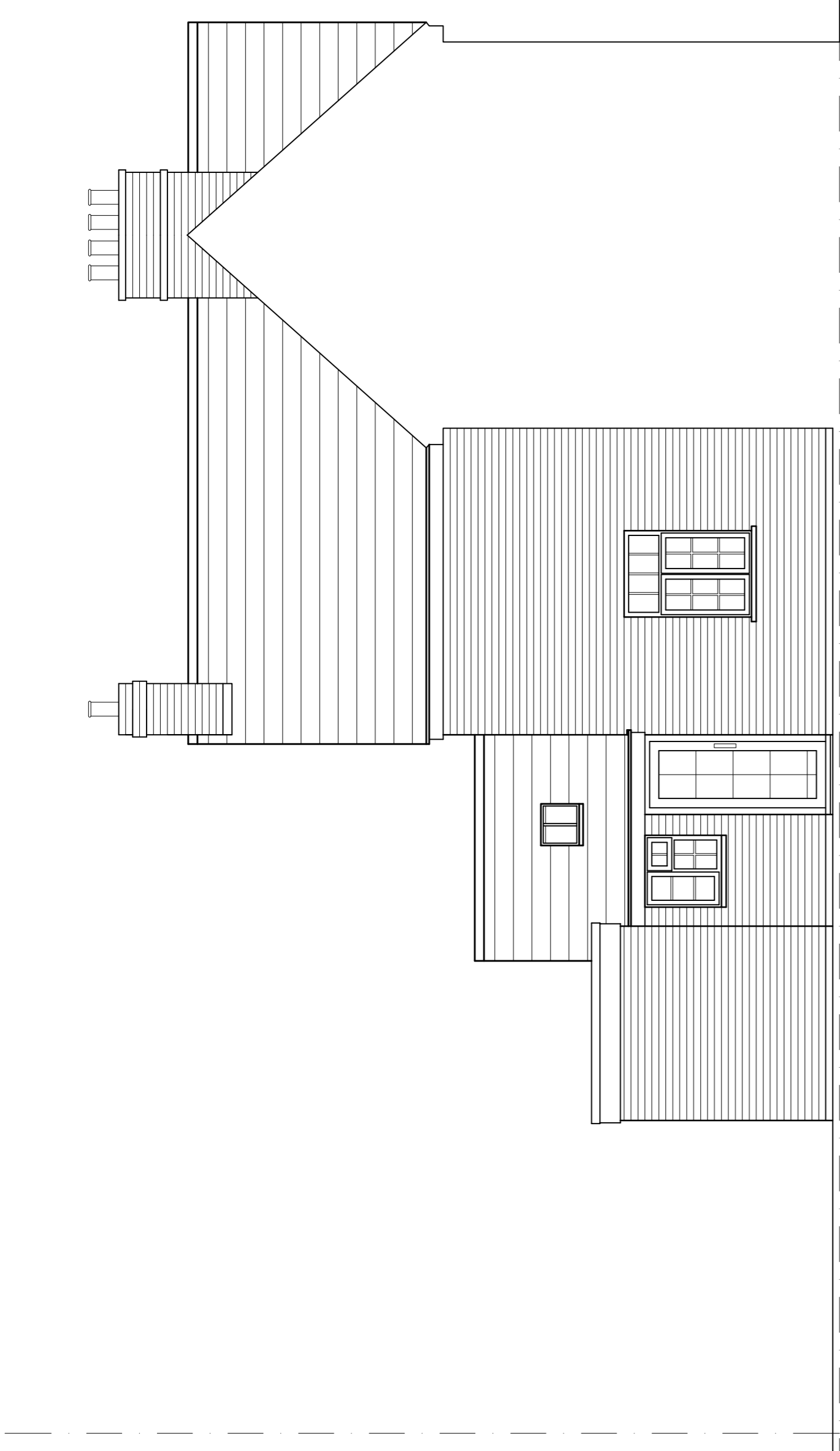
PROPOSED
FIRST FLOOR



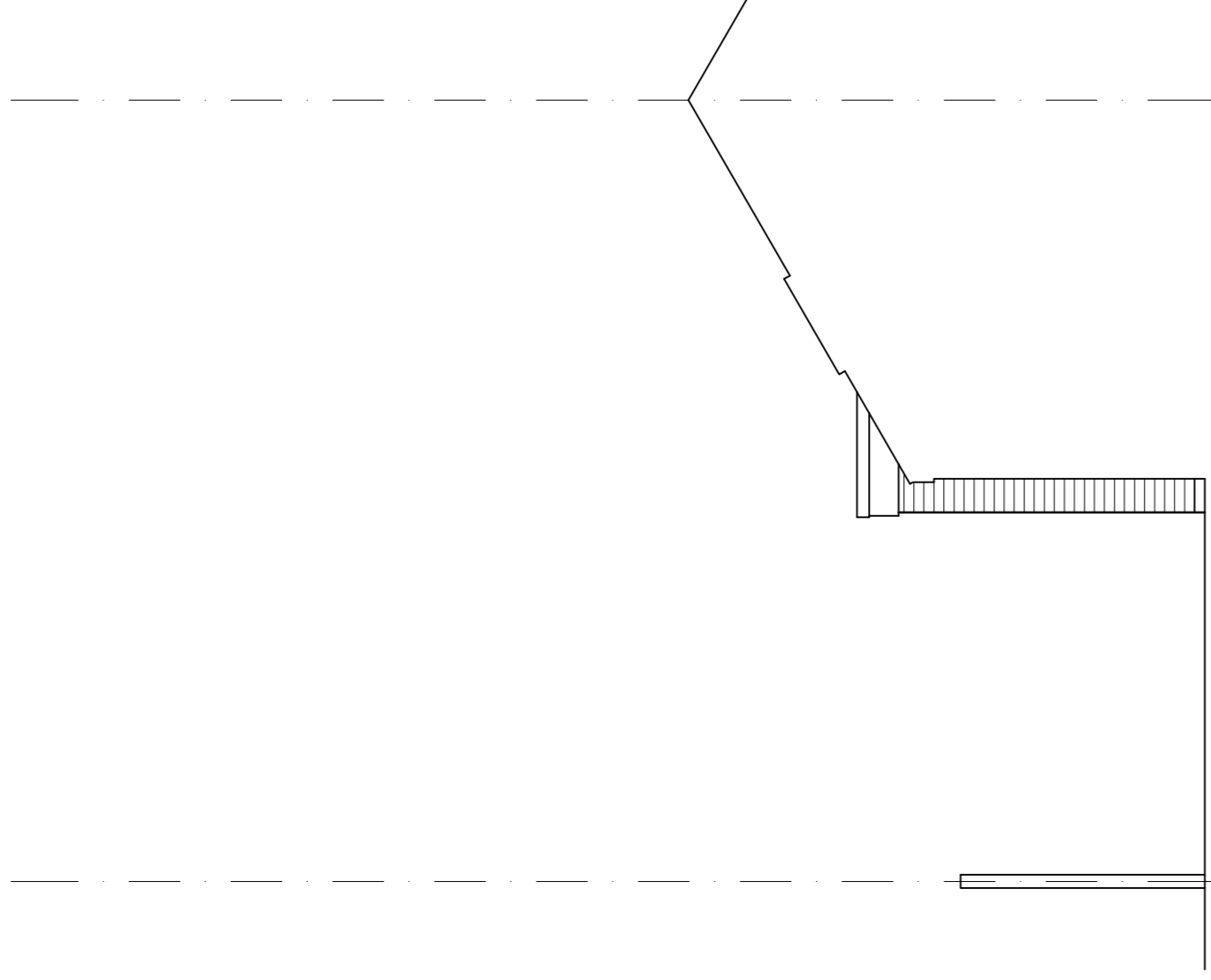
| | | | |
|---|---------------------|--------|----------------|
| Architects | | Date | |
| VArch Ltd Virtual Architecture ARCHITECTURAL DESIGN & PLANNING SERVICES Tel: 0783374405 e-mail: rj@varch.com | | | |
| PROJECT | CLIENT | Drawn | Date |
| ORCHARD COTTAGE, 11 ALMA SQUARE, FARNBOROUGH | MR & MRS K. EDWARDS | RJS | SEPTEMBER 2015 |
| DRAWING TITLE | Scale | AI | 1:50 |
| EXISTING & PROPOSED PLANS | DRAWING NO. | 154/01 | REV. |
| | | | — |



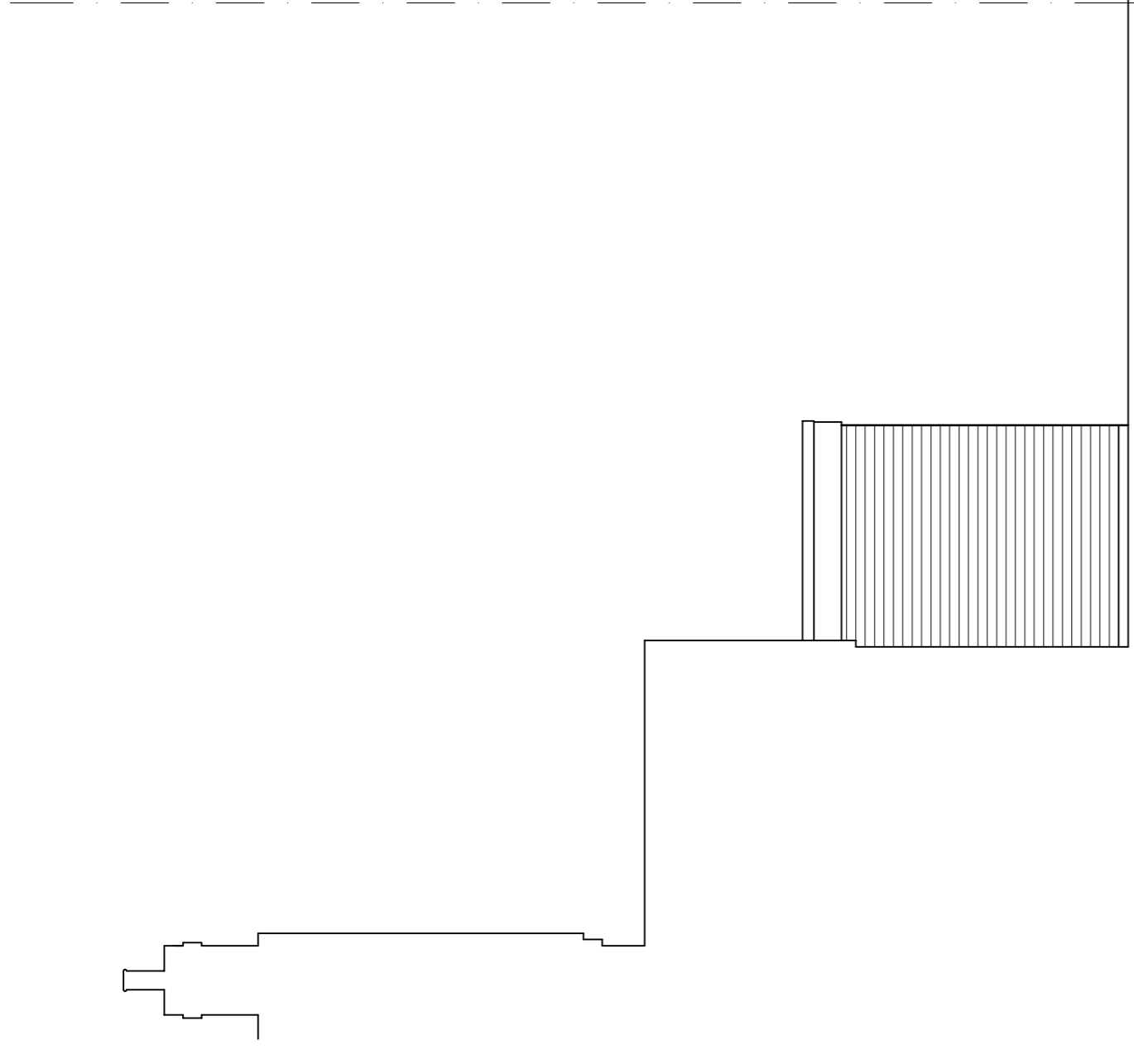
EXISTING REAR ELEVATION



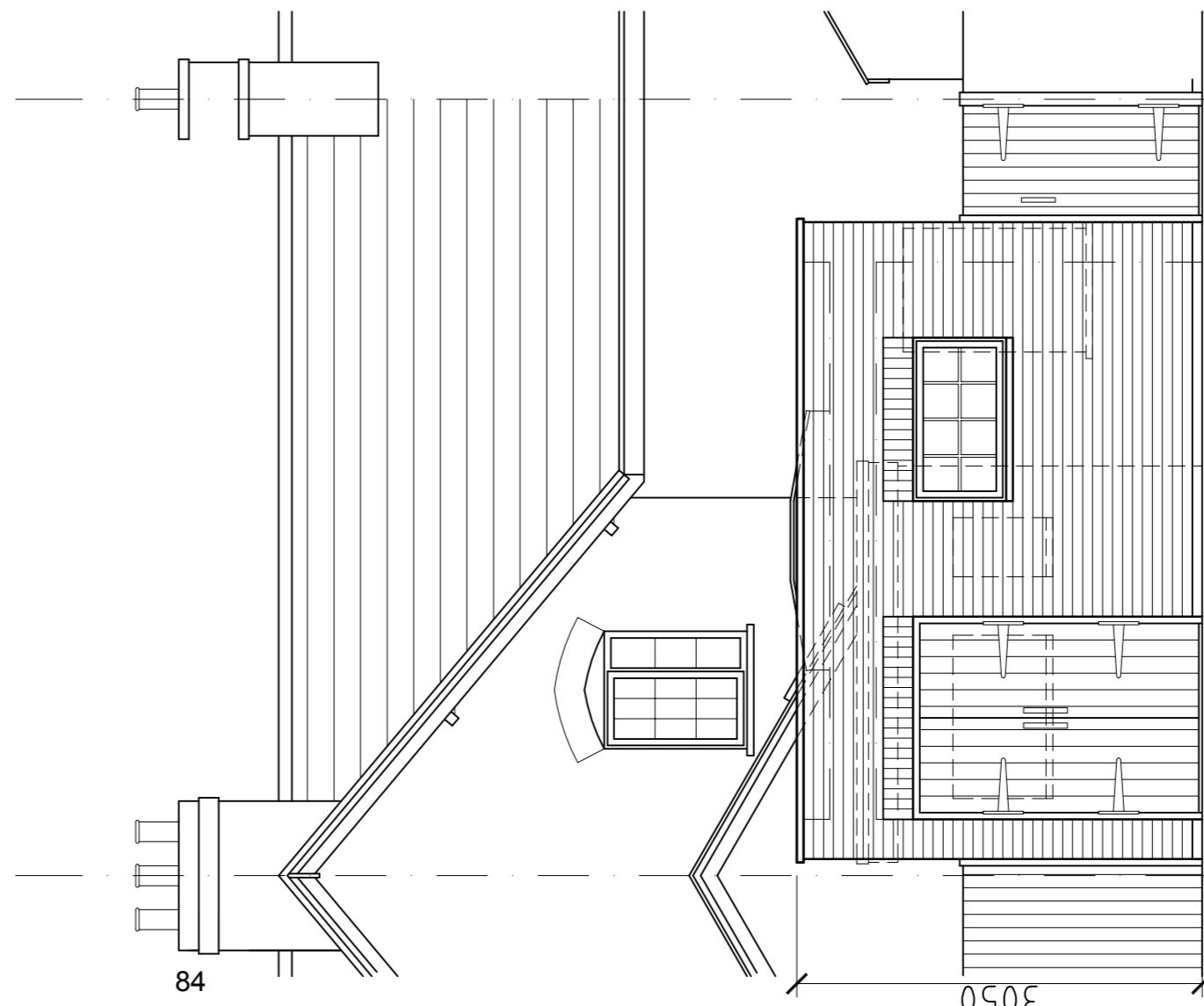
EXISTING SIDE ELEVATION



EXISTING REAR-FRONT ELEVATION



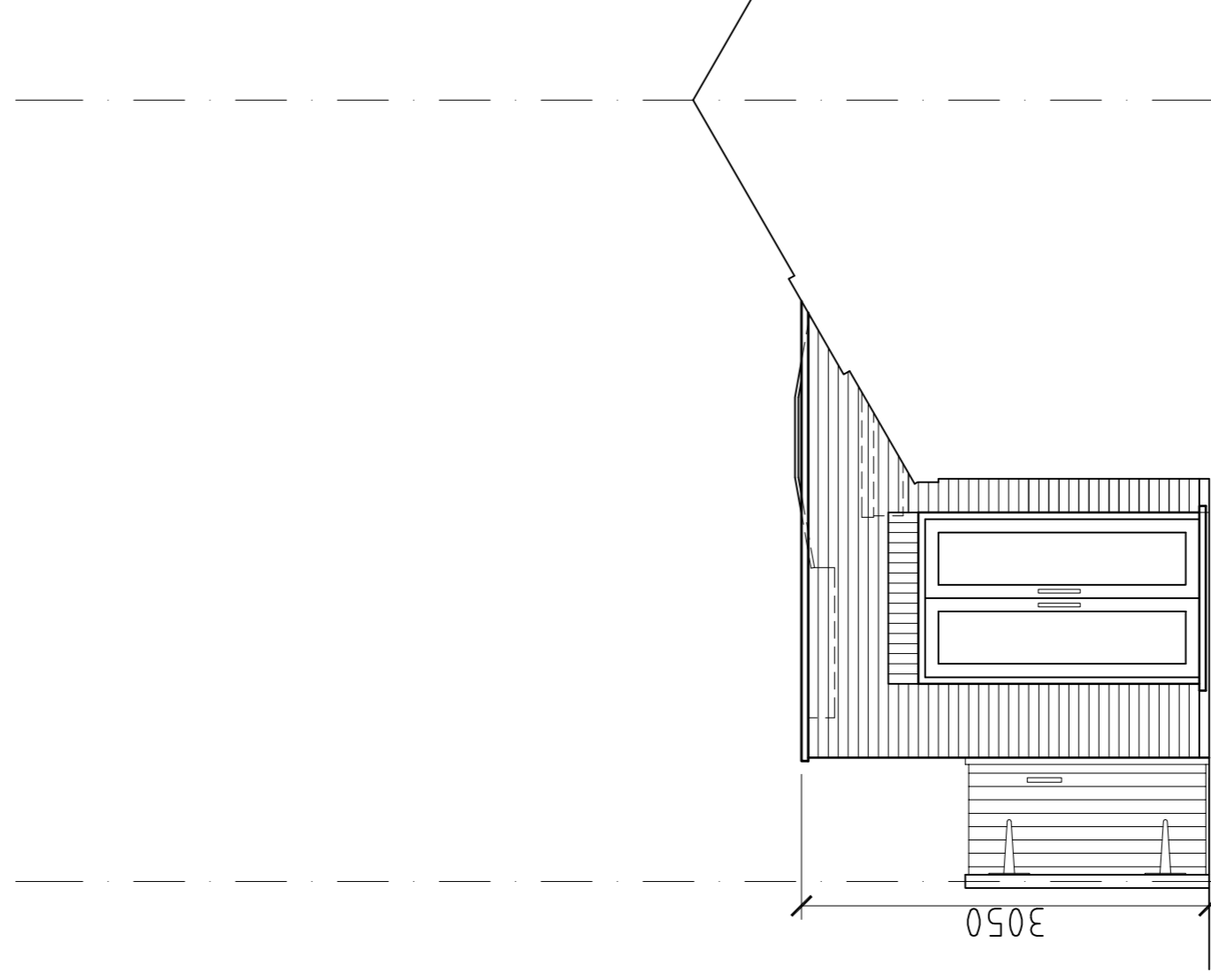
EXISTING SIDE ELEVATION



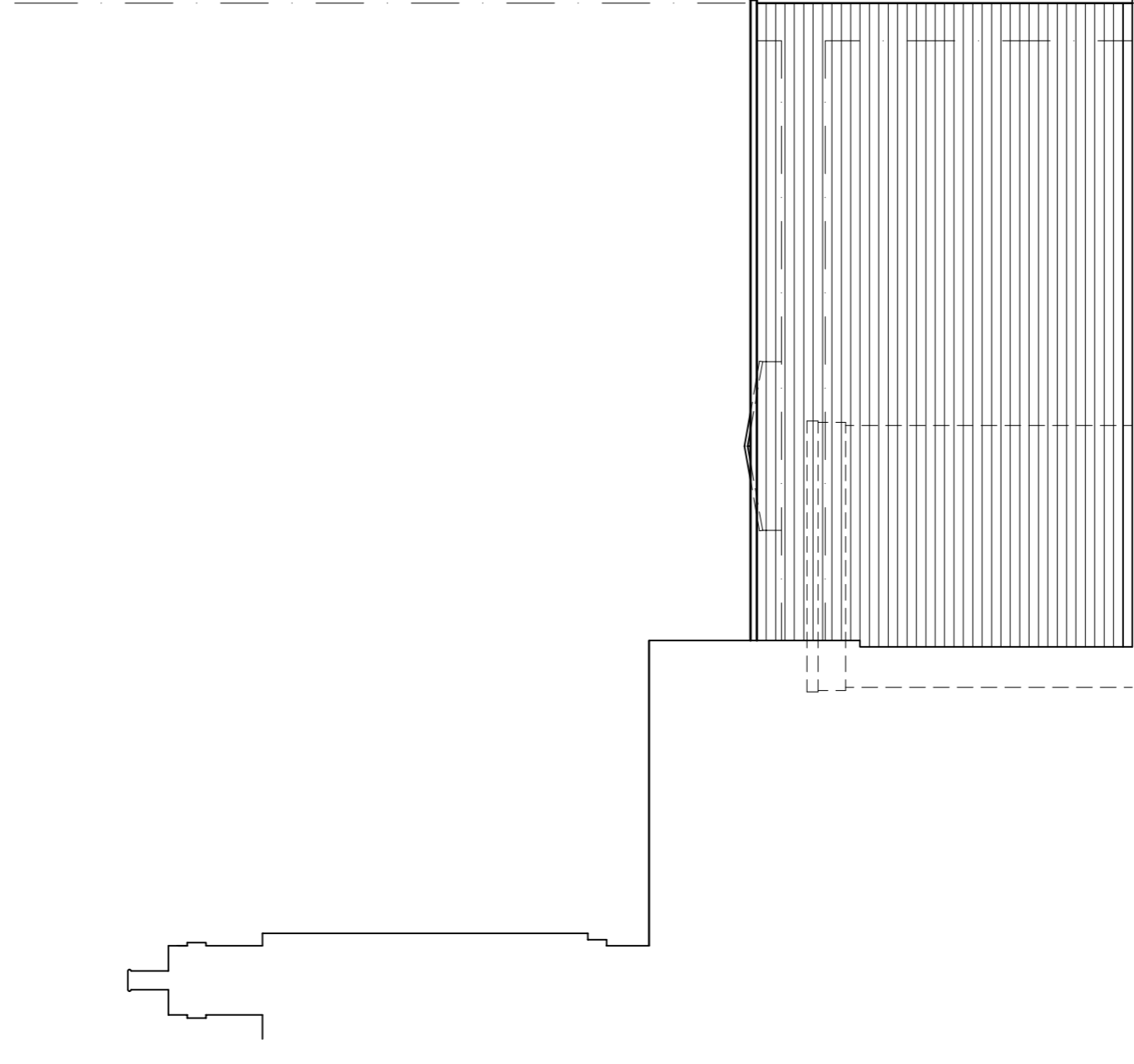
PROPOSED REAR ELEVATION



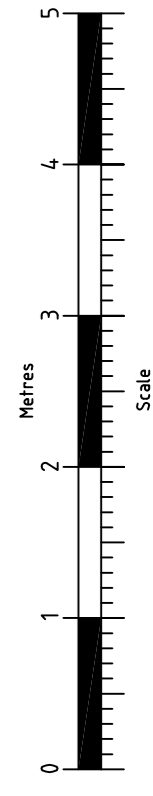
PROPOSED SIDE ELEVATION



EXISTING REAR-FRONT ELEVATION



PROPOSED SIDE ELEVATION



| | | | |
|---|---------------------|----------------|------|
| Architects | | Date | |
| - | | - | |
| VArch Ltd Virtual Architecture ARCHITECTURAL DESIGN & PLANNING SERVICES Tel: 0783374685 e-mail: rj@varch.com | | | |
| PROJECT | CLIENT | DATE | REV. |
| ORCHARD COTTAGE, 11 ALMA SQUARE, FARNBOROUGH | MR & MRS K. EDWARDS | SEPTEMBER 2015 | 1 |
| DRAWING TITLE | Scale | | |
| EXISTING & PROPOSED ELEVATIONS | A1 @ 1:50 | | |
| | DRAWING NO. | | REV. |
| | 154/02 | | - |

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 | Tara Cowell |
| Application No. | 15/00723/ADV |
| Date Valid | 18th September 2015 |
| Expiry date of consultations | 9th October 2015 |
| Proposal | Display of one non illuminated banner on north elevation |
| Address | Princes Hall Princes Way Aldershot Hampshire GU11 1NX |
| Ward | Wellington |
| Applicant | Edward Haversham |
| Recommendation | GRANT Advertisement Consent |

Description

Princes Hall stands on the west side of Princes Way and occupies a corner position at the traffic-light junction with Wellington Avenue (A323). It adjoins Aldershot Police Station, Magistrates' Courts and Westgate.

Advertisement consent has been granted permission for various signage in 2005, 2010 and 2011. This application seeks consent for the display of a banner on the northern side of the building facing Wellington Avenue at first floor level. There is no current signage in that position at present. The banner will measure 7.5 metres wide x 2.5 metres high. The design of the banner will change in order to promote new shows at the venue throughout the year.

Consultee Responses

Transportation Strategy Officer No Highway Objection

Neighbours notified

In addition to posting a site notice and press advertisement, individual letters of notification were sent to 1-4 Westgate, Magistrates Court and Hampshire Constabulary.

Neighbour comments

No comments have been received as a result of neighbour notification.

Policy and determining issues

The site is located within the Aldershot town centre policy area but outside the shopping core as defined by the Rushmoor Local Plan Review (1996-2011). Policy ENV38 (advertisements) is relevant.

The only determining issues in respect of advertisements are the impact on visual amenity and highway safety.

Commentary

Visual Impact -

Princes Hall is located in a prominent corner position and is readily visible on the margins of Aldershot town centre. The duration of a consent under the Advertisement Regulations is five years unless otherwise specified. The banner will be replaced on a regular basis to promote different shows at the venue and is therefore unlikely to become unsightly through age. The banner therefore is considered appropriate for a multi-purpose entertainment venue of this type and would have an acceptable visual impact.

Highway Safety -

The Transportation Strategy Officer raises no highway objection to the proposed advertisement. It is considered that the proposals would have no material and harmful implications for highway safety.

Conclusion -

It is considered that the proposals are acceptable in terms of both their visual impact and highway safety and, as such, comply with the requirements of Policy ENV38 of the adopted Rushmoor Local Plan Review (1996-2011).

Full Recommendation

It is recommended that advertisement consent be **GRANTED** subject to the following conditions:-

1. No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.
2. No advertisement shall be sited or displayed so as to:-
 - (a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
 - (b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or
 - (c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.
3. Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

4. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.
5. Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

ADDITIONAL CONDITIONS

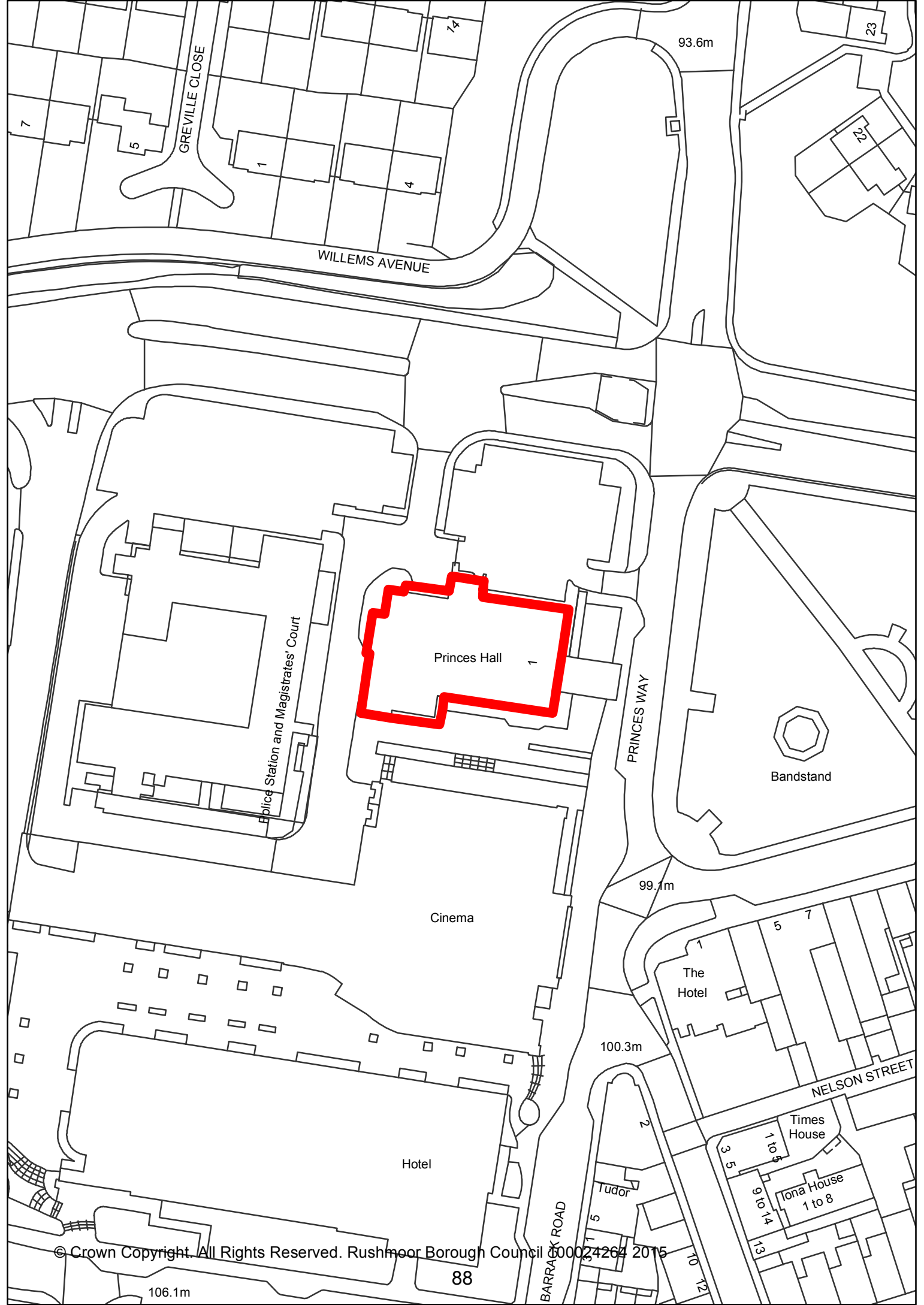
- 1 The signage hereby permitted shall be carried out in accordance with the following approved drawings:- Plan 01 - Plan 02 and S/1

Reason - To ensure the signage is displayed in accordance with the permission granted

Informatives

- 1 **INFORMATIVE** – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, 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.
- 2 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted advertisement consent because it is considered that the signage is acceptable in terms of both its visual impact and in respect of highway safety considerations and, as such, complies with the requirements of Policy ENV38 of the adopted Rushmoor Local Plan Review (1996-2011).

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.



GREVILLE CLOSE

WILLEMS AVENUE

93.6m

Police Station and Magistrates' Court

Princes Hall

PRINCES WAY

Bandstand

Cinema

99.1m

The Hotel

100.3m

Hotel

NELSON STREET

Times House

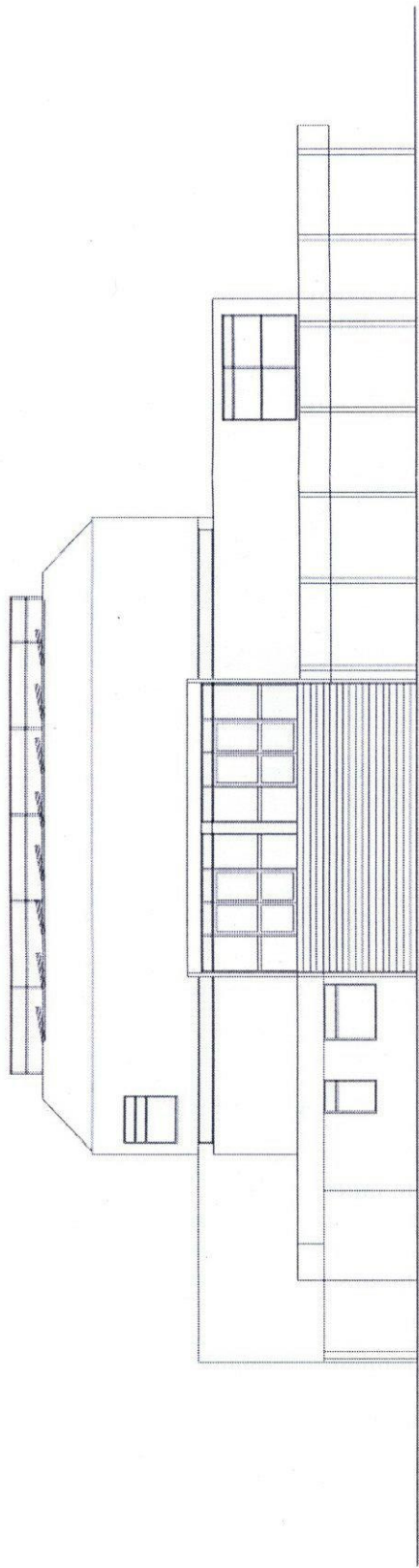
Iona House
1 to 8

Tudor

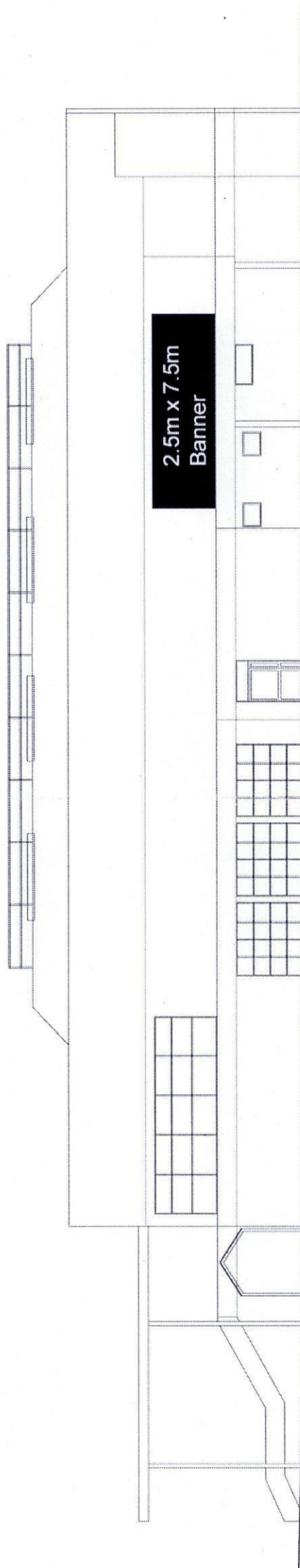
106.1m

88

BARRACK ROAD



Elevation facing East



Elevation facing North

Elevations of Princes Hall
 At Princes Hall
 Princes Way
 Aldershot
 GU11 1NX

Scale 1 / 200 @ A3

PLAN 01



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 | 15/00381/FULPP | Ward: North Town |
| Applicant: | Tancia Holdings Ltd | |
| Decision: | Permission Granted | |
| Decision Date: | 21 September 2015 | |
| Proposal: | Demolition of existing commercial building and erection of new purpose-designed portal frame building to be used for storage & distribution purposes (Use Class B8) | |
| Address | Unit 1A Eastern Road Aldershot Hampshire GU12 4TD | |

| | | |
|----------------|--|---------------|
| Application No | 15/00425/TPOPP | Ward: Empress |
| Applicant: | Miss Alix Holdaway | |
| Decision: | Permission Granted | |
| Decision Date: | 09 September 2015 | |
| Proposal: | One Sweet Chestnut (T52 of TPO 444A) crown reduction of no more than 2 metres, one Sweet Chestnut (T53 of TPO 444A) crown reduction of no more than 3 metres, one Sweet Chestnut (T54 of TPO 444A) crown lift to no more than 5 metres from ground level | |
| Address | 5 Leopold Avenue Farnborough Hampshire GU14 8NL | |

Application No 15/00438/LBC2PP Ward: Wellington

Applicant: Mr Tanka Rana

Decision: **Permission Granted**

Decision Date: 23 September 2015

Proposal: Listed building consent for at ground floor, the removal of existing walls and stud partitions, construction of new stud partitions, the formation of new kitchen area to include new cold store, cellar area and bar servery, raising of internal floor levels, remove existing concrete in Area D and lay a new concrete floor, formation of new steps with handrails, creation of ramped lobby approach to ladies WC following removal of existing walls. Reinstatement of glazing to window frames on front elevation, electrical and heating systems to updated and modernized, installation of new kitchen and refurbishment of WC areas and general redecoration of internal and external areas.

Address **35 Station Road Aldershot Hampshire GU11 1BA**

Application No 15/00441/FULPP Ward: Cherrywood

Applicant: Mr I Hollis

Decision: **Permission Granted**

Decision Date: 11 September 2015

Proposal: Erection of a three bedroom detached house with parking and use of existing access from Cherrywood Road

Address **41 Meadow Road Farnborough Hampshire GU14 8ET**

Application No 15/00448/REVPP Ward: St Mark's

Applicant: Mr C Walker

Decision: **Permission Granted**

Decision Date: 11 September 2015

Proposal: Removal of Condition No.10 (sustainable construction certification) imposed by planning permission 14/00746/FULPP granted on 1st December 2014

Address **11 Gordon Road Farnborough Hampshire GU14 6HN**

Application No 15/00476/COND Ward: Manor Park
Applicant: Cove Construction Ltd.
Decision: **Conditions details approved**
Decision Date: 23 September 2015
Proposal: Submission of details pursuant to Condition No.15 (validation of remediation of ground contamination) of planning permission 12/00527/FULPP granted on 16th November 2012
Address **Albion Works Church Lane East Aldershot Hampshire GU11 3BT**

Application No 15/00491/FULPP Ward: Fernhill
Applicant: Mr TIMOTHY PARKER
Decision: **Permission Granted**
Decision Date: 18 September 2015
Proposal: Erection of part two storey and part three storey side extension
Address **135 Chapel Lane Farnborough Hampshire GU14 9BH**

Application No 15/00507/FULPP Ward: Rowhill
Applicant: Hyde Housing Association
Decision: **Permission Granted**
Decision Date: 24 September 2015
Proposal: Replacement of windows and doors to flats 1 - 4
Address **3 Upper Elms Road Aldershot Hampshire GU11 3ES**

Application No 15/00511/COND Ward: Empress
Applicant: Key Property Investments (Number One)
Decision: **Conditions details approved**
Decision Date: 09 September 2015
Proposal: Submission of details to comply with condition 2 (construction method statement) attached to planning permission 15/00326/COU dated 25 June 2015
Address **28 - 50 Kingsmead Farnborough Hampshire**

Application No 15/00515/FUL Ward: Cove And Southwood
Applicant: Mr A Sarlmaz
Decision: **Permission Granted**
Decision Date: 30 September 2015
Proposal: Erection of a single storey side extension, covered stairway to first floor, new shop front and decking to front of property with associated works
Address **9 Bridge Road Farnborough Hampshire GU14 0HT**

Application No 15/00517/FULPP Ward: Wellington
Applicant: Kentucky Fried Chicken (Great Britain) Li
Decision: **Permission Granted**
Decision Date: 11 September 2015
Proposal: Change of use of upper floors to residential accommodation comprising six one-bedroom flats with associated external works including installation of plant equipment at 17 Union Street, Aldershot.
Address **17 Union Street Aldershot Hampshire GU11 1EP**

Application No 15/00521/TPOPP Ward: Empress
Applicant: Mr Moseley
Decision: **Permission Granted**
Decision Date: 09 September 2015
Proposal: One Sweet Chestnut (T7 of TPO 442) remove epicormic growth and remove four lowest branches on side facing 2 Napoleon Avenue and prune back to boundary line
Address **1 St Michaels Road Farnborough Hampshire GU14 8ND**

Application No 15/00529/FUL Ward: Cove And Southwood
Applicant: Mr Hombahadur Kwar
Decision: **Permission Granted**
Decision Date: 11 September 2015
Proposal: Erection of a front porch extension and 1m boundary wall
Address **14 St Christophers Road Farnborough Hampshire GU14 0AH**

Application No 15/00532/TPOPP Ward: Knellwood

Applicant: Mr Fyfe

Decision: **Permission Granted**

Decision Date: 16 September 2015

Proposal: One Oak (T16 of TPO 396A) remove to ground level

Address **1 Wood End Farnborough Hampshire GU14 7BA**

Application No 15/00543/FULPP Ward: Knellwood

Applicant: Dr M & S Hussain

Decision: **Permission Granted**

Decision Date: 18 September 2015

Proposal: Construction of a new 3 bed house with garden and parking.

Address **Land To The Rear Of 145 Alexandra Road Farnborough Hampshire**

Application No 15/00546/NMA Ward: Cherrywood

Applicant: Winchester Estates Limited

Decision: **Permission Granted**

Decision Date: 23 September 2015

Proposal: NON-MATERIAL AMENDMENT : Re-positioning of vehicular access from Hawley Lane approved by planning permission 14/00786/FUL dated 28 November 2014

Address **Unit 2 106 Hawley Lane Farnborough Hampshire GU14 8EQ**

Application No 15/00559/COU Ward: St John's

Applicant: Mr R Funnell

Decision: **Permission Granted**

Decision Date: 29 September 2015

Proposal: Use of builder's yard access road to provide vehicular access to highway from rear garden to facilitate construction of residential parking area

Address **2 Woodcot Gardens Farnborough Hampshire GU14 9RD**

Application No 15/00570/REVPP Ward: Wellington

Applicant: Dunedin Property (Aldershot) Limited

Decision: **Permission Granted**

Decision Date: 23 September 2015

Proposal: MATERIAL MINOR AMENDMENT : minor external changes, including the insertion of double fire escape doors to the service yard, to development approved by planning permission 13/00823/FULPP dated 11 December 2013. Condition Number(s) Condition(s)
Removal of minor changes including the insertion of double fire escape doors to the service yard to facilitate new tenancy by the substitution of updated drawings.

Address **The Arcade 30 Wellington Street Aldershot Hampshire GU11 1EA**

Application No 15/00571/TPOPP Ward: St Mark's

Applicant: Ms Megan Kavanagh

Decision: **Permission Granted**

Decision Date: 28 September 2015

Proposal: One Horse Chestnut reduce stem nearest building by no more than 4 metres and shape with remainder of crown, one Oak prune nearest branch to building by no more than 2 metres (both trees part of G2 of TPO 366)

Address **Land To The Rear Of 29-51 Bruntile Close Farnborough Hampshire**

Application No 15/00575/CONDPP Ward: St Mark's

Applicant: Dr V Kumar And Nirmal Agrawal

Decision: **Conditions details approved**

Decision Date: 02 October 2015

Proposal: Submission of details pursuant to Condition Nos.3 (external materials), 4 (surfacing materials details), 6 (levels), 8 (boundary enclosure details), 11 (operatives parking & turning during construction period), and 16 (SUDS drainage details) of planning permission 14/00919/FULPP dated 13 March 2015

Address **Drakes Cottage 4 Queens Road Farnborough Hampshire GU14 6DH**

Application No 15/00576/TPOPP Ward: Empress
Applicant: Ms Megan Kavanagh
Decision: **Permission Granted**
Decision Date: 28 September 2015
Proposal: One Horse Chestnut (T1 of TPO 457) crown lift no more than 3 metres from ground level
Address **Pipers Patch Clockhouse Road Farnborough Hampshire GU14 7QG**

Application No 15/00579/TPO Ward: Knellwood
Applicant: Mr Lee Mead
Decision: **Permission Granted**
Decision Date: 30 September 2015
Proposal: One Beech (T63 of TPO 429A) reduce lateral growth by no more than 4 metres and balance with a height reduction of no more than 4 metres, crown thin by no more than 20% as per schedule. One Oak (T35 of TPO 429A) raise crown by no more than 4 metres from ground level and remove epicormic growth from main trunk
Address **Moreton 45 Salisbury Road Farnborough Hampshire GU14 7AJ**

Application No 15/00585/ADVPP Ward: Empress
Applicant: DFS Trading LTD
Decision: **Permission Granted**
Decision Date: 01 October 2015
Proposal: Display of six internally illuminated fascia signs to replace existing fascia signs
Address **Unit 1 Solartron Retail Park Solartron Road Farnborough Hampshire GU14 7QJ**

Application No 15/00586/FULPP Ward: Aldershot Park
Applicant: Mr Rene Rojas Olea
Decision: **Permission Granted**
Decision Date: 09 September 2015
Proposal: Erection of a two storey side and single storey front extension
Address **67 Tongham Road Aldershot Hampshire GU12 4AR**

Application No 15/00590/FULPP Ward: Manor Park
Applicant: Mr Paolo Gilardoni
Decision: **Permission Granted**
Decision Date: 07 September 2015
Proposal: Installation of two retractable canvas awnings
Address **The Queen Victoria 135 - 139 Victoria Road Aldershot Hampshire
GU11 1JW**

Application No 15/00594/FULPP Ward: St Mark's
Applicant: The Army Athletics Association
Decision: **Permission Granted**
Decision Date: 30 September 2015
Proposal: Erection of a small pavilion/ scoring control building for use by The Army
Athletics Association
Address **Aldershot Military Stadium Queens Avenue Aldershot Hampshire
GU11 2JL**

Application No 15/00597/TPOPP Ward: Knellwood
Applicant: Mrs I Garner
Decision: **Permission Granted**
Decision Date: 02 October 2015
Proposal: 12 Oaks and 1 Sweet Chestnut (part of group G1 of TPO 350A) crown lift
to no more than 4 metres from ground level, crown thin by no more than
20% and remove deadwood ☐
Address **3 Chalfont Drive Farnborough Hampshire GU14 6SJ**

Application No 15/00600/FULPP Ward: Wellington
Applicant: Grainger (Aldershot) Limited And Secretar
Decision: **Permission Granted**
Decision Date: 22 September 2015
Proposal: Alterations to and extension of car park serving Maida Gymnasium and
Smith Dorrien House.
Address **Zone A - Maida Aldershot Urban Extension Alisons Road Aldershot
Hampshire**

Application No 15/00602/FULPP Ward: St John's
Applicant: Mrs Sheila Connell
Decision: **Permission Granted**
Decision Date: 07 September 2015
Proposal: Erection of a single storey front extension
Address **Newton 165 Fleet Road Farnborough Hampshire GU14 9SL**

Application No 15/00604/HCC Ward: Rowhill
Applicant: Hampshire County Council
Decision: **No Objection**
Decision Date: 23 September 2015
Proposal: HAMPSHIRE COUNTY COUNCIL CONSULTATION : Conversion and extension to existing school building to create an Education Centre
Address **Wellington Community Primary School York Road Aldershot Hampshire GU11 3JG**

Application No 15/00605/PDCPP Ward: Fernhill
Applicant: Mr Aaron Kurzeja
Decision: **Development is Lawful**
Decision Date: 07 September 2015
Proposal: Formation of a dormer window to the rear to facilitate a loft conversion
Address **Allsons 5 Lakeside Gardens Farnborough Hampshire GU14 9JG**

Application No 15/00608/FULPP Ward: Cove And Southwood
Applicant: Mr & Mrs N JOHNSTON
Decision: **Permission Granted**
Decision Date: 08 September 2015
Proposal: Erection of part first floor and part 2 storey side extension
Address **31 Oldwood Chase Farnborough Hampshire GU14 0QS**

Application No 15/00611/FULPP Ward: Knellwood

Applicant: Mr A Brooks

Decision: **Permission Granted**

Decision Date: 09 September 2015

Proposal: Erection of single storey rear extension

Address **54 The Grove Farnborough Hampshire GU14 6QS**

Application No 15/00616/FULPP Ward: Manor Park

Applicant: Mr T Angelis

Decision: **Permission Granted**

Decision Date: 23 September 2015

Proposal: Retention of first floor rear extension with width and depth increased over that originally approved by planning permission 15/00287/FULPP granted 22 May 2015 and incorporating the re-location and re-design of the external extraction system chimney and reduction in depth of single-storey extension approved by planning permission 15/00127/FULPP granted 10 April 2015

Address **282 Lower Farnham Road Aldershot Hampshire GU11 3RD**

Application No 15/00617/FULPP Ward: Knellwood

Applicant: Mr Simon Moore

Decision: **Permission Granted**

Decision Date: 11 September 2015

Proposal: Erection of a detached garage with log store and erection of a 2m high brick wall with pillars and double gates along the front boundary□

Address **50 Church Avenue Farnborough Hampshire GU14 7AP**

Application No 15/00618/FULPP Ward: Knellwood

Applicant: Mr Simon Moore

Decision: **Permission Granted**

Decision Date: 11 September 2015

Proposal: Erection of a two storey and part single storey rear extension and formation of dormer on side elevation

Address **50 Church Avenue Farnborough Hampshire GU14 7AP**

Application No 15/00620/FUL Ward: Fernhill
Applicant: Mr And Mrs Mitchell
Decision: **Permission Granted**
Decision Date: 10 September 2015
Proposal: Erection of summer house in front garden
Address **356 Fernhill Road Farnborough Hampshire GU14 9EF**

Application No 15/00623/FULPP Ward: North Town
Applicant: Mr Andrew Shurlock
Decision: **Permission Granted**
Decision Date: 28 September 2015
Proposal: Erection of front porch
Address **56 Connaught Road Aldershot Hampshire GU12 4RR**

Application No 15/00627/FULPP Ward: St John's
Applicant: Mrs Alison Usher
Decision: **Permission Granted**
Decision Date: 15 September 2015
Proposal: Erection of first floor side extension
Address **4 Broadhurst Farnborough Hampshire GU14 9XA**

Application No 15/00635/NMA Ward: Empress

Applicant: Bride Hall Holdings

Decision: **Permission Granted**

Decision Date: 18 September 2015

Proposal: Non material amendment to planning permission 13/00024/FULPP dated 25 October 2013 in respect of alterations to external elevations to the hotel/restaurant comprising the removal of a door with glazing retained; the removal of a glazed panel and replacement with double door and the removal of 3 single doors and replacement with one double door in the east elevation; reduction in extent of louvred screen to plant area and new window for linen store in west elevation and reduction in glazing to hotel reception and alterations to doors (stair/lift external access doors) in the south elevation

Address **1 - 5 Firgrove Parade Farnborough Hampshire**

Application No 15/00636/FULPP Ward: St John's

Applicant: Mr Terry Sullivan

Decision: **Permission Granted**

Decision Date: 22 September 2015

Proposal: External changes to front of garage to facilitate habitable room

Address **16 Comfrey Close Farnborough Hampshire GU14 9XX**

Application No 15/00637/CONDPP Ward: Wellington

Applicant: Baylight Property Services

Decision: **Conditions details approved**

Decision Date: 23 September 2015

Proposal: Submission of details pursuant to Condition No.16 (validation of ground contamination remedial measures) of planning permission 13/00230/FUL dated 20 June 2013

Address **Land To The East Of Sheeling Close North Lane Aldershot Hampshire**

Application No 15/00640/FULPP Ward: Manor Park
Applicant: Mr & Mrs A Hieke
Decision: **Permission Granted**
Decision Date: 28 September 2015
Proposal: Formation of a pitched roof over existing flat roof garage
Address **22 Churchill Avenue Aldershot Hampshire GU12 4JR**

Application No 15/00651/FUL Ward: Fernhill
Applicant: Mr Rathod
Decision: **Permission Granted**
Decision Date: 01 October 2015
Proposal: Erection of a first floor side extension
Address **14 Orchard Close Blackwater Camberley Hampshire GU17 9EX**

Application No 15/00652/FULPP Ward: Cove And Southwood
Applicant: Mr DAVID REECE
Decision: **Permission Granted**
Decision Date: 01 October 2015
Proposal: Erection of a two storey side extension
Address **24 Ambleside Close Farnborough Hampshire GU14 0JY**

Application No 15/00656/FULPP Ward: Cove And Southwood
Applicant: Mrs V Rainford Roberts
Decision: **Permission Granted**
Decision Date: 28 September 2015
Proposal: Erection of a two storey side extension and single storey rear extension
Address **42 Holly Road Farnborough Hampshire GU14 0EA**

Application No 15/00658/FULPP Ward: Rowhill
Applicant: Mr Richard Beard
Decision: **Permission Granted**
Decision Date: 01 October 2015
Proposal: Increase in height to existing rear extension and formation of new decking area with adjacent new boundary fencing to rear
Address **134 Queens Road Aldershot Hampshire GU11 3LA**

Application No 15/00662/FUL Ward: Manor Park
Applicant: Mr T Sparks
Decision: **Permission Granted**
Decision Date: 25 September 2015
Proposal: Erection of a single storey front extension
Address **50A Highfield Avenue Aldershot Hampshire GU11 3DA**

Application No 15/00666/REXPD Ward: West Heath
Applicant: Mr I Wheatley
Decision: **Prior approval is NOT required**
Decision Date: 01 October 2015
Proposal: Erection of a conservatory to the rear measuring 5 metres from the original rear wall of the property x 2.25 metres to the eaves and 3.17 metres overall height
Address **92 West Heath Road Farnborough Hampshire GU14 8QX**

Application No 15/00667/FULPP Ward: Manor Park
Applicant: Mr & Mrs M Fell
Decision: **Permission Granted**
Decision Date: 01 October 2015
Proposal: Replacement of existing flat roof to front with pitched tiled roof.
Address **21 Churchill Avenue Aldershot Hampshire GU12 4JR**

Application No 15/00677/FUL Ward: West Heath
Applicant: Mr L. Batten
Decision: **Permission Granted**
Decision Date: 01 October 2015
Proposal: Erection of single storey side and rear extensions
Address **2 Mayfield Road Farnborough Hampshire GU14 8RS**

Application No 15/00688/FUL Ward: Rowhill
Applicant: Mr Tony Carey
Decision: **Permission Granted**
Decision Date: 01 October 2015
Proposal: Erection of single storey side extension
Address **33 Beaumont Grove Aldershot Hampshire GU11 1YH**

Application No 15/00690/FUL Ward: Cove And Southwood
Applicant: Mr Doughty
Decision: **Permission Granted**
Decision Date: 02 October 2015
Proposal: Erection of single storey rear extension
Address **29 Southern Way Farnborough Hampshire GU14 0RE**

Application No 15/00691/REXPD Ward: Aldershot Park
Applicant: Mr J Strawson
Decision: **Prior approval is NOT required**
Decision Date: 02 October 2015
Proposal: Erection of a single storey rear extension measuring 4 metres from the rear wall of the existing dwelling house, 3 metres to the eaves and 4 metres in overall height
Address **57 Elston Road Aldershot Hampshire GU12 4HZ**

Application No 15/00693/REXPD

Ward: Manor Park

Applicant: Mr P Norford

Decision: **Prior approval is NOT required**

Decision Date: 02 October 2015

Proposal: Erection of a conservatory measuring 3.9 metres from the rear of the existing dwelling house, 3.7 metres to the eaves and 3.9 overall height

Address **11 Upper St Michaels Road Aldershot Hampshire GU11 3HA**

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 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 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)

Item 1

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 | The Beehive 264 High Street, Aldershot |
| Ward | Manor Park |
| Decision | Issue Enforcement Notice |
| Decision Date | 18 September 2015 |
| Reasons | Unauthorised change of use of first floor ancillary letting rooms to bedsits and conversion of rear part of building to six self-contained flats. Potentially unacceptable living environment in flats, inadequate provision for off-street parking, to detriment of highway safety. Failure to address the requirements of the Habitats Regulations in respect of the Thames Basin Heaths SPA. |
| Alternatives | No action – Would endorse bad, unsatisfactorily executed and partially unauthorised development, therefore enforcement action necessary |
| Case Officer | Chris Jones |
| Associated Documents | Enforcement reference No.14/00031/COUGEN |

| | |
|----------------------|---|
| Address | The Old Warehouse, 'Star Yard', Victoria Road Aldershot |
| Ward | Wellington |
| Decision | Issue Enforcement Notice |
| Decision Date | 21 September 2015 |
| Reasons | Unauthorised change of use of building to total of 18 bedsitting rooms. Potentially unacceptable living environment in flats, inadequate provision for off-street parking, to detriment of highway safety. Failure to address the requirements of the Habitats Regulations in respect of the Thames Basin Heaths SPA. |
| Alternative | No action – Would endorse bad and unauthorised development therefore enforcement action necessary |
| Case Officer | David Stevens |
| Associated Documents | Enforcement reference No.15/00030/COUGEN |

Recommendation: **To Note**

Development Management Committee
14th October 2015

Head of Planning
Planning Report No.PLN1552

Appeals Progress Report

1. New Appeals/Updates

An appeal has been received against the Council's non-determination of planning application ref.15/00318/FULPP within the statutory 8-week period in respect of the erection of a pair of 3-bedroom semi-detached dwellings, with associated access and parking at : Land to rear of 42-44 Newfield Avenue, Farnborough. This appeal is to be dealt with by means of the written procedure and the Council's response in respect of the appeal is the subject of a report earlier in this agenda.

3. Recommendation

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

Keith Holland
Head of Planning