

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.	17/00182/MMA
Date Valid	25th May 2017
Expiry date of consultations	16th June 2017
Proposal	MATERIAL MINOR AMENDMENT Variation of Condition 2 of planning permission 12/00967/FUL dated 15th March 2013 to allow retention of dwelling with 4 bedrooms, patio and amendments to elevations and parking
Address	<b>34 Cranmore Lane Aldershot Hampshire GU11 3AT</b>
Ward	Rowhill
Applicant	Mr & Mrs Nazim
Agent	Mr Nigel Rose
Recommendation	<b>GRANT subject to completion of s106 Planning Obligation</b>

### **Description**

The site is a detached three-bedroom property on a 18m by 61m plot on the northern side of Cranmore Lane to the side of which a new dwelling is being constructed. The new dwelling is substantially complete, but the parking area to the front has yet to be completed and other aspects also remain incomplete. The property is not yet occupied.

In March 2013, planning permission 12/00967/FULPP was granted for the erection of a detached three-bedroom house, following demolition of the garage and the partial demolition of an existing single storey extension to the original building. The dwelling as shown on the approved plans would be 6.5m wide and 10.25m deep at two-storeys, with a further 5.8m deep single storey section at the rear.

In March 2014 planning permission 13/00949/MMAPP was granted for an amended design for the new property with its width increased from 6.5m to 7.35m and corresponding adjustments to the roof height and slope. The additional width of the new property was accommodated by further reducing the size of the extension of the existing property. All other aspects of the proposal remained as previously approved. Development was commenced on the basis of this amended design.

In May 2016, a complaint was received that the building was not being built in accordance

with the approved plans - the concern being that the dwelling was closer to the boundary with 36 Cranmore Lane than approved. The Case Officer visited the site and verified that the building was being constructed in the correct location. However, as construction works proceeded, further complaints were received that the bay window on the front elevation was deeper than approved and that a room in the roof was being constructed. The site was inspected and the owners were advised that the changes were material and would require planning permission.

The current application was initially validated on 2 March 2017 but was then made invalid after a detailed site inspection revealed material inaccuracies in the submitted plans, and that further changes to the building had been made but not included in the submitted drawings. The application in its amended form was validated on 25th May 2017.

The main differences between the building as constructed and the plans approved under planning permission 13/00949/MMAPP are as follows:

The forward projection of the two-storey bay window on the front elevation of the building has been increased from 0.8m to 1m;

On the ground floor, a study and a utility room with external door on the side elevation have been deleted and have been replaced with a dining area, with a window replacing the side door. An additional window has been inserted in the east elevation to serve a reconfigured and repositioned WC/shower room. A raised patio has been constructed at the rear of the building, where a set of bi-fold doors have been replaced with conventional patio doors.

On the first floor, the position of a bathroom and a store have been reversed and an additional window on the rear elevation has been added to serve the bathroom in its new position.

An additional room has been formed in the roof space, which is marked on the plans as a fitness room/study. This room is lit by two roof-lights, one in the side facing roof slope and one in the rear.

It is proposed to provide three parking spaces to the front of the building, rather than the two as originally approved.

Like the previous applications on this site, this application is being referred to the Development Control Committee because the applicants are related to Councillors Charles and Sophia Choudhary.

### **Consultee Responses**

Transportation Strategy Officer No Highway Objection.

### **Neighbours notified**

In addition to posting a site notice and press advertisement, six individual letters of notification were sent to properties in Cranmore Lane, Cranmore Gardens and Alverstoke Gardens. Neighbours and those making representations were also notified of amended plans and an amended description. The consultation period for this additional consultation ends on 16 June 2017 and Members will be updated verbally of any additional comments that have been received.

## **Neighbour comments**

The occupier of 36 Cranmore Lane (the adjoining property to the west) objects to the proposal to retain the building as constructed on the grounds the bay window is very close to her own bay window and the additional depth of the bay would result in a loss of privacy. She does not consider that the proposed use of opaque glass would rectify this and has found it necessary to keep her curtains closed on that side, thus compounding a loss of direct sunlight received through a roof light that provides daylighting to the rear of her living room. She also raises objection to the inclusion of a fourth bedroom on the grounds of increased traffic and parking difficulties, which are compounded by parked vehicles associated with the occupiers and visitors to the existing occupied dwelling on the site. She complains of months of noise and disturbance and also damage to her property during construction and fears that this could go on for considerably longer.

The occupier of 32 Cranmore Lane objects to the proposal on the grounds that the originally approved plans were for a three-bedroom house which was in keeping with the size of the plot and the existing house at 34 Cranmore Lane. The writer considers that there has been a deliberate attempt to construct a larger property than approved and the inclusion of an additional bedroom has necessitated the proposal for an additional parking space which would have otherwise have been unnecessary. He is concerned that the bay window is now more visible from his property. He is also concerned that the proposed parking layout has not yet been laid out and that the applicants may leave the parking area as it currently exists, with potentially three cars per property, no landscaping and no provision for surface water drainage. He considers that is detrimental to visual amenity and highway safety and could pose a risk of increased surface water runoff on to his property.

The occupier of 43 Cranmore Lane has raised objection to the proposal on a number of grounds, on some of which he does not elaborate – e.g. ground contamination, damage to SSSIs, but also comments that it alleviates existing problems and results in environmental improvements. His main area of concern appears to be parking – he considers that the existing parking arrangements are dangerous and no additional parking should be permitted. He also refers to the parking of vehicles on the highway associated with the existing property, and contends that this has resulted in vehicles passing an existing bollard on the wrong side of the road. He is concerned about overlooking and the size and scale of the development. He also notes the extended period of noise and disturbance that he and his other neighbours have had to endure during construction.

The occupiers of 6 Alverstoke Gardens have raised concerns about what they consider to be the lack of suitable drainage for a new property and that there are no downpipes connecting the guttering to drainage and that proper guttering has not been provided to the extension on the existing building. They also refer to problems with surface water runoff onto their property since commencement of works and raise concerns that the removal of shrubs from the rear of the garden that were initially indicated to be retained may have exacerbated this situation.

## **Policy and determining issues**

The site is within the built-up area as defined in the Rushmoor Plan Core Strategy and 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), CP12 (Open Space, Sport and Recreation), CP13 (Thames Basin Heaths Special Protection Area), CP15 (Biodiversity), and CP16 (Reducing and Managing Travel Demand) are relevant as are

saved Policies ENV17 (General Development Criteria) , H14 (Amenity Space) and OR4 and OR4.1 (Public Open Space) of the Rushmoor Local Plan Review (1996-2011). Also relevant would be the Car and Cycle Parking Standards and Planning Contributions: Transport Supplementary Planning Documents.

The main determining issues are considered to be the implications of the proposed amendments on the appearance of the property, its impact upon visual amenity and upon the adjoining residents, upon highway safety and upon surface water drainage. However, because the Council will be issuing a new planning permission if the amendments are accepted, it is also necessary to address the issue of SPA mitigation.

## **Commentary**

### **Impact upon Visual Amenity and the Character of the Area -**

The overall dimensions and proportions of the dwelling are no different from those approved under planning permission 13/00949/MMAPP. The only exception to this is the front bay, which is 0.2m deeper than approved. However, this is considered to have a minimal visual impact on the character and amenity of the area. The amended parking area proposed in this application would result in an increase in the area of hardstanding to accommodate an additional space and a corresponding reduction in the landscaped area from that originally approved. Since the front boundary is formed by a one-metre high fence with hedging behind, the public amenity value of the landscaping was somewhat limited and the changes proposed would have little impact upon visual amenity or character of the area.

### **Impact upon Neighbours -**

The property most affected by the amendments is 36 Cranmore Lane. The main impact would be through the increased depth of the front bay and the amendments to the parking area. The bay is visible from the corresponding bay at 36 Cranmore Lane when viewed from the side facing windows of the bay, a common enough arrangement where adjacent houses have bay windows, and has relatively little impact on light, outlook and amenity in the front rooms generally. It is considered that the additional 20cm projection does not result in a materially harmful different impact on the outlook and amenity of 36 Cranmore Lane compared with the arrangements that were originally approved. There is the possibility of a small loss of privacy resulting from mutual overlooking between the adjacent bay windows, but it is considered that the applicants proposal to fit obscured glazing to the side facing windows in the new bay would address this issue. The amended parking area would bring parked vehicles a little closer to the front bay of no.36 but the arrangement is not untypical and is therefore considered to be acceptable. Elsewhere on the building, it is considered that the roof lights that have been installed are at a high level and would not result in any material loss of privacy to 36 Cranmore Lane or any of the other residential properties to the side and rear. The additional first floor window on the rear elevation would serve a bathroom and will therefore be fitted with obscure glazing. There is no change in respect of the relationship with properties on the opposite side of Cranmore Lane. The patio that has been constructed at the rear of the site is raised above the sloping ground to form a level area approximately 7.5m wide by 3.8m deep but it is considered that the adjoining boundary fencing is of sufficient height to ensure that there would be little impact upon the privacy and amenity of No.36 or any other adjoining property.

### **Impact upon Highway Safety -**

The submitted plans show that the property will have three bedrooms, with the additional

room in the roof space being labelled as a fitness room/study. However, while it may be the intention of the applicants to use it as such, the room would comply with the space standards for a bedroom as set out in the Government's "Technical housing standards - nationally described space standard". It is therefore considered that the room could be used in the future as a bedroom, in which case the property would have four bedrooms. The applicants have accepted this, as is evidenced by the description of the development as a four-bedroom property on the application forms, and the fact that three parking spaces are now proposed to comply with the requirements of the Car & Cycle Parking Standards Supplementary Planning Document. It is considered that the parking arrangements shown on the plans are satisfactory. The comments made by neighbours in respect of the current parking arrangements are noted but these are temporary arrangements to allow for parking while construction is under way, A condition is recommended to ensure that the approved parking arrangement are provided before the new dwelling is occupied.

### Surface Water Drainage

It is a requirement of Policy CP4 that all new housing is provided with a Sustainable Urban Drainage System or equivalent to ensure that surface water runoff from the site will not exceed greenfield runoff rates. Details of a satisfactory SUDS were submitted pursuant to condition 7 of planning permission 13/00949/MMAPP before commencement of development and there is no reason to suppose that such a system could not be modified to cope with the increased area of hardstanding at the front of the building and the patio at the rear. With regard to the objectors comments concerning existing issues with runoff from the site, the applicant has confirmed that the SUDs system as approved has not yet been installed. It is therefore recommended that a condition be imposed requiring details of a modified SUDs system be submitted for approval and that the approved system be installed before the parking area is constructed and the new dwelling is occupied. The comments from the occupants of 6 Alverstoke Gardens about increased runoff on to their property are noted, However, the area of the site occupied by buildings and hardstanding as a result of this proposal is relatively small compared with the overall area of the site and the new works are located away from the boundary with this property. It is to be expected that the situation would improve once new planting becomes established and partitioning fencing has been installed as indicated on the submitted plans. Ultimately, the aim of Policy C4 is to ensure that surface water rates do not exceed greenfield discharges as a result of development, not to eliminate them entirely.

### Impact upon the Thames Basin Heaths Special Protection Area -

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) 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 Planning Obligation was completed in respect of the original application to reflect the proposal for a three-bedroom property and was varied to refer the first Minor Material Amendment application. It is necessary to make a further variation to the Planning Obligation to support the current application to increase the total contribution to £8217 with the SANG and SAMM contributions being increased to £7410 and £807 respectively to reflect the increase in bedrooms from three to four.

### Other Matters -

The Obligation completed with the initial planning application included financial contributions in respect of off-site provision of public open space and transport infrastructure improvements, pursuant to saved Policies OR4 and OR4.1 and to Policy CP16 and the Planning Contributions: Transport Supplementary Planning Document. However, having regard to Central Government advice prohibiting the levying of contributions in respect of residential schemes of 10 units or fewer, it would not now be possible to require such contributions.

The previous planning permission was granted subject to a number of conditions which will need to be re-imposed on any new planning permission, if they are still relevant. Details were submitted and approved under reference 15/00577/CONDPP in respect of conditions 3 (external materials), 4 (surfacing materials), 5 (boundary treatments), 6 (refuse bin storage), 7,(SUDS system) 8 (Sustainable Homes), 9 (Landscaping) and 13 (Cycle storage) of planning permission 13/00949/MMAPP. Where the matters that have previously been approved will not change, a condition referring to the previously approved details will suffice - e.g. surfacing materials, boundary treatments, sustainable homes, refuse bin storage, cycle-storage. Where there will need to be adjustments, conditions requiring further details are recommended - e.g. SUDS system and landscaping.

### **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 14 July 2017 to secure a financial contribution towards SPA Mitigation, the Head of Planning in consultation with the Chairman be authorised to **GRANT** permission subject to the following conditions.

However, in the event that a satisfactory Unilateral Undertaking is not received by 14 July 2017 the Head of Planning, in consultation with the Chairman be authorised to REFUSE planning permission on the grounds that the proposal does not mitigate its impact upon the Thames Basin Heaths Special Protection Area.

- 1 The permission hereby granted shall be carried out and completed in accordance with the following approved drawings - P.40 Rev C, P.41 Rev B, P.42 Rev B, P.43 Rev B and P.44 Rev B.

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

- 2 The development shall be carried out and completed in accordance with the details that were approved under reference 15/00577/CONDPP on 20 November 2015, pursuant to conditions 4, 5, 6, 8 and 13 of planning permission 13/00949/MMAPP.

Reason - To ensure a satisfactory form of development.

- 3 Prior to the occupation of the property, details of measures to incorporate Sustainable Drainage Systems (SUDS) into the development or suitable alternative drainage 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 the dwelling and retained in perpetuity.

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

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

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

- 5 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the practical completion of the development, whichever is the sooner.

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

- 6 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.

- 7 The parking spaces shown on the approved plans shall be used only for the parking of vehicles ancillary and incidental to the residential use of the existing and proposed properties. These spaces shall be kept available at all times for parking and shall not be used for the storage of Caravans, boats or trailers. The manoeuvring area between the spaces shall be kept free of obstructions at all times.

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

- 8 There shall be no use of the flat roof of the single storey part of the building as a terrace or sitting out area.

Reason - To safeguard the amenities of adjoining residents.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking and re-enacting that Order), no development falling within Classes) A, B, C, D or E of Part(s) 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.

### **Informatives**

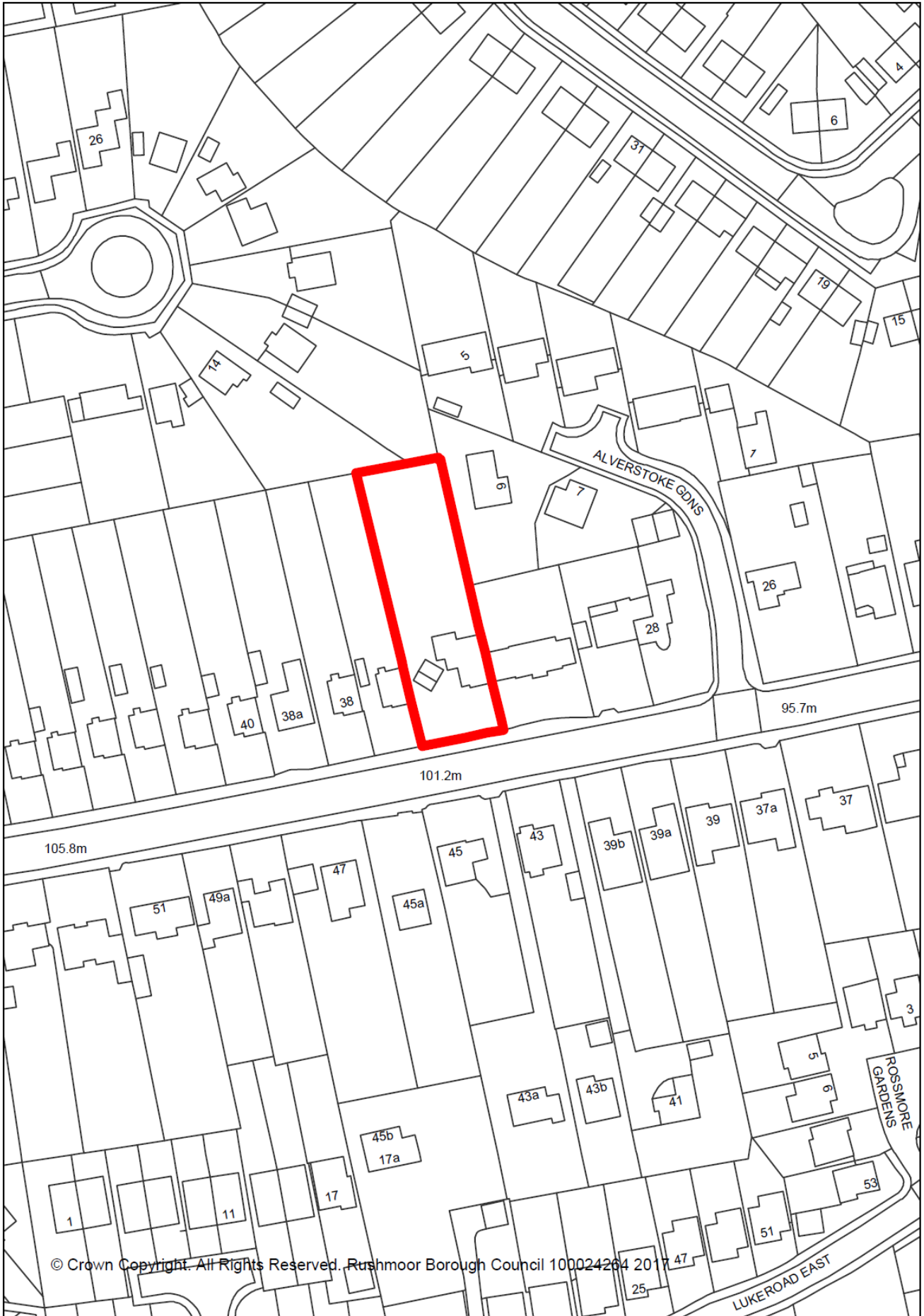
- 1 INFORMATIVE – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, and assistance in the validation and determination of applications through the provision of clear guidance regarding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

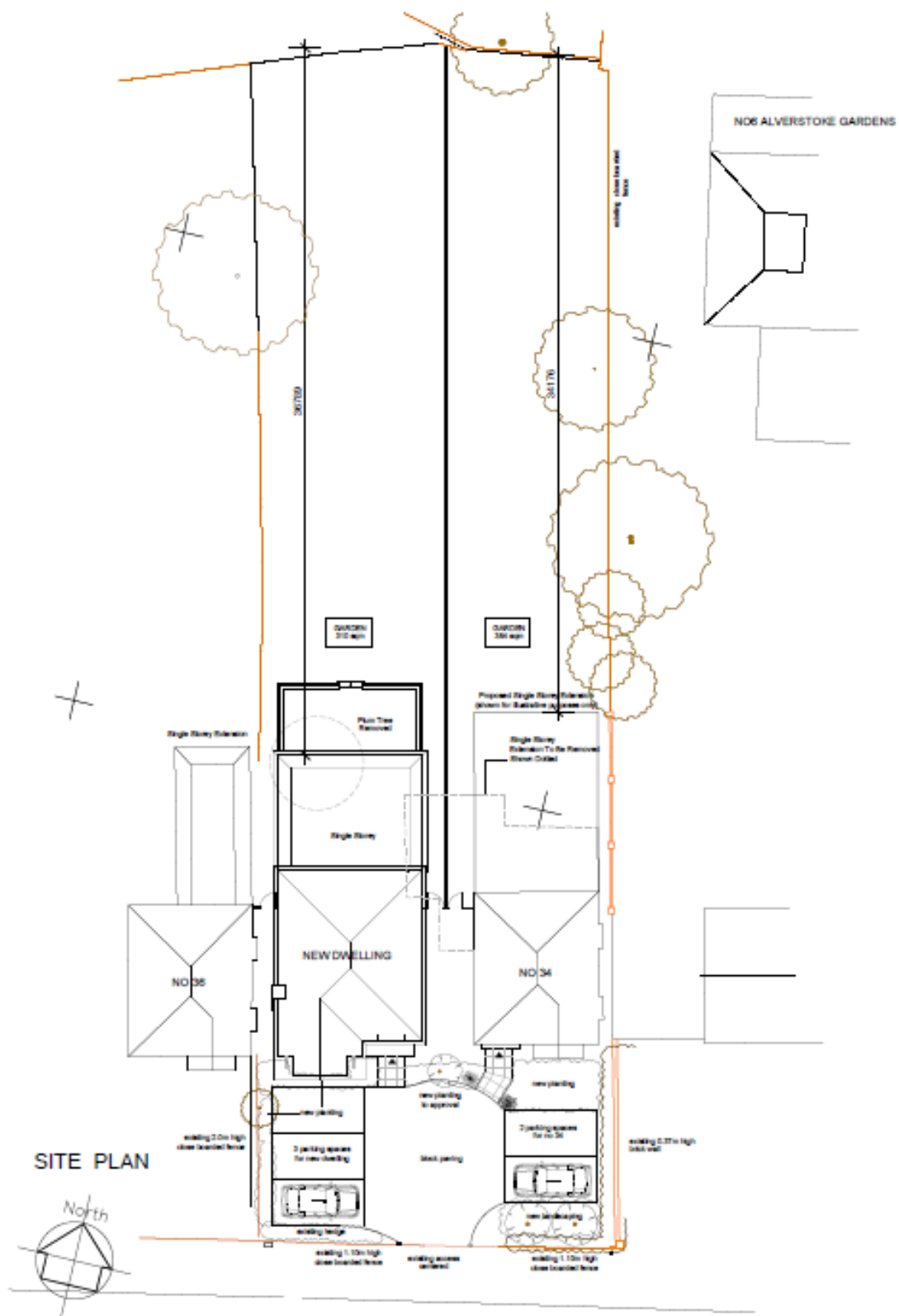
information or amendments both before and after submission, in line with the National Planning Policy Framework.

- 2 **INFORMATIVE - REASONS FOR APPROVAL-** The Council has granted permission because it is considered that the proposal as amended would not adversely affect the character of the area, general amenity, residential amenity, nature conservation or highway safety and would make adequate provision for off-site provision of public open space and off-site highway works. The proposal accords with Policies CP1, CP2, CP3, CP4, CP5, CP13, and CP16 of the Rushmoor Plan Core Strategy and saved Policies ENV17, OR4, OR4.1 and TR10 of the Rushmoor Local Plan Review together with the Car and Cycle Parking Standards and Planning Contributions: Transport SPDs. It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.
- 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 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.
- 6 **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.
- 7 **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.
- 8 **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 found on the Planning Portal website <https://www.gov.uk/guidance/party-wall-etc-act-1996-guidance> and you are able to download The party Wall Act 1996 explanatory booklet.



- 9      **INFORMATIVE** - The applicant is asked to consider the provision of bat and Swift bricks in the design of the new houses which would provide nesting and roosting habitat for these species in the urban environment. The applicant is also encouraged to use native species in the landscaping scheme.





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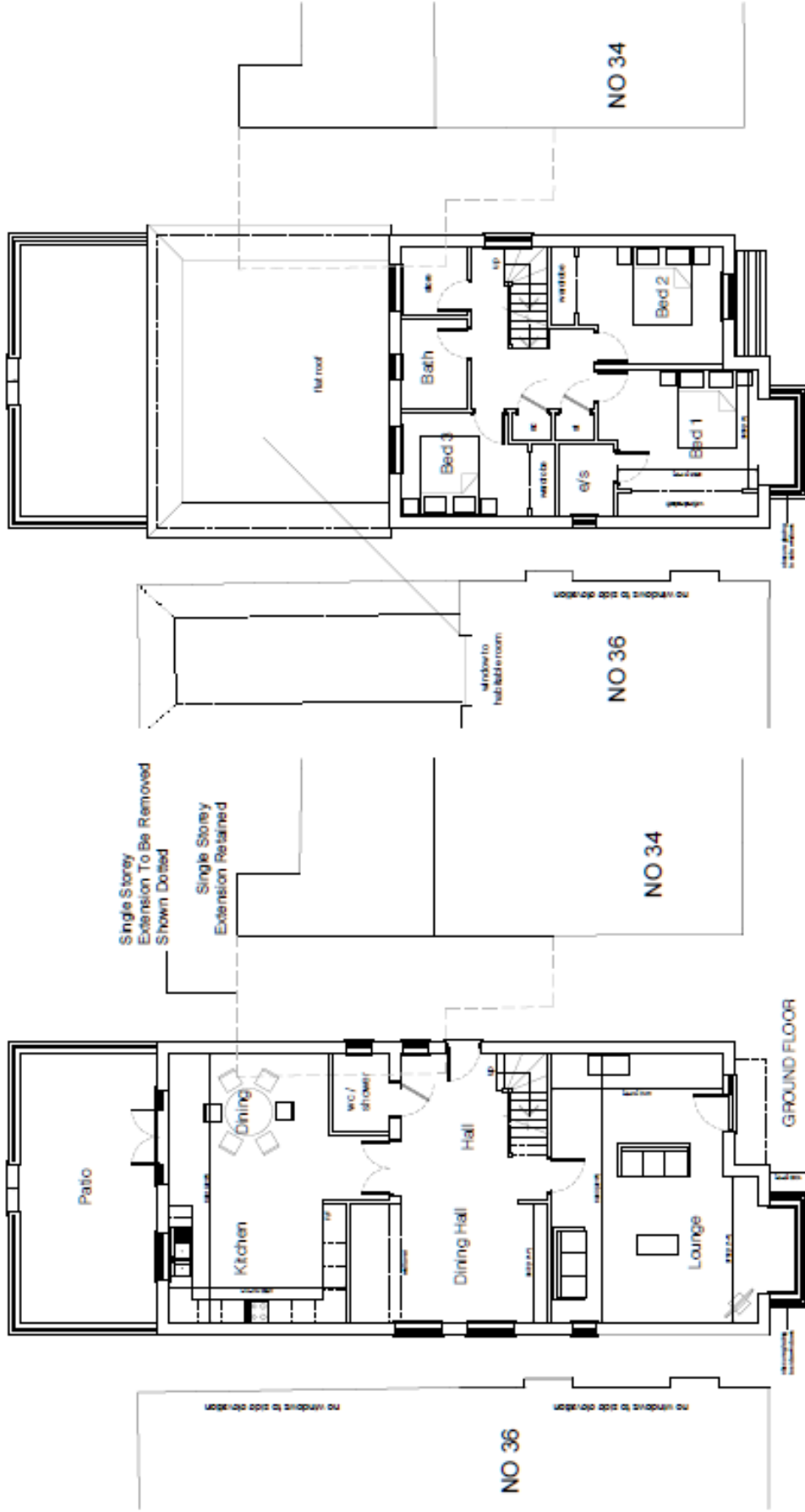
Cranmore Lane

Client: Mr Nazim

Address: 34 Cranmore Lane, Aldershot, GU11 3AT

Project: Site Plan - Revised Parking

Scale: 1:200 @ A3	Date: 20.12.16	P.40	C
Drawn: n/r	Revision no: 11.332		

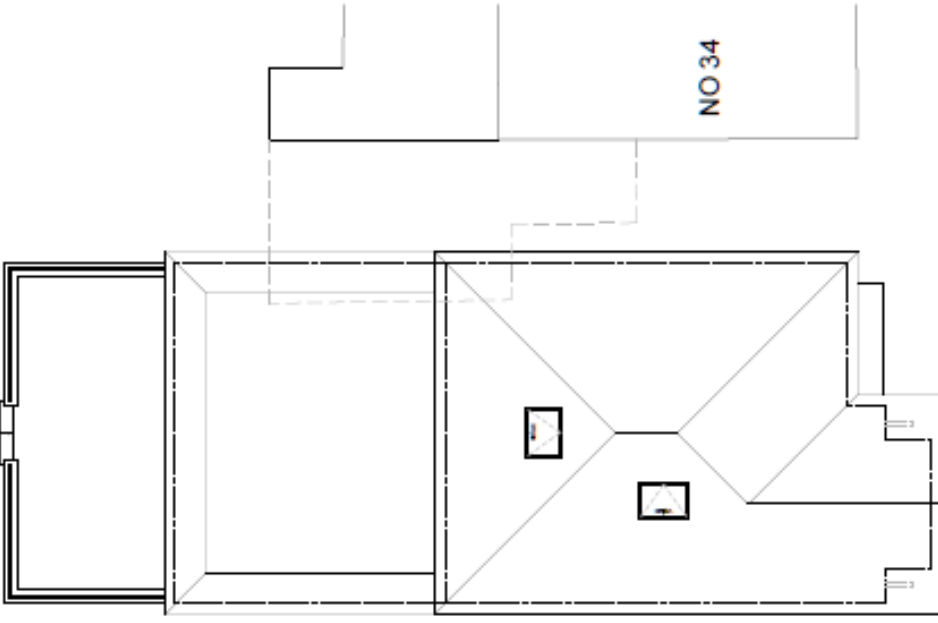


FIRST FLOOR

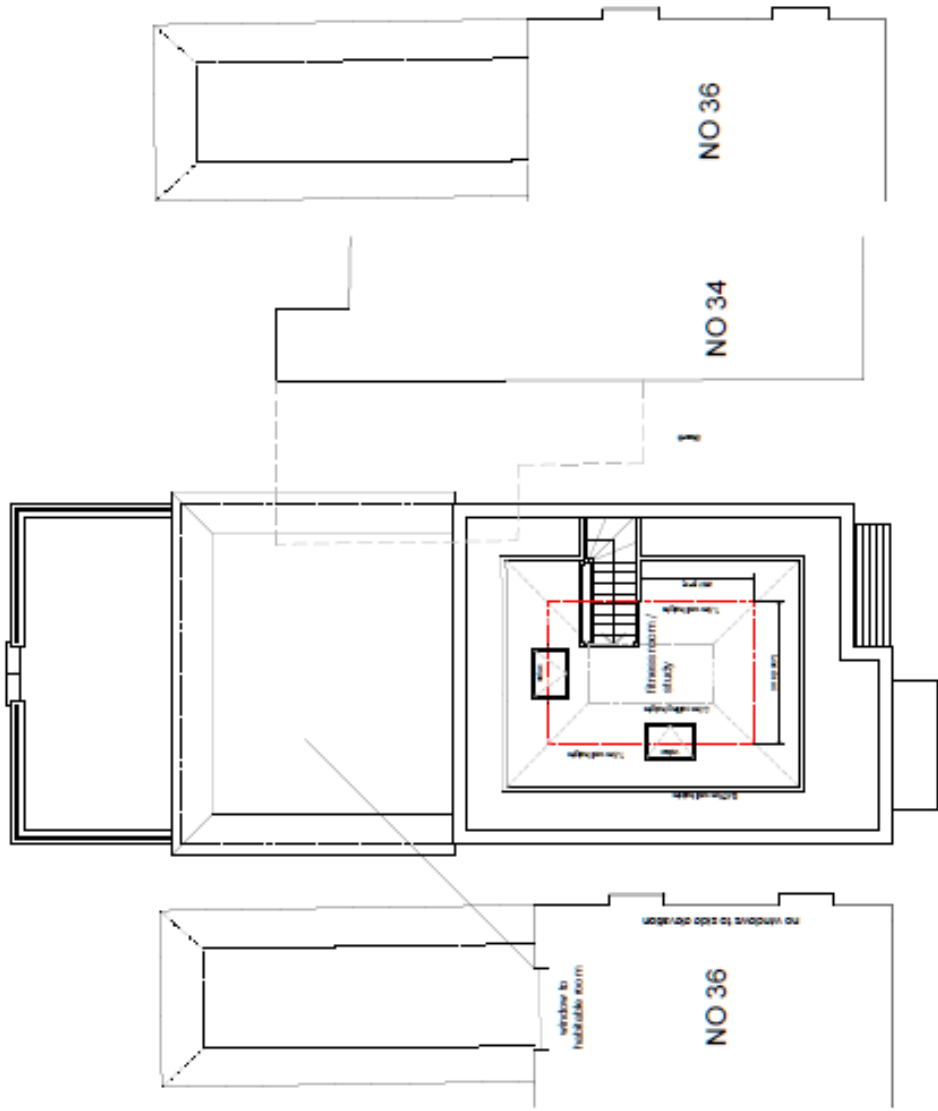
GROUND FLOOR

name Mr Nairn  
 address 34 Quince Lane, Abingdon, GU11 3AT  
 title  
 Proposed Floor Plans  
 scale 1:100 @ A3  
 date 20/12/16  
 sheet no. 11.332  
 of 11.332  
 P.41 B

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ROOF PLAN

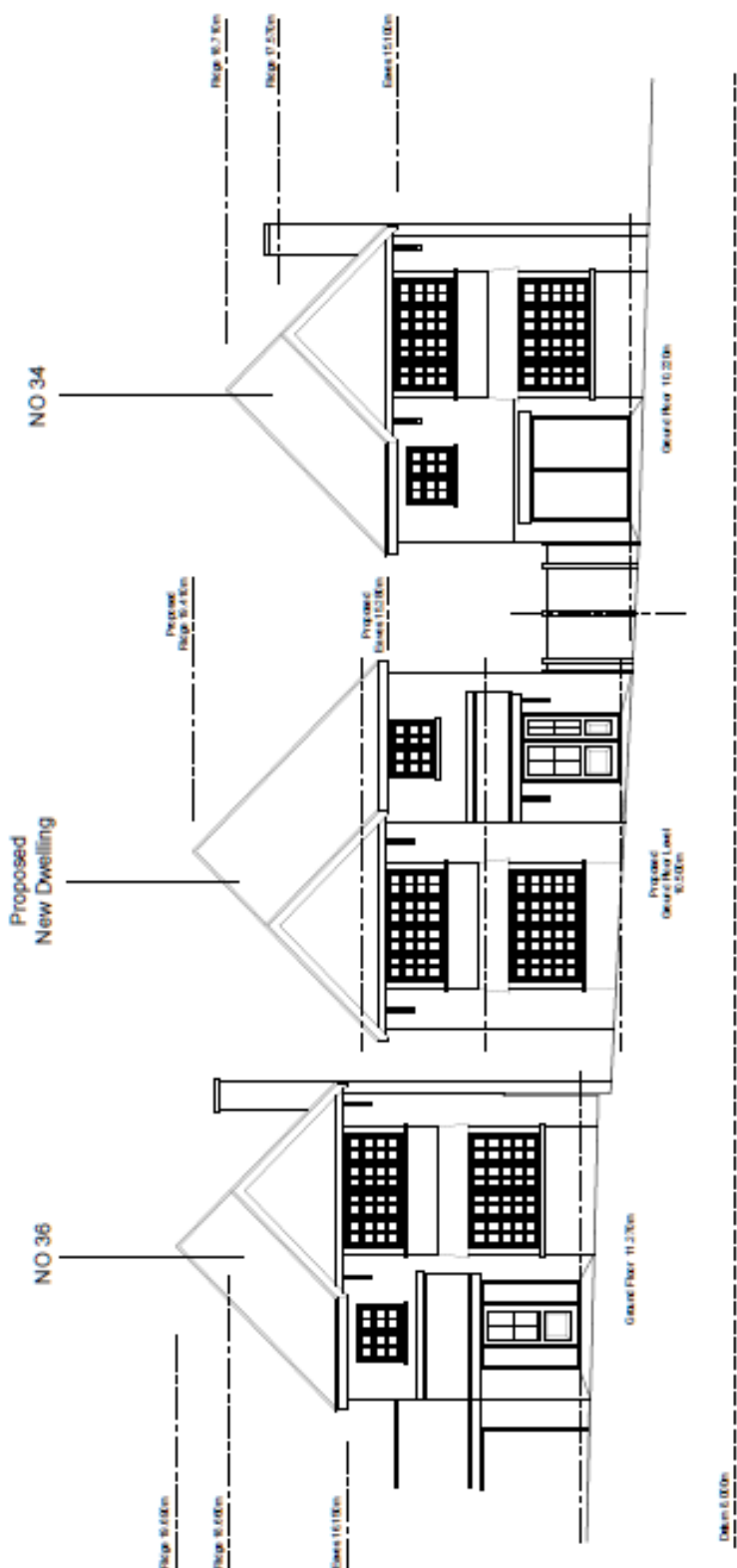


SECOND FLOOR

owner	Mr Nordin			
project	34 Oarimore Lane, Aldenhot, GU11 3AT			
title	Proposed Floor Plans			
scale	1:100 @ A3	date	20.12.16	
drawn	rlp	checked	11.332	
			sheet	P.42
			B	

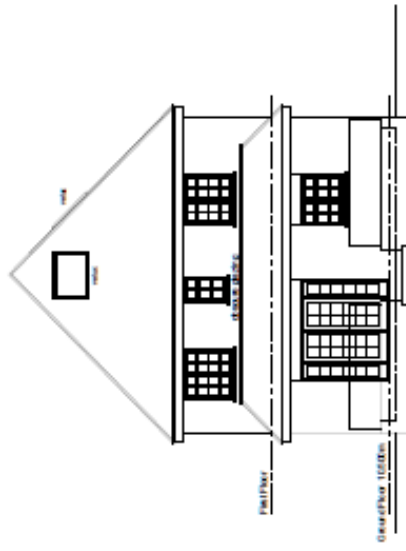
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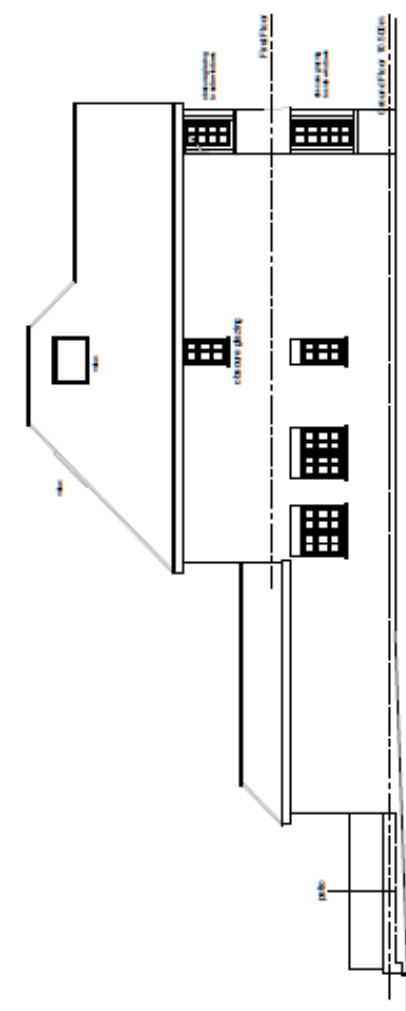


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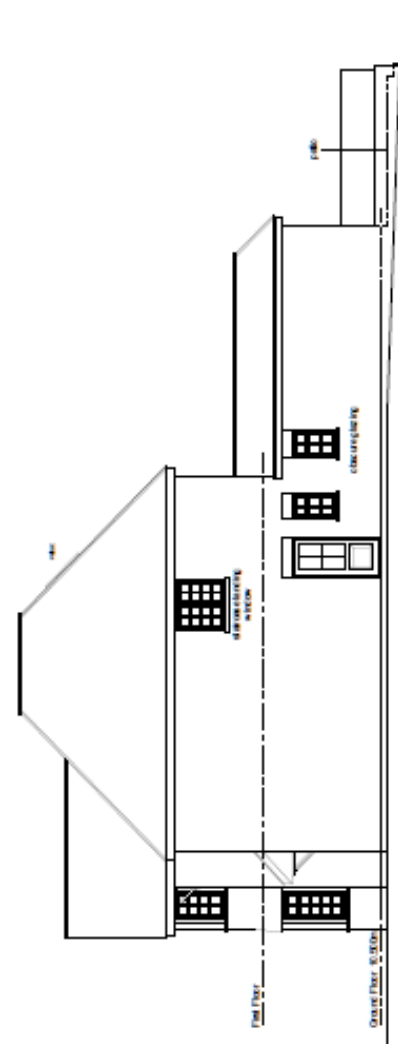
NAME	M. Naaim
ADDRESS	34 Oarmore Lane, Admarsh, GU11 3AT
TITLE	Proposed Elevation
SCALE	1:100 @ A3
DATE	20.12.16
PROJECT NO.	11.332
NO.	P.43
REV.	B



Rear Elevation



Side Elevation



Side Elevation

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user	M. Nairn
project	34 Cairnmore Lane, Aldenhot, GU11 3AT
title	Proposed Elevations
scale	1:100 @ A3
date	20/12/16
drawn by	RJ
checked by	11/332
P.44	
B	