

## Appeals Progress Report

### 1. New Appeals

- 1.1 **77 Fernhill Road Farnborough** - Against the refusal of planning permission for the demolition of existing dwelling and garage and erection of two detached three-bedroomed houses with associated amenity space and parking. This appeal is to be dealt with by means of the written procedure.

### 2. Appeal Decisions

- 2.1 Written Representations Appeal Against the refusal of planning permission for: Erection of 4 one-bedroom flats with parking on land at rear at **40 - 42 Park Road, Farnborough**, (17/00153/FULPP).

Planning permission was refused under delegated powers for the following reasons:

- "1 The proposal, by reason of the extremely restricted width of the access way, which is considered to be insufficient to serve the number of dwellings proposed, and the poorly located and insufficiently dimensioned passing space, is likely to result in conflicting vehicle movements on the highway and within the site, to the detriment of vehicle and pedestrian safety. The poorly laid out parking area may lead to the parking of vehicles in the incorrect spaces, resulting in the full complement of spaces being unavailable. Moreover, the narrow width of the driveway may discourage residents and visitors to the site from using the parking spaces provided, which would lead to additional on-street parking, to the detriment of highway safety. The proposal is thereby considered to be contrary to Policy CP16 of the Rushmoor Core Strategy.*
- 2 The proposed block of flats would have an adverse impact upon the outlook, amenity and privacy of the occupiers of the residential dwelling to the north by reason of its proximity to the boundary and the inclusion of balconies, contrary to Policy CP2 of the Rushmoor Core Strategy and saved Policy ENV17 of the Rushmoor Local Plan Review.*
- 3 The proposal, by reason of the lack of open space around the building and the proportions of the building, fails to include high quality design that respects the character of the area and is thereby contrary to Policy CP2 of the Rushmoor Core Strategy and saved Policy ENV17 of the Rushmoor Local Plan Review.*

- 4 *The proposal would not provide adequate and usable private amenity space for the proposed flats while also significantly reducing the amenity space of the existing flats, which adversely affect residential amenity, contrary to saved Policy H14 of the Rushmoor Local Plan Review.*
- 5 *The proposal fails to make satisfactory provision for the storage and collection of refuse and recycling bins which is likely to result in an adverse impact on the amenity of the existing and proposed residents and an obstruction of the parking area, the vehicular access to the site and the adjacent highway, contrary to Policy CP16 of the Rushmoor Core Strategy and saved Policy ENV17 of the Rushmoor Local Plan Review.*
- 6 *The proposal 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 Interim Avoidance and Mitigation Strategy and is therefore contrary to Policy CP13 of the Rushmoor Core Strategy."*

2.2 The Inspector agreed with the Council that the proposal would be out of keeping with the character of the area and would conflict with Policy CP2 of the Rushmoor Core Strategy 2011 (CS) and Policy ENV17 of the Rushmoor Local Plan Review 2000 (LP) requiring development to include high quality design, and for the scale, layout and spaces around buildings to be consistent with the character and appearance of the area. He agreed that the proposal would have a harmful effect on the living conditions of the occupiers of 54 Park Road with particular regard to privacy and outlook and that the proposal would not therefore comply with CS Policy CP2 or LP Policy ENV17. He agreed that the proposal would not provide adequate external space to safeguard the living conditions of future occupiers and would conflict with LP Policy H14 by failing to make adequate provision for the storage and removal of refuse and recycling bins. Finally, the Inspector agreed that in the absence of suitable mitigation measures, the proposal was likely to have a significant impact upon the Thames Basin Heaths Special Protection Area, contrary to CS Policy CP13. The Inspector did not support the Council in its concerns about the narrow width of the proposed vehicular entrance and the impact upon highway safety, or the proposed parking layout.

### **DECISION : APPEAL DISMISSED**

2.3 Written Representations Appeal against the refusal of planning permission for : Proposed residential development involving erection of extensions above both the existing Boots shop and the Wellington Centre multi-storey car park comprising a total of 43 dwelling units (15 x 1-bedroom, 25 x 2-bedroom and 3 x 3-bedroom units), to include construction of new building access cores, elevational alterations to the multi-storey car park and alterations to the entrance of Victoria House at: **Wellington Centre, Aldershot**

Planning permission was refused by the Development Management Committee at their meeting on 29 March 2017 for the following primary reason:-

*“1. The proposal, by virtue of its design, external appearance, height, scale, mass and bulk, would have a detrimental impact on the visual character and appearance of the town centre and on short-, medium- and long-distance views from its surroundings, including from the neighbouring Aldershot West Conservation Area. The proposal would thereby fail to contribute positively to the regeneration of Aldershot Town Centre and does not satisfy the requirements of adopted Rushmoor Core Strategy Policies SP3, CP1 and CP2; saved Local Plan Policies ENV16 and ENV35; and the Council's adopted "Aldershot Town Centre Prospectus" Supplementary Planning Document (SPD) (January 2016). The proposal is furthermore contrary to the clear requirements for high quality design set out in the National Planning Policy Framework and Planning Practice Guidance.”*

- 2.4 The decision notice also provided a further three reasons for refusal (Nos.2, 3 and 4), that related to requirements to provide financial contributions in respect of Special Protection Area Mitigation and Avoidance, Transport and Public Open Space respectively. However, following the subsequent agreement of the Committee that the Solicitor to the Council be authorised to enter into a s106 Planning Obligation with the Appellants to enable these financial contributions to be secured, the Appellants submitted a draft s106 documents with their appeal. The Inspector accepted, in agreement with the Council, that this s106 Planning Obligation satisfactorily addressed reasons for refusal 2, 3 and 4. Therefore the Inspector proceeded to consider the appeal solely in respect of the issued raised with reason for refusal No.1 as set out above.
- 2.5 The Inspector identified the main determining issue for the appeal as being the effect of the proposal on the character and appearance of the area, including the setting of nearby heritage assets. In this respect the Inspector agreed that, by virtue of its bulk and height, the Centre is prominent in a number of short and medium distance views, including from the Aldershot West Conservation Area. Together with the elevated position of the town centre in the landscape as a whole, this means that the Centre is also prominent in longer distance views, which is made more stark by the Centre's massing, limited articulation and austere white and brick external finishes. The Inspector also noted the proximity of the Conservation Area and that the significance of this heritage asset lies mainly in its collection of 'confident and striking' Victorian buildings, many of which act as landmarks at cross-roads. This was noted to include the Grade II\* listed Wesley Chambers and the Inspector describes the tower of this building as being an attractive terminating feature in the view west from the site along Victoria Road – as identified in the Council's Aldershot Town Centre Prospectus SPD. Accordingly, despite the intervening distance, the Inspector considered that the appeal site falls within the setting of this listed building.
- 2.6 Although the proposed extension on top of the multi-storey car park would be slightly lower than the adjoining office block at Victoria House, the Inspector considered that, as a result of its length and orientation at right-angles, it would add significantly to the scale and bulk of the building. Furthermore, the other extension over the top of the Boots unit would similarly add bulk that would, in

particular, significantly increase the scale of the building in short range views along Victoria Road. Given the relatively narrow width of the road and the mainly modest two-storey height of existing buildings in the road, the Inspector concluded that the extended building would have an overbearing presence in this relatively confined space. Furthermore, the proposals would diminish the contribution of the Wesley Chamber tower as a landmark in views along Victoria Road; and uncomfortably amplify the disparity in scale between the proposed development and neighbouring buildings, including those within the Conservation Area. Despite the proposed architectural detailing of the development being likely to add some interest to the building the Inspector concluded that the overall impact on the settings of the listed buildings and Conservation Area, and short range views along Victoria Road and Frederick Street would be 'moderately negative'.

- 2.7 The Inspector also noted that the appeal building breaks the skyline in a variety of medium- and longer-distance views, including from Hospital Hill and from the Hogs Back near Tongham. Whilst, in these views, the tallest building, Victoria House, appears relatively slender, the Inspector considered that the full length of the proposed multi-storey car park extension would be visible and appear considerably more bulky. Furthermore, because of the small gaps between the two buildings, when viewed directly from the north or south, the bulk of both would effectively overlap to give the extended building a "single, monolithic profile". The Inspector therefore concluded that the escalation in the dominance of the building on the skyline would prevent it from successfully integrating into its wider townscape and landscape settings and, as such, that the proposed development would have a harmful effect on the character and appearance of the area, including the settings of Listed buildings and the Conservation Area; and contrary to adopted Development Plan Policies.
- 2.8 The Inspector found no other planning issues of concern; or that the harm to the character and appearance of the area was not outweighed by any public benefits of the proposals. In this latter respect the Inspector was not aware that the proposals would provide wider regeneration benefits to the town, or that the Council were unable to demonstrate a five year supply of housing land : the appeal site was not identified by the Council as a site for residential development. As such, the character and appearance concerns were not outweighed.

### **DECISION : APPEAL DISMISSED**

- 2.9 Written Representations Appeal Against the refusal of planning permission for:  
Extend the existing two storey residential building to create additional residential accommodation providing 4 x 1 bedroom apartments at **201 Weybourne Road, Aldershot.**

Planning permission was refused under delegated powers for the following reasons:

- “1. *The proposed development, by reason of the restricted size of the plot, the footprint/siting of the proposed building and the lack of adequate space around the proposed building would be an unacceptably cramped, poorly contrived and incongruous form of development which would relate poorly and unsympathetically to its surroundings and would be detrimental to the street scene and the character of the area. The units would provide a poor living environment for future occupants by reason of their restricted internal dimensions and the lack of useable and private open space. The proposal would therefore constitute an unacceptable overdevelopment of the site contrary to the provisions of Rushmoor Core Strategy Policies CP1 and CP2 and saved Local Plan Policies ENV13 and ENV17; the Council's adopted "Housing Density and Design" and "Sustainable Design and Construction" Supplementary Planning Documents, April 2006, the Technical Housing Standards - Nationally Described Space Standard and the National Planning Policy Framework/Practice Guidance.*
  
2. *The proposal 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 Interim Avoidance and Mitigation Strategy and is therefore contrary to Policy CP13 of the Rushmoor Core Strategy”.*

2.10 The Inspector considered that the proposal would provide the social benefit of additional housing to local housing supply to which paragraph 47 of the Framework anticipates a significant boost. It would bring economic benefits too, from its construction and from the spending in the local economy of the future occupiers. It would also have access to a range of local amenities and public transport which would have environmental advantages. However, it would result in harm to the street scene and to the character of the area, it would not provide acceptable living conditions for future occupiers, and it would not mitigate its effect on the SPA, which would place it in clear conflict with the development plan. It would conflict with the environmental dimension of sustainable development set out in paragraph 7 of the Framework and there are no considerations which outweigh the harm identified. Taking the Framework as a whole, he considered that the proposal would be an unsustainable form of development.

**DECISION: APPEAL DISMISSED**

### **3 Recommendation**

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

**Keith Holland**  
**Head of Planning**