Development Management Committee 7th November 2018

Item 8 Report No.PLN1829 Section C

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. 18/00481/FULPP
- Date Valid 23rd August 2018
- Expiry date of 3rd October 2018 consultations
- Proposal Retention of 6 retail units on the ground floor and conversion of the upper floors and a two-storey extension range to the rear into a total of 7 flats (comprising 4 X 1-bedroom and 3 X 2-bedroom units) at 182-192 Victoria Road; conversion of existing warehouse building into 4 X 1-bedroom flats on upper floors and provision of a parking and bin-store area on the ground floor with vehicular access opened up to Union Terrace at the Old Warehouse; demolition of the single-storey garage block adjoining the Old Warehouse backing onto Union Terrace and erection of a new-build 4-storey extension attached to the side of the Old Warehouse building to provide a further 3 X 2-bedroom flats, one each on the upper floors (14 flats in total); and provision of parking spaces, bin stores and landscape planting in Star Yard

Address Upper Union Terrace And 182 To 192 Victoria Road Aldershot

- Ward Wellington
- Applicant Jepsam Properties Limited
- Agent Mr Chanto Foo
- Recommendation Grant

Description & Relevant History

The application site is of an irregular shape, measures 0.1 hectares and is located in a corner position at the junction of Victoria Road with Cross Street. The application site is an assembly of three separate adjoining properties:-

(a) **Old Star Offices building (Nos.182-192 Victoria Road)** : this is an extended threestorey building containing six commercial units on the ground floor fronting Victoria Road, including "Woodys" Café/Takeaway on the corner; together with "Johney Gurkhas" restaurant, a barber shop and three other shop units. The upper floors were previously offices occupied by the Star Newspaper; and there is also further vacant/surplus accommodation over two-storeys to the rear.

- (b) **3 Cross Street** :a small single-storey building last used as a takeaway hot food outlet located to the rear of building (a) above, from which it is separated by a narrow private driveway and some parking spaces leading from Cross Street to 'Star Yard', a private courtyard, to the west. To the north of 'Star Yard' is...
- (c) **The Old Warehouse** : this is a three-storey former commercial building previously understood to have been in mixed B8 (storage and distribution) and B1(a) (Office) use. The building is current vacant and stripped-out following compliance with an Enforcement Notice upheld at appeal in September 2016 relating to the unauthorised conversion and use of the building as multiple bedsitting units. Between the side of the Old Warehouse and the rear of No.3 Cross Street are a number of lock-up garages, some with doors opening into 'Star Yard' and others into Upper Union Terrace to the rear.

'Star Yard' has an existing vehicular entrance from Victoria Road between Nos.188-192 and the vacant offices at 'Willow House' No.23 Grosvenor Road. Although 'Star Yard' can accommodate a small amount of parking, this is severely constrained by the need to maintain access to adjoining properties using the Yard, and also to provide for servicing of the existing commercial uses.

The application site is surrounded largely by commercial buildings. To the west 'Star Yard' abuts 'Willow House' No.23 Grosvenor Road, a vacant office building at the corner of Grosvenor Road and Victoria Road. To the rear of 'Willow House' and as a continuation of 'Star Yard' is a small lightwell area that is also to the rear of residential flats at Katherine Court and Whitley Court. To the north the site adjoins the south side of Upper Union Terrace, with properties fronting Union Street (Nos.5-15 odd inclusive). There is a small Council pay and display car park at the corner of Upper Union Terrace and Cross Street adjoining the north-east corner of the application site, together with a electricity sub-station immediately to the rear of No.3 Cross Street on land that lies outside the site. Cross Street bounds the application site to the east, with the Wellington Centre multi-storey car park on the opposite side of the road. The ramped access road to the Wellington Centre service area is opposite No.3 Cross Street. To the south of the application site on the opposite side of Victoria Road is mixed commercial frontage with residential and commercial uses over.

The proposals the subject of the application have been subject to a number of amendments since the application was originally submitted seeking to address consultee comments and also objections raised by the owners of 'Willow House'. The proposals are as follows:-

A. Old Star Offices building (Nos.182-192 Victoria Road) : retention of 6 retail units on the ground floor and conversion of the upper floors and a two-storey extension range to the rear into a total of 7 flats (comprising 4 X 1-bedroom and 3 X 2-bedroom units);

B. Old Warehouse Building : Residential conversion involving the provision of 5 parking spaces and a cycle-store area on the ground floor with vehicular access from Upper Union Terrace, together with the creation of 4 X 1-bedroom flats on the existing upper floors. The proposals would involve some alterations to the exterior of the building, most notably to create the parking spaces at ground floor level, which involves the formation of a structural opening spanning almost the entire width of the ground floor elevations facing 'Star Yard' and Upper Union Terrace. These openings are shown to be brick finished and to have shallow-arched brick string courses. The applicants have confirmed that the structural elements (such as steel beams) needed to construct the openings would be covered. All upper-floor windows are shown to be fitted with decorative metal railings that could accommodate window basket

planters;

C. Adjoining lock-up garages : Demolition of the garages and erection of a 4-storey extension to the Old Warehouse building to provide a further 3 X 2-bedroom flats, one on each of the upper floors. The ground floor space of the proposed extension is shown to be open to both the front (into 'Star Yard') and rear (into Upper Union Terrace) to provide 8 parking spaces : 4 spaces facing each way. The elevations of the proposed extension would match those of the Old Warehouse itself, including the fitment of decorative metal railings. The east end elevation of the proposed extension is shown to incorporate inset balconies; and,

D. No.3 Cross Street : Demolition of the existing A5 takeaway premises at 3 Cross Street to provide a bin store area and a further pair of parking spaces;

In addition to some parking spaces to be provided within 'Star Yard', a total of 19 on-site parking spaces are shown to be provided with the proposed development. Of these, 14 spaces are shown to be allocated to the proposed flats (1 space per unit), 4 spaces to the existing shops fronting Victoria Road in the 'Star Office' building; and the single remaining parking space as a visitor space.

The parking areas at the Old Warehouse and its proposed extension are shown to be enclosed with decorative railings. In the case of those spaces in the ground floor area of the Old Warehouse, the railings fence off the bin and cycle store areas from the parking spaces, with the bin and cycle store area reached from 'Star Yard' to the front of the building only. The pedestrian door into the flats within the Old Warehouse is solely from Upper Union Terrace. In the case of the proposed extension to the Old Warehouse, four parking spaces are shown to be provided entered from Upper Union Terrace, and four spaces semirecessed under the extension projecting into 'Star Yard'. A railing would be provided between these rows of parking spaces to prevent vehicles gaining access to and from 'Star Yard' via the parking area. Pedestrian access to the flats within the proposed extension would be via a staircase into the corner of 'Star Yard' at the east end of the new building.

The proposed scheme shows space to the side of 'Star Yard' to enable a vehicular entrance route to be provided to the adjoining vacant office premises at 'Willow House'.

The application is accompanied by a Design, Access & Heritage Statement, a Bat Survey Report, a Surface Water Strategy Report, a protected Species Walkover Survey Report and a Desk Study/Preliminary Risk Assessment Site Investigation Report.

The applicants have completed a s106 Planning Obligation to secure financial contributions in respect of SPA mitigation and avoidance and public open space as required by adopted Development Plan policies.

Consultee Responses

HCC Highways Development Planning	No highway objections subject to conditions. No Transport Contribution is required because the traffic generation of the proposed development is not considered likely to be significantly greater than that of the existing lawful uses.
Operations Manager (Domestic Bin Collection)	More information required.

Environmental Health	No objections subject to conditions and informatives.
Parks Development Officer	Identifies projects to which a Public Open Space contribution would be appropriate.
Conservation Team	No objection in principle, subject to the removal of railings to the windows and the use of punctuated or recessed balconies instead for better design.
Natural England	No objection subject to the necessary SPA financial contribution being secured with a s106 Planning Obligation.
Thames Water	No objection provided the developer follows the sequential approach to the disposal of surface water.
Hampshire & I.O.W. Wildlife Trust	No comments received during the consultation period, thereby presumed to have no objections.
Lead Local Flood Authorities	More information/clarification required concerning the surface water drainage flow rates.
Hampshire Fire & Rescue Service	No objections and provides generic advice concerning fire precautions and requirements.
Crime Prevention Design Advisor	No objections, but makes a number of observations about the design of the proposed scheme from a crime prevention perspective for the applicants' information and attention as necessary.

Neighbours notified

In addition to posting a site notice and press advertisement, 124 individual letters of notification were sent to properties in Victoria Road, Grosvenor Road (including Whitley Court), Union Street, Upper Union Street, Union Terrace, Frederick Street and the Wellington Centre, including all properties adjoining the application site.

Neighbour comments

Consultants on behalf of the owners of the adjoining property at Willow House, 23 Grosvenor Road

Objection : The planning application includes a site plan that shows a number of parking spaces and landscaping strips being created within the Star Yard area. However these proposals are not legally implementable, because the owners of Willow House benefit from a right of access and egress over the whole of the Star Yard area to enable them to gain access to their adjoining property. All of the obstructions, including parking bays and landscaping strips, need to be removed from the plans, which will mean that the application proposal should include far fewer parking bays and no landscaping.

[Officer Note: These objections were passed on to the applicants for their attention and have resulted in the submission of amended plans for the scheme that retain a route of access to Willow House across Star Yard, together with a revised parking layout for the current proposed development.]

Aldershot Civic Society Objection : The proposals are incompatible with the access required for the adjacent Willow House property, the owners of which have applied for planning permission (application ref.18/00251/FULPP). The main problem area being that of an unrealistic shared vehicular access through the yard space that needs to be utilised by both sites. Also the proposed parking layout looks unworkable in such a confined area, especially where double ranked. We agree that the site does need redeveloping, but with more thought to the local conditions. [Officer Note: The planning application in respect of Willow House was considered by Committee in July 2018 and

planning permission was refused.]

Policy and determining issues

The site is located within the town centre area of Aldershot and directly adjacent, but outside, the boundary of the Aldershot West Conservation Area. Adopted Rushmoor Core Strategy (November 2011) Policies CP1 (Sustainable Development Principles), CP2 (Design and Heritage), CP3 (Renewable Energy and Sustainable Construction), CP4 (Surface Water Flooding), CP5 (Meeting Housing Needs and Housing Mix), CP8 (Supporting Economic Development); 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.

A number of older Local Plan policies continue to be 'saved' and remain in use for the time being until they are replaced by future tranches of Local Development Framework documents. In this respect, Local Plan Policies ENV17 (general development criteria), ENV35 (development adjoining Conservation Areas), TR10 (highways considerations), OR4/OR4.1 (public open space) and H14 (amenity space) are relevant.

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 2017. 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.

The New Rushmoor Local Plan 2014 to 2032 contains emerging policies that are relevant to the consideration of the current application. It has now reached an advanced stage of preparation. Proposed main modifications to the Plan are, at the time of writing this report, subject to public consultation following receipt of the Inspector's provisional findings after the Local Plan Inquiry held in May 2018. It is currently anticipated that the New Local Plan will be formally adopted in early 2019. However, where there is now no reason for any changes to be made to the policies and content of the Plan because no modifications are being recommended and/or there is no difference in the policy approach currently taken with the Core Strategy, the new Plan can now be considered to carry some weight in the

consideration of planning applications. Where this is the case, this will be noted in the following Commentary section of this Report.

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 14 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 Neighbours;
- 4. The Living Environment Provided;
- 5. Highways Considerations;
- 6. Impact on Wildlife;
- 7. Drainage Issues;
- 8. Renewable Energy and Sustainability; and
- 9. Public Open Space.

Commentary

1. Principle -

The proposals seek to re-use a vacant and unused commercial property in Aldershot Town Centre area. The proposed development is therefore clearly seeking to make more efficient use of previously developed land, 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.

Since the site has the potential to contain some contaminated ground as a result of its longstanding commercial uses, and the proposed residential use is one that would be vulnerable to contact with contamination in undeveloped areas (such as within landscape planting areas) the applicants have undertaken an initial site investigation which concludes that the site has a moderate to low risk in terms of potential ground contamination. The Council's Contaminated Land Officer is satisfied with the approach and conclusions of this work, which identifies the scope for further investigation. No objection is raised subject to the imposition of the usual planning conditions to require the further site investigation work to be undertaken and for any remedial works to be implemented and verified as appropriate.

Core Strategy Policy CP8 seeks the retention of B-Class uses except where it can be demonstrated that there is no demand for the site. In this case the property has been unused for a significant period of time and Core Strategy Policy SP3 does support the development of good quality housing that would contribute to the vitality of the town centre. In the circumstances, it is considered that the proposals are acceptable in principle (subject to all usual development control issues being satisfactorily resolved in detail) since the proposals are clearly in line with Government objectives and the Council's own adopted planning policies.

2. Visual Impact -

The site is not within a Conservation Area, although the north boundary of the application site with Upper Union Terrace forms part of the boundary of the Aldershot West Conservation Area. The application site does not adjoin any Listed Buildings. The vicinity has a mixed

densely urbanised character typical of a town centre, with a variety of land uses and buildings of different types, ages, conventional external materials and extensions and alterations.

It is necessary to consider the visual impact of the proposed development harm over and above any harm already considered to be caused by the existing buildings and site. The application property has a poor appearance and gives Aldershot a poor image. The site also has an existing unrestricted commercial use, which, if used to its full potential, would be likely to impact negatively, and potentially significantly, upon the visual character and amenity of the locality. It is therefore considered that there are potential advantages to the character and appearance of the area that arise from the proposed re-development, which would involve the significant refurbishment and cosmetic improvement of the application buildings and the change of use away from commercial use.

The principal changes to the visual appearance of the site other than the general improvements to the external appearance and use of existing buildings, are the demolition of existing buildings (No.3 Cross Street and the adjoining lock-up garages), the proposed extension to the side of the Old Warehouse, and the opening-up of the ground floor rear elevation of the Old Warehouse building into Upper Union Terrace. It is considered that the proposed demolition would remove structures in a poor state and appearance which make no positive contribution to the character and appearance of the Old Warehouse. Whilst Upper Union Terrace is within the Aldershot West Conservation Area, the service road to the rear of other properties is not a portion of the Conservation Area and does not make a significant contribution to the visual character and appearance of the area. Overall, it is considered that the proposals would result in a significant cosmetic improvement to the appearance of the application site.

3. Impact on neighbours -

The operation of the existing lawful and unrestricted commercial uses at the site has the potential to have substantially more impact on neighbours than is currently the case. The removal of the existing unrestricted commercial uses would result in a significant general improvement in the amenities of adjoining and nearby residential properties. The physical presence of the existing Old Warehouse building, which is both tall, bulky and utilitarian in appearance, clearly also has an existing impact upon neighbours.

The application site has residential neighbours primarily to the west and north sides at Katherine Court, Whitley Court and above some of the ground floor commercial properties on Union Street. There are also residential properties on the upper floors of buildings on the opposite side of Victoria Road. Whilst the proposals would result in the creation of residential dwelling units at upper floor levels in buildings that have not previously been in authorised residential use, it is considered that the design of the proposals, in combination with the degree of separation and the orientation of the buildings, provides acceptable relationships with all its residential neighbours. It is not considered that there would be any material and undue impacts upon non-residential neighbouring property. No representations have been received from any neighbours to the proposed development with the exception of the rights of access issue raised by owners of 'Willow House'.

The application proposals have been amended as a result of the receipt of the objections raised by the owners of 'Willow House'. This objection is simply addressed by showing a vehicular access route through 'Star Yard'.

It is considered that the proposed development would have an acceptable impact upon neighbours.

4. The living environment created -

All the proposed flats would provide accommodation meeting the Government minimum internal floorspace standards appropriate for their level of occupancy. Whilst the proposals are unable to provide on-site amenity space, this is not unusual with town centre residential property. The internal layout of a development is a functional matter between a developer and his client and is to some extent covered by the Building Regulations. It is a matter for prospective purchasers/occupiers to decide whether they choose to live in the proposed development. Nevertheless, it is considered that the living environment created would be acceptable.

5. Highways considerations -

Despite the extent and floorspace of the existing commercial property at the application site, limited on-site parking is available, which is restricted solely to 'Star Yard' and to the side of the access road alongside No.3 Cross Street. The submitted existing plans indicate that perhaps 10 spaces are available on-site, however this does not take account of the rights of way for 'Willow House' that would compromise the ability to provide all of this parking. As a result, it is considered that there is the clear potential for overspill on-street parking problems to arise were unrestricted commercial use of the property to resume, which could happen without the need for planning permission. Given that the area has existing on-street parking preferable that this 'fall-back position' is discouraged. It is considered that the proposal offers the opportunity to remove existing uses that have the clear potential to generate significant problems for occupiers/users of property in the vicinity in highways terms.

By contrast, the proposed development makes provision for on-site parking at a level and arrangement (as amended by plans received 7 September 2018) that the Highway Authority (Hampshire County Council) considers to be acceptable. One on-site parking space is provided for each of the proposed flats, plus a visitor space, and four spaces allocated for the retained commercial units fronting Victoria Road. In this respect the proposals accord with the Council's adopted parking standards. The additional on-site parking spaces are achieved by creating space at ground floor level within the Old Warehouse and the proposed extension, most of which would have access into Upper Union Terrace.

The proposals would continue to use the existing vehicular access to Victoria Road and, as such, there would be no loss of existing on-street parking spaces outside the application property. The proposed access from new parking spaces into Upper Union Street would not result in the loss of street parking since the margin of the application site abutting this service road is subject to double-yellow parking restrictions. The proposed access from Upper Union Terrace is considered to be acceptable.

Arrangements for cycle parking and the storage and collection of refuse and recycling for the premises are identified with the application. In this respect the Operations Manager (Domestic Bin Collection) advises that the bin storage areas are too small for the number of bins that they need to accommodate. However it is considered that there is space within the layout of the proposed development for this to be remedied and, as such, imposition of a suitably worded condition is considered appropriate to deal with this matter.

No Transport Contribution can be justified in this case given that the proposed development is considered likely to generate less traffic than would arise from the resumption of the commercial uses.

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

6. Impact on Wildlife -

Following the receipt of information from the applicants, the Council has undertaken an Appropriate Assessment of the proposals under Regulation 63(1) of the Habitats Regulations. This has concluded that the proposals would, in combination with other plans and projects, be likely to have a significant effect on the integrity of the Thames Basin Heaths SPA. However, having reached this conclusion, in order to be lawfully permitted, the proposed development it has then been necessary for the applicant to secure a package of avoidance and mitigation measures.

In this respect, the Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy comprises two elements. Firstly the maintenance of Suitable Alternative Natural Greenspace (SANG) at Rowhill Copse in order to divert additional recreational pressure away from the Thames Basin Heaths Special Protection Area (TBHSPA) and secondly the maintenance 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 Rowhill Copse SANG will be considered.

In accordance with the strategy, the applicant has provided a financial contribution of £64,328.00 to provide and maintain the SANG at Rowhill Copse and in respect of SAMMs by way of a s106 planning obligation. Natural England raises no objection to proposals for new residential development in the form of Standing Advice provided that it is in accordance with the above strategy. The necessary s106 Undertaking has been completed in this respect. The proposal is therefore considered to have an acceptable impact on the Thames Basin Heaths Special Protection Area and to comply with the requirements of Core Strategy Policies CP11 and CP13.

According to the submitted Preliminary Bat Survey Report the application property has negligible potential to host roosting bats. Nevertheless, it is recommended that any works at the property are undertaken outside the bird nesting season (March to September inclusive) or the building must be checked for nesting birds immediately prior to any works commencing – and no works be undertaken if an occupied nest is found. Much of the pigeon debris was cleared from the building prior to the commencement of this year's bird nesting season. In the circumstances, it is considered appropriate that an informative be used to remind the applicant of the requirements of the Wildlife & Countryside Act with respect to any protected wildlife species encountered on site.

7. Sustainable Development and Renewable Energy -

Policy CP3 requires applicants proposing new dwellings to demonstrate how they have incorporated sustainable construction standards and techniques into the development to achieve, subject to viability, at least Code Level 4 of the Code for Sustainable Homes.

Following the Royal Assent of the Deregulation Bill 2015 (on 26 March 2015) the Government's current policy position is that planning permissions should no longer be

granted requiring or subject to conditions requiring compliance with any technical housing standards such as the Code for Sustainable Homes. This is other than for those areas (such as Rushmoor) where Councils have existing policies referring to the attainment of such standards. In the case of Rushmoor this means that we can still require energy performance in accordance with Code Level 4 as set out in Policy CP3 of the Rushmoor Core Strategy.

Nevertheless, since the proposals are largely for the change of use of existing buildings, it is not considered that the requirements of this policy are applicable and, indeed, could only be sought in respect of the new-build flats created within the proposed extension in any event. The application does not address this matter, although such measures may be secured by way of a planning condition.

8. Surface Water Drainage -

The site is identified as being land at the lowest risk of flooding. Notwithstanding the requirements of Core Strategy Policy CP4, it is considered that the proposal would not worsen the existing situation with regard to surface water drainage from this site given that the site is already developed with 100% site coverage, mainly by the existing buildings. Nevertheless, whilst, the proposals offer limited scope to change or improve this situation, the applicants indicate that some SUDS measures are to be incorporated into the proposed development that would marginally improve the situation. Accordingly, it is considered that, subject to the usual condition, the proposals are acceptable having regard to Policy CP4.

9. Public open space -

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

This is a circumstance where a contribution (in this case £23,600.00 towards the off-site provision of the POS comprising landscaping and infrastructure improvements at Princes Gardens, Aldershot (£12,319.20); playground surfacing refurbishments at Municipal Gardens, Aldershot (£9,180.40); and ball court refurbishments at Municipal Gardens, Aldershot (£2,100.40) secured by way of a planning obligation is appropriate. The applicant has completed and submitted a satisfactory s106 Agreement in this respect. As such, the proposal is considered to be acceptable within the terms of Core Strategy Policies CP10, CP11 and CP12 and saved Local Plan Policy OR4.

Conclusions

The proposals are considered acceptable in principle, would have no material and harmful impact upon the visual character and appearance of the area and the adjoining Aldershot West Conservation Area, have no material and adverse impact on neighbours, would provide an acceptable living environment and are acceptable in highway terms. On the basis of the provision of a contribution towards the Rowhill Copse SPA mitigation scheme, the proposals are considered to have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposals are thereby considered acceptable having regard to Policies CP2, CP5, CP8, CP10, CP11, CP12, CP13,

CP15, CP16 and CP17 of the Rushmoor Core Strategy and saved Local Plan Policies ENV17, ENV35, TR10, OR4/OR4.1 and H14.

Full Recommendation

It is recommended that planning permission be **GRANTED** subject to the following conditions and informatives:-

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.

The permission hereby granted shall be carried out in accordance with the following approved drawings - C T Foo Associates Drawing Nos. 1/30 REV.D, 2/30 REV.D, 3/30, 4/30, 5/30, 6/30, 7/30, 8/30, 9/30 REV.A, 10/30 REV.A, 11/30 REV.A, 12/30 REV.A, 13/30 REV.A, 14/30 REV.B, 15/30 REV.A, 16/30, 17/30, 18/30 REV.B, 19/30 REV.B, 20/30 REV.D, 21/30 REV.D, 22/30 REV.D, 23/30 REV.D, 24/30 REV.C, 25/30 REV.B, 26/30 REV.B, 27/30 REV.B, 28/30 REV.A, 29/30 REV.A, 30/30, & 31/31; and Design, Access & Heritage Statement; Protected Species Walkover Survey; Bat Survey Report; Surface Water Strategy Report; and Site Investigation Report.

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

3 Notwithstanding any indication of materials which may have been given in the application, or in the absence of such information, construction of the following elements of the development hereby approved [the external walls, roofing materials, window frames/glazing, decorative window and balcony balustrade railings, rainwater goods, and any new external hard-surfacing materials] shall not start until a schedule and/or samples of the materials to be used in them have been submitted to, and approved in writing by, the Local Planning Authority. Those elements of the development shall be carried out using the materials so approved and thereafter retained.

Reason - To ensure a satisfactory external appearance to the development. *

4 Prior to occupation or use of the development hereby approved, screen and boundary walls, fences, hedges or other means of enclosure shall be installed in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The boundary treatment shall be completed and retained in accordance with the details so approved.

Reason - To safeguard the amenities of neighbouring property. *

5 The dwelling units hereby permitted shall not be occupied until the parking spaces,

bicycle storage and bin storage areas shown on the approved plans have been constructed, surfaced and made available to occupiers of, and visitors to, the development; in the case of parking spaces in accordance with the scheme of allocation indicated on the approved plans. Thereafter these facilities shall be kept available at all times for their intended purposes and allocation as shown on the approved plans. Furthermore, the parking spaces shall not be used at any time for the parking/storage of boats, caravans or trailers.

Reason - For the avoidance of doubt and to ensure the provision, allocation and retention of adequate off-street car and bicycle parking, servicing, and bin storage within the development. *

6 Provision shall be made for services to be placed underground. No overhead wire or cables or other form of overhead servicing shall be placed over or used in the development of the application site.

Reason - In the interests of visual amenity.

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 Prior to the first occupation of the flats hereby permitted, details for a communal aerial/satellite dish/fibre-optic system shall be submitted to and approved in writing by the Local Planning Authority. The new flats hereby permitted shall not be occupied until the approved scheme has been installed and made operational.

Reason - In the interest of the visual amenity of the area by avoiding the unnecessary proliferation of aerial/satellite dish installations on the building.

- 9 Prior to the commencement of development (including any demolition) a Construction Management Plan to be adopted for the duration of the construction period shall be submitted to and approved in writing by the Local Planning Authority. The details required in this respect shall include:
 - (a) the provision to be made for the parking and turning on site of operatives and construction vehicles during construction and fitting out works;
 - (b) the means and measures to be taken to control noise, dust, vibration, smoke and other emissions arising from the implementation of the development;
 - (c) the arrangements to be made for the delivery of all building and other materials to the site, including construction servicing/delivery routes;
 - (d) the provision to be made for any storage of building and other materials on site;
 - (e) measures to prevent mud from being deposited on the highway;
 - (f) the programme for construction; and
 - (g) the protective hoarding/enclosure of the site.

Such measures as may subsequently be approved shall be retained at all times as specified until all construction and fitting out works have been completed.

Reason - In the interests of the amenity, safety and convenience of adjoining and nearby residential properties and the safety and convenience of highway users. *

10 Site clearance and works to implement the permission hereby permitted shall be undertaken in accordance with the recommendations of the AEWC Ltd. Protected Species Walkover Survey and Bat Survey Reports dated 14 June 2018 hereby approved.

Reason - In the interests of protected wildlife.

- 11 No construction works pursuant to this permission, including the excavation and installation/construction of foundations for the new building hereby approved, shall commence until there has been submitted to and approved in writing by the Local Planning Authority:
 - i. a desk top study carried out by a competent person documenting all previous and existing uses of the site and adjoining land, and potential for contamination, with information on the environmental setting including known geology and hydrogeology. This report should contain a conceptual model, identifying potential contaminant pollutant linkages.
 - ii. if identified as necessary; a site investigation report documenting the extent, scale and nature of contamination, ground conditions of the site and incorporating chemical and gas analysis identified as appropriate by the desk top study.
 - iii. if identified as necessary; a detailed scheme for remedial works and measures shall be undertaken to avoid risk from contaminants/or gas identified by the site investigation when the site is developed and proposals for future maintenance and monitoring, along with verification methodology. Such scheme to include nomination of a competent person to oversee and implement the works.

Where step iii) above is implemented, following completion of the measures identified in the approved remediation scheme a verification report that demonstrates the effectiveness of the remediation shall be submitted for 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.*

12 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.

13 Prior to the installation of drainage, details of measures to incorporate Sustainable Drainage Systems (SUDS) into the new built development in accordance with the proposals and recommendations outlined in the Innervision Design Surface Water Strategy Report dated May 2018 hereby approved 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 new-build dwelling units hereby permitted and retained in perpetuity.

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

14 Prior to the first occupation of the development hereby permitted a bat box shall be installed integrated into the new development in accordance with details which have been submitted to and approved in writing by the Local Planning Authority. Furthermore, any scheme of external lighting to be installed shall be bat friendly. The installations in this respect shall subsequently be retained thereafter.

Reason - To ensure biodiversity gain in line with emerging Policy NE4 of the New Rushmoor Local Plan (2014-2032). *

15 Prior to the first occupation of any of the new-build dwellings hereby permitted, details of measures to achieve the energy performance standards in accordance with Code Level 4 of the Code for Sustainable Homes or equivalent for each of these dwellings hereby permitted 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(s) to which they relate and retained in perpetuity.

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

16 The development hereby approved shall not be occupied until measures to protect the dwellings from internal and external noise (as appropriate) have been implemented in accordance with a scheme to include, for example, acoustic double-glazing and ventilation and acoustic insulation which has been first submitted to and approved in writing by the Local Planning Authority.

Reason - To protect the amenity of the occupiers of the development. *

INFORMATIVES

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

The proposals are considered acceptable in principle, would have no material and harmful impact upon the visual character and appearance of the area and the adjoining Aldershot West Conservation Area, have no material and adverse impact on neighbours, would provide an acceptable living environment and are acceptable in highway terms. On the basis of the provision of a contribution towards the Rowhill Copse SPA mitigation scheme, the proposals are considered to have no significant impact upon the nature conservation interest and objectives of the Thames Basin Heaths Special Protection Area. The proposals are thereby considered acceptable having regard to Policies CP2, CP5, CP8, CP10, CP11, CP12, CP13, CP15, CP16 and CP17 of the Rushmoor Core Strategy and saved Local Plan Policies ENV17, ENV35, TR10, OR4/OR4.1 and H14.

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

- 2 INFORMATIVE This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 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 a certain stage is reached in the development. Failure to meet these requirements is in contravention of the terms of the permission and the Council may take enforcement action to secure compliance. As of April 2008 submissions seeking to submit details pursuant to conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4 INFORMATIVE The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by:
 - a) ensuring the design and materials to be used in the construction of the building are consistent with these aims; and
 - b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.
- 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 Council's Environmental Health Team for advice.
- 8 INFORMATIVE The applicant is advised that during the construction phase of the development measures should be employed to contain and minimise dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Council's Environmental Health Team.
- 9 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.

- 10 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.
- 11 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.
- 12 INFORMATIVE The Local Planning Authority's commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of preapplication 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.





























