

**AMENDMENT SHEET FOR**  
**DEVELOPMENT MANAGEMENT COMMITTEE**  
**27 May 2020**

**Development Management Committee Appendix “A”, Page 7.**

Insert conditions attached to planning permission 20/00024/FULPP (36 Invincible Road, Farnborough) as follows:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless agreed in writing by the Local Planning Authority, the permission hereby granted shall be carried out in accordance with the following approved drawings –

Drawing numbers:

- 16033 3100-pl-c proposed ground floor
- 16033 3101-pl-b proposed mezzanine
- 16033 5100-pl-d proposed section received on 14th January 2020.
- 3600-pl-rev c proposed roof plan received on the 21 January 2020
- 2100-pl-k proposed site plan received 31 January 2020
- 16033 4100 pl f proposed elevations received on the 10 February 2020.

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

3. No works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority: -

- a. A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site

- b. A site investigation scheme, based on a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those offsite.

- c. The results of the site investigation and the detailed risk assessment referred to in b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. This shall include 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.

- d. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in c) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
- e. A verification report that demonstrates the effectiveness of the remediation shall be submitted for approval in writing by the Local Planning Authority.

Any changes to these components require the written consent of the local planning authority. The scheme shall be implemented as approved.

Reasons - To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by unacceptable levels of contamination including levels of water pollution in line with paragraph 170 of the National Planning Policy

4. Unless otherwise agreed in writing, no works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority a scheme for the management of Surface Water Drainage. The drainage system shall be installed and maintained in accordance with the details so approved.

Reason: In the interest of Managing Flood Risk.

5. No development shall start on site until a construction method statement has been submitted to and approved in writing by the Planning Authority, which shall include:
  - a) A programme of and phasing of demolition (if any) and construction work;
  - b) The provision of long term facilities for contractor parking;
  - c) The arrangements for deliveries associated with all construction works;
  - d) Methods and phasing of construction works;
  - e) Access and egress for plant and machinery;
  - f) Protection of pedestrian routes during construction;
  - g) Location of temporary site buildings, compounds, construction material, and plant storage areas;

Demolition and construction work shall only take place in accordance with the approved method statement.

Reason - In order that the Planning Authority can properly consider the effect of the works on the amenity of the locality.

6. Prior to the first use of the development hereby approved, a skills and employment plan shall be submitted to and approved in writing by the LPA. The skills and employment plan shall be implemented as so approved.

Reason: In the interest of Sustainable Development.

7. Unless otherwise agreed in writing, no works shall start on site until the existing trees and hedges which are to be retained have been adequately protected from damage during site clearance and works in accordance with the details within Tree Survey Report by Encon Associates dated September 2019 revision B 11.11.19.

Reason - To preserve the amenity value of the retained tree(s) and shrubs.\*

8. 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.

9. The development hereby approved shall not come into use until the parking facilities shown on the approved plans have been completed and made ready for use. The parking facilities shall be thereafter retained solely for parking purposes. \*

Reason - To ensure the provision and availability of adequate vehicular and cycle parking\*.

10. No occupation or use of the development shall occur until such time that a scheme for the restriction of parking opposite the site access off Invincible Road has been submitted and agreed by the local highway authority.

Reason – In the interest of Highway Safety\*.

11. No occupation or use of the development shall occur until a post-construction BREEAM certificate of achievement of the BREEAM 'excellent' for water consumption has been submitted to and approved in writing by the LPA.

Reason: in the interest of sustainable development\*.

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

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

13. Prior to occupation or use of any part of the development hereby approved, details of satisfactory provision for the storage and removal of refuse from the premises shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out and retained in accordance with the details so approved.

Reason - To safeguard the amenities of the area.\*

14. The external materials of the development hereby approved shall be that as set out on the approved plans, unless otherwise approved by the Local Planning Authority.

Reason - To ensure satisfactory external appearance.

15. No mezzanine floor or similar alteration shall be carried out without the express planning permission of the Local Planning Authority.

Reason: In the interest of highway safety.

16. Any trade counter areas provided shall not be larger than those on the approved plans (3100 rev C). Customers visiting those premises shall be restricted solely to the trade counter area, and BMX Selection Centre that shall be clearly defined within the units concerned. No other area of the units outside the defined trade counter area shall be accessible, and used for, the display and/or sale of goods to customers visiting those premises.

Reason - In order for the Council to retain control over the extent of retail activity conducted at the premises, and to ensure that the trade counter areas remain wholly ancillary and incidental to the primary use of the units for storage and distribution purposes.

17. Materials shall not be stacked or deposited in any external areas to a height exceeding 5.5 metres.

Reason - To protect the amenities of neighbouring property

18. The store shall only be open to the public within the following hours:

- 07:00 – 18:00 Mondays to Fridays, and
- 08:00 – 12:00 on Saturdays.

The premises shall not be used at any time on Sundays and Bank or Statutory Holidays.

Reason - To safeguard the amenities of neighbouring occupiers

19. No machinery shall be operated and no deliveries made to or dispatched from the site outside the following times:

- 07:00 – 18:00; Mondays to Fridays, and
- 08:00 – 12:00 on Saturdays.

The premises shall not be used at any time on Sundays and Bank or Statutory Holidays.

Reason - To safeguard the amenities of neighbouring occupiers

20. 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.

21. 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

## Section C – Items for determination

### Item 6, Pages 17 – 42.

Application No.	19/00873/FULPP
Proposal	Erection of 17 dwellings (11x 3 beds, 4x 2 beds and 2x 1 bed) with associated parking and landscaping, following the demolition of the existing industrial buildings
Address	<b>2 - 4 Mount Pleasant Road Aldershot</b>

### Updates to the report:

#### Page 18:

County Highways initially requested a contribution of £6000 *should* any traffic regulation orders (TRO's) be required in the future. However, as no such works are required to make the development acceptable, the County Highways Officer has confirmed that such a contribution should *not* be sought in this instance. Financial contributions under S.106 obligations should meet the following tests, they must be: a) necessary to make the development acceptable in planning terms; b) directly related to the development; and c) fairly and reasonably related in scale and kind to the development. The request for a contribution does not meet these tests.

Amend Consultee Responses as below:

HCC Highways Development Planning	No objection subject to conditions <b>and financial contribution towards installation of new restrictions secured by a S106 Agreement.</b>
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**Page 20:** Correct neighbor representations received as below:

- The windows on the side of the block will overlook the garden and rear facing windows of **58 and 60 Windmill Road;**

**Page 23:**

Paragraph 2 of section 3 should read ‘...With regards to inter-looking from the side elevation of Unit no.6, these windows are to circulation space and are **12.7m** from 8 Mount Pleasant Road.

**Page 30 Full Recommendation:**

Since the publication of the report, the applicant has agreed to extend the expiry date of the application to 30 June 2020. Correct the full recommendation as below:

It is recommended that subject to the completion of a satisfactory Planning Obligation under Section 106 of the Town and Country Planning Act 1990 by **30 June 2020** to secure Special Protection Area and Public Open Space financial contributions and on-site provision of 6 affordable housing units as set out in the report the Head of Planning in consultation with the Chairman be authorised to **GRANT** planning permission subject to the following conditions and informatives :-

However, in the event that a satisfactory s106 Agreement is not received by **30 June 2020**, the Head of Planning, in consultation with the Chairman, be authorised to **REFUSE** planning permission on the grounds that the proposal does not provide a financial contribution to mitigate the effect of the development on the Thames Basin Heaths Special Protection Area in accordance with The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and adopted New Rushmoor Local Plan Policy NE1; an appropriate financial contribution in respect of Public Open Space in accordance with Policy DE6 of the adopted New Rushmoor Local Plan (2014-2032); and appropriate provision of onsite affordable housing in accordance with Policy LN2 of the adopted New Rushmoor Local Plan (2014-2032).

**Page 35:** Correct Condition 19 to include the ground floor flats in the apartment block, as below:

19. The first and second floor windows in the side elevations of the apartment building serving the en-suite bathrooms to Units **12-17**, and the first- and second floor windows in the north eastern side elevation of Unit 5 hereby approved, shall be non-opening and permanently obscurely glazed in their entirety up to a height of at least 1.7m above the internal floor level.

Reason - To preserve the privacy and amenities of neighbouring properties.

**Item 8, Pages 51 – 78.**

Application No.	20/00229/FULPP
Proposal	Proposed change of use from general industrial (Use Class B2) to residential (Use Class C3), including the demolition of the existing buildings and the erection of seven two-storey houses (comprising 5 x 3-bedroom 4-person occupancy and 2 x 4-bedroom 5-person units), landscaping and associated works

Address

**Woodcot Court 2A Woodcot Gardens Farnborough**

**Page 54 Neighbour Comments:**

At the time of writing this report, a total of 7 objections have been received from the occupiers of **Nos.5 and 7** Woodcot Gardens and Nos.57, 59, 61, 63 and 65 Fleet Road.

**Page 66:**

Amend Condition No.1 as follows:

The development hereby permitted shall be begun before the expiration of **two years** from the date of this permission.

**Agenda Item No.6 Enforcement and possible unauthorized development, Item 1 on Pages 145 & 146:**

The property address is 148 Marrowbrook **Lane**, Farnborough