



RUSHMOOR BOROUGH COUNCIL

DEVELOPMENT MANAGEMENT COMMITTEE

***Wednesday, 12th October, 2016
at 7.00 p.m.***

To:

VOTING MEMBERS

Cr. B.A. Thomas (Chairman)
Cr. J.H. Marsh (Vice-Chairman)

Cr. D.B. Bedford
Cr. D.M.T. Bell
Cr. R. Cooper

Cr. P.I.C. Crerar
Cr. Sue Dibble
Cr. Jennifer Evans

Cr. D.S. Gladstone
Cr. C.P. Grattan
Cr. A.R. Newell

NON-VOTING MEMBER

Cr. M.J. Tennant - Cabinet Member for Environment and Service Delivery
(ex officio)

STANDING DEPUTIES

Cr. S.J. Masterson
Cr. P.F. Rust



Mr. Chairman, Ladies and Gentlemen,

You are hereby summoned to a Meeting of the **Development Management Committee** which will be held in the Concorde Room at the Council Offices, Farnborough on Wednesday, 12th October, 2016 at 7.00 p.m. for the transaction of the business set out below.

Yours faithfully,

A.E. COLVER
Head of Democratic Services

Council Offices
Farnborough

4th October, 2016

Enquiries regarding this Agenda should be referred to Lauren Harvey,
Administrative Assistant, Democratic Services (Tel: (01252) 398827 or e-mail:
lauren.harvey@rushmoor.gov.uk)

A full copy of this agenda can be found at the following website:
<http://www.rushmoor.gov.uk/8927>

A g e n d a

1. **Declarations of interest –**

All Members who believe they have a disclosable pecuniary interest in any matter to be considered at the meeting may not participate in any discussion or vote taken on the matter and if the interest is not registered, it must be disclosed to the meeting. In addition, Members are required to leave the meeting while the matter is discussed.

2. **Minutes –**

To confirm the Minutes of the Meeting held on 14th September, 2016 (copy attached).

Items for decision

3. **Planning applications –**

To consider the Head of Planning's Report No. PLN1633 on planning applications recently submitted to the Council (copy attached with a copy of the index appended to the agenda).

4. **Enforcement and possible unauthorised development –**

To consider the Head of Planning's Report No. PLN1634 (copy attached) which reports on cases of planning enforcement and possible unauthorised development.

Items for information

5. **Deed of Variation – Wellesley Travel Plan**

To receive the Head of Planning's Report No. PLN1635 (copy attached) which reports on cases of Deed of Variation.

6. **Appeals progress report –**

To receive the Head of Planning's Report No. PLN1636 (copy attached) on the progress of recent planning appeals.

**Index to Development Management Committee Agenda
12th October 2016
Report No. PLN1633**

Item No.	Reference Number	Address	Recommendation	Page No.
1	16/00667/FULPP	34 Cove Road, Farnborough	For Information	16
2	16/00757/REMPP	Wellesley Corunna Zone	For Information	16
3	16/00068/FULPP	Enterprise House, 88-90 Victoria Road and part of 84-86 Victoria Road, Aldershot	Grant	17
4	16/00544/FULPP	Southwood Summit Centre, 1 Adrin Place, Farnborough	Grant	40

Development Management Committee
12th October 2016

Head of Planning

Declarations of interest

Name: Cllr _____

N.B. A declaration is not required for items that appear either in Section D of the Planning Report or the Appeals Progress Report as such items are for noting only.

Agenda Item No.	Planning Application No.	Application Address	Reason

DEVELOPMENT MANAGEMENT COMMITTEE

Meeting held on Wednesday, 14th September, 2016 at the Council Offices, Farnborough at 7.00 p.m.

Voting Members

a Cr. B.A. Thomas (Chairman)
Cr. J.H. Marsh (Vice-Chairman) (In the Chair)

a Cr. Mrs. D.B. Bedford Cr. P.I.C. Crerar Cr. D.S. Gladstone
Cr. D.M.T. Bell a Cr. Sue Dibble Cr. C.P. Grattan
Cr. R. Cooper Cr. Jennifer Evans Cr. A.R. Newell

Non-Voting Member

Cr. M.J. Tennant (Cabinet Member for Environment and Service Delivery) (ex officio)

Apologies for absence were submitted on behalf of Crs. B.A. Thomas, Mrs. D.B. Bedford and Sue Dibble.

Cr. S.J. Masterson attended as standing deputy in place of Cr. B.A. Thomas and Cr. P.F. Rust attended as standing deputy in place of Cr. Sue Dibble

In the absence of the Chairman, the Vice-Chairman, Cr. J.H. Marsh took the Chair.

27. **DECLARATION OF INTEREST –**

Having regard to the Members' Code of Conduct, the following declaration of interest was made. The Member with a disclosable pecuniary interest left the meeting during the debate on the relevant agenda item:

Member	Application No. and Address	Interest	Reason
Cr. M.J. Tennant	16/00522/FULPP (Salesian College Playing Fields, Park Road, Farnborough)	Prejudicial	Proximity of home to the site.

28. **MINUTES –**

The Minutes of the Meeting held on 17th August, 2016 were approved and signed by the Chairman.

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

RESOLVED: That

- (i) Permission be given to the following applications set out in Appendix “A” attached hereto, subject to the conditions, restrictions and prohibitions (if any) mentioned therein:

15/00930/LBC2PP (Zone C – Cambridge Military Hospital, Aldershot Urban Extension, Alisons Road, Aldershot);

15/00931/LBC2PP (Zone C – Cambridge Military Hospital, Aldershot Urban Extension, Alisons Road, Aldershot);

* 16/00522/FULPP (Salesian College Playing Fields, Park Road, Farnborough);

- (ii) the applications dealt with by the Head of Planning, where necessary in consultation with the Chairman, in accordance with the Council’s Scheme of Delegation, more particularly specified in Section “D” of the Head of Planning’s Report No. PLN1629, be noted;

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

15/00897/REMPP (Zone C – Cambridge Military Hospital, Aldershot Urban Extension, Alisons Road, Aldershot);

15/00898/REMPP (Zone C – Cambridge Military Hospital, Aldershot Urban Extension, Alisons Road, Aldershot);

* 16/00571/FULPP (177 – 177A Ash Road, Aldershot); and

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

16/00068/FULPP (Enterprise House, 88-90 Victoria Road and part of 84-86 Victoria Road, Aldershot);

16/00544/FULPP (Southwood Summit Centre, 1 Aldrin Place, Farnborough);

- * The Head of Planning's Report No. PLN1629 in respect of these applications was amended at the meeting.

30. **REPRESENTATIONS BY THE PUBLIC –**

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

Application No.	Address	Representation	In support of or against the application
15/00897/REMPP 15/00898/REMPP 15/00930/LBC2PP 15/00931/LBC2PP	(Zone C – Cambridge Military Hospital, Aldershot Urban Extension, Alisons Road, Aldershot)	Mr. J. Beresford	In support
16/00522/FULPP	(Salesian College Playing Fields, Park Road, Farnborough)	Mr. P. Reeves	Against
16/00571/FULPP	(177- 177A Ash Road, Aldershot)	Ms. Deborah Meah Ms. Chantal Foo	Against In support

31. **APPLICATION NO. 15/00897/REMPP – ZONE C – CAMBRIDGE MILITARY HOSPITAL, ALDERSHOT URBAN EXTENSION, ALISONS ROAD, ALDERSHOT –**

The Committee received the Head of Planning's Report No. PLN1629 regarding the part approval of reserved matters for the conversion of Cambridge Military Hospital, including part demolition, extensions and external alterations, to provide 74 dwellings and 943m² of mixed commercial and community uses with associated landscaping, access and parking, in Development Zone C, Cambridge Military Hospital, pursuant to Condition 4 (1 to 21), attached to Outline Planning Permission 12/00958/OUT dated 10th March, 2014.

It was noted that the recommendation was to grant planning permission.

RESOLVED: That following the issue of planning permission for the first Cambridge Military Hospital Development Zone Reserved Matters Application at Gun Hill House & Water Tower, Application No. 15/00069/REMPP on completion of the associated deed of variation, the Head of Planning, in consultation with the Chairman, be authorised

to grant planning permission subject to the conditions and informatives set out in the Head of Planning's Report No. PLN1629.

32. APPLICATION NO. 15/00989/REMPP – ZONE C – CAMBRIDGE MILITARY HOSPITAL, ALDERSHOT URBAN EXTENSION, ALISONS ROAD, ALDERSHOT –

The Committee received the Head of Planning's Report No. PLN1629 regarding the part approval of reserved matters for the redevelopment of the Louise Margaret Hospital and Nurses Residence, including part demolition, external alternations, extensions and new build, to provide 41 dwellings with associated landscaping, access and parking, in Development Zone C, Cambridge Military Hospital, pursuant to Condition 4 (1 to 21), attached to Outline Planning Permission 12/00958 dated 10th March, 2014.

It was noted that the recommendation was to grant planning permission.

RESOLVED: That following the issue of planning permission for the first Cambridge Military Hospital Development Zone Reserved Matters Application at Gun Hill House & Water Tower, Application No. 15/00069/REMPP on completion of the associated deed of variation, the Head of Planning, in consultation with the Chairman, be authorised to grant planning permission subject to the conditions and informatives set out in the Head of Planning's Report No. PLN1629.

33. APPLICATION NO. 16/00522/FULPP – 177 – 177A ASH ROAD, ALDERSHOT –

The Committee received the Head of Planning's Report No. PLN1629 (as amended at the meeting) regarding the erection of first floor extensions to front, side and rear and external alterations to facilitate conversion of a café to one 1-bedroom flat, rear portion of shop at 177A Ash Road to one 1-bedroom flat; and enlargement of existing first floor flat from 1 to 3-bedrooms with enclosed first floor roof terrace.

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

RESOLVED: That

- (i) subject to the completion of a satisfactory planning obligation under Section 106 of the Town and Country Planning Act, 1990, by 29th September, 2016, to secure appropriate financial contributions towards special protection area mitigation, the Head of Planning, in consultation with the Chairman, be authorised to grant planning permission subject to the amended conditions and informatives;

- (ii) however, in the event that a satisfactory Section 106 agreement is not received by 29th September, 2016, the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not make satisfactory provision for 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 Core Strategy Policies CP11 and CP13;
- (iii) in the event of
 - (a) planning permission being granted and implementation (and cessation of the unauthorised residential use) does not take place within 6 calendar months of the decision date; or
 - (b) planning permission being refused; the Head of Planning is authorised to instruct the Solicitor to the Council to issue an enforcement notice requiring cessation of use of the unauthorised residential units within the application site.

34. ENFORCEMENT AND POSSIBLE UNAUTHORISED DEVELOPMENT – LAND ADJACENT TO 11 FINTRY WALK, FARNBOROUGH –

The Committee received the Head of Planning's Report No. PLN1630, which provided an update with regard to the position on the land adjacent to 11 Fintry Walk, Farnborough.

The Committee was informed that following a Committee resolution in August, 2015, an enforcement notice was issued to the owner of 11 Fintry Walk, Farnborough, in respect of the change of use of public amenity lane to private garden and enclosure with 1.8m close boarded fence. The owner of the property had pleaded guilty on 9 June, 2016 and the court agreed to adjourn the case until 11 August, 2016, for sentencing to allow the owner time to comply with the enforcement notice.

On 11th August, the court was advised that the owner had largely complied with the enforcement notice, however there remained a pallet of bricks and vegetation on the land, which the Council wanted the owner to remove within 28 days. It was noted that the owner had been ordered to pay a fine of £500, reduced from £750, a victim surcharge of £50 and the Council's costs of £625.

The Committee was informed that a site visit had been scheduled to ensure that the pallet of bricks and vegetation had been removed. Subject to the works being carried out satisfactorily the enforcement case will be closed.

RESOLVED: That the Head of Planning's Report No. PLN1630 be noted.

35. **APPEALS PROGRESS REPORT –**

(1) **New Appeals –**

Application No.	Description
16/00284/TPO	Against the refusal of consent to fell and replace and Oak Tree which is subject to a TPO, in the rear garden at 2 The Birches, Farnborough. It was noted that the appeal would be dealt with by written representations.

(2) **Appeal Decisions –**

Application No.	Description	Decision
15/00030/COUGEN	Against the enforcement notice requiring the use of the property as an 18-bedroom house in multiple occupation to cease within a period for compliance of six months at The Old Warehouse, Start Yard, Victoria Road, Aldershot.	Dismissed
15/00012/ENF	Against the enforcement notice requiring the use of the property as a 7-bedroom house in multiple occupation and 6 self-contained flats to cease within a period for compliance of six months at The Former Beehive Public House, 264 High Street, Aldershot.	Dismissed

RESOLVED: That the Head of Planning's Report No. PLN1632 be noted.

The Meeting closed at 8.51p.m.

J.H. MARSH
VICE-CHAIRMAN

**Development Management Committee
14th September 2016**

Appendix "A"

Application No. & Date Valid: **16/00522/FULPP** **28th June 2016**

Proposal: Construction of 3G artificial turf all-weather rugby/football pitch to replace existing grass rugby pitch, enclosed with new 4.5 metre high fencing and provided with floodlighting comprising a total of sixteen sports lighting luminaires mounted distributed between six 15-metre high light columns at **Salesian College Playing Fields Park Road Farnborough Hampshire**

Applicant: Salesian College

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

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

2 The permission hereby granted shall be carried out in accordance with the following approved drawings and details -

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

3 The floodlights hereby approved shall only be used between the hours of 0900 and 2030 Monday to Friday and not on Saturdays, Sundays or Bank Holidays.

Furthermore, in any event, the floodlights hereby permitted shall only be illuminated when the artificial surface pitch hereby approved is in use or undergoing maintenance.

Reason - To safeguard the amenities of neighbouring occupiers and to restrict the use of the floodlights to no more than is necessary within the Blackwater Valley countryside gap.

4 The proposed artificial-surface pitch and associated works hereby approved shall be used as ancillary sport

facilities for the Salesian College only and for no other purpose without the prior written approval of the Local Planning Authority.

Reason - Given the limited formal parking facilities available within the site and in the interests of the amenities of neighbouring residential properties.

- 5 There shall be no pedestrian or vehicular access to the artificial surface pitch hereby approved from Salesian View except in an emergency.

Reason - To safeguard the amenities of neighbouring residents.

- 6 No public address system or other sound amplification system shall be installed or used in connection with the artificial surface pitch hereby approved without the prior written approval of the Local Planning Authority.

Reason - To safeguard the amenities of neighbouring occupiers.

- 7 Construction or clearance/excavation 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 The drainage scheme to be installed with the artificial surface pitch hereby approved shall be undertaken in full in accordance with the plans and details submitted with the application and hereby approved; and thereafter retained. Details of the long-term maintenance arrangements for the drainage scheme shall be submitted to and approved in writing within a period of 18 months from the date on which this permission is granted.

Reason - To accord with the provisions of Policy CP4 of the Rushmoor Core Strategy and to ensure that no undue flood risk would arise.

Planning Applications

1. Introduction

- 1.1 This report considers recent planning applications submitted to the Council, as the Local Planning Authority, for determination.

2. Sections In The Report

- 2.1 The report is divided into a number of sections:

Section A – FUTURE Items for Committee – Page 16

Applications that have either been submitted some time ago but are still not ready for consideration or are recently received applications that have been received too early to be considered by Committee. The background papers for all the applications are the application details contained in the Part 1 Planning Register.

Section B – For the NOTING of any Petitions – Page 16

Section C – Items for DETERMINATION – Pages 17 to 59

These applications are on the Agenda for a decision to be made. Each item contains a full description of the proposed development, details of the consultations undertaken and a summary of the responses received, an assessment of the proposal against current policy, a commentary and concludes with a recommendation. A short presentation with slides will be made to Committee.

Section D – Applications ALREADY DETERMINED under the Council's adopted scheme of Delegation – Pages 60 to 80

This lists planning applications that have already been determined by the Head of Planning, and where necessary with the Chairman, under the Scheme of Delegation that was approved by the Development Management Committee on 17 November 2004. These applications are not for decision and are FOR INFORMATION only.

- 2.2 All information, advice and recommendations contained in this report are understood to be correct at the time of publication. Any change in circumstances will be verbally updated at the Committee meeting. Where a recommendation is either altered or substantially amended between preparing the report and the Committee meeting, a separate sheet will be circulated at the meeting to assist Members in following the modifications proposed. This sheet will be available to members of the public.

3. Planning Policy

- 3.1 Section 38(6) of the Town and Country Planning Act 1990 (As amended) requires regard to be had to the provisions of the development plan in the determination of planning applications. This comprises the Rushmoor Plan Core Strategy (October 2011), the Hampshire Minerals and Waste Plan adopted October 2013, saved policies of the Rushmoor Local Plan Review (1996-2011) and saved policy NRM6 of the South East Plan.
- 3.2 Although not necessarily specifically referred to in the Committee report, the relevant development plan will have been used as a background document and the relevant policies taken into account in the preparation of the report on each item. Where a development does not accord with the development plan and it is proposed to recommend that planning permission be granted, the application will be advertised as a departure and this will be highlighted in the Committee report.

4. Human Rights

- 4.1 The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. All planning applications are assessed to make sure that the subsequent determination of the development proposal is compatible with the Act. If there is a potential conflict, this will be highlighted in the report on the relevant item.

5. Public Speaking

- 5.1 The Committee has agreed a scheme for the public to speak on cases due to be determined at the meeting (Planning Services report PLN0327 refers). Members of the public wishing to speak must have contacted the Meeting Co-ordinator in Democratic Services by 5pm on the Tuesday immediately preceding the Committee meeting. It is **not** possible to arrange to speak to the Committee at the Committee meeting itself.

6. Late Representations

- 6.1 The Council has adopted the following procedures with respect to the receipt of late representations on planning applications (Planning report PLN 0113 refers):
- a) All properly made representations received **before** the expiry of the final closing date for comment will be summarised in the Committee report. Where such representations are received after the agenda has been published, the receipt of such representations will be reported orally and the contents summarised on the amendment sheet that is circulated at the Committee meeting. Where the final closing date for comment falls **after** the date of the Committee meeting, this will be highlighted in the report and the recommendation caveated accordingly.

- b) Representations from both applicants and others made **after** the expiry of the final closing date for comment and received **after** the report has been published will not be accepted unless they raise a new material consideration which has not been taken into account in the preparation of the report or draws attention to an error in the report.
- c) Representations that are sent to Members should not be accepted or allowed to influence Members in the determination of any planning application unless those representations have first been submitted to the Council in the proper manner (but see (b) above).
- d) Copies of individual representations will not be circulated to members but where the requisite number of copies are provided, copies of individual representation will be placed in Members' pigeonholes.
- e) All letters of representation will be made readily available in the Committee room an hour before the Committee meeting.

7. Financial Implications

- 7.1 There are no direct financial implications arising from this report. However, in the event of an appeal, further resources will be put towards defending the Council's decision. Rarely, and in certain circumstances, decisions on planning applications may result in the Council facing an application for costs arising from a planning appeal. Officers will aim to alert Members where this may be likely and provide appropriate advice in such circumstances.

Keith Holland
Head of Planning

Background Papers

- *The individual planning application file (reference no. quoted in each case)*
- *Rushmoor Core Strategy (2011)*
- *Rushmoor Local Plan Review (1996-2011)[Saved policies]*
- *Current government advice and guidance contained in circulars, ministerial statements and the National Planning Practice Guidance (NPPG)*
- *Any other document specifically referred to in the report.*
- *Regional Spatial Strategy for the South East, policy NRM6: Thames Basin Heaths Special Protection Area.*
- *The National Planning Policy Framework.*
- *Hampshire Minerals and Waste Plan (2013).*

Section A

Future items for Committee

Section A items are for INFORMATION purposes only. It comprises applications that have either been submitted some time ago but are still not yet ready for consideration or are recently received applications that are not ready to be considered by the Committee. The background papers for all the applications are the application details contained in the Part 1 Planning Register.

Item	Reference	Description and address
1	16/00667/FULPP	<p>Change of use from A1 to A5 hot food takeaway and the installation of accompanying extraction system and condensers</p> <p>34 Cove Road Farnborough</p> <p>Consideration of this application is awaiting further submissions from the applicant to address inconsistencies in the proposal details.</p>
2	16/00757/REMPP	<p>Reserved Matters application for the construction of 270 residential dwellings along with associated landscaping, access and parking on the Corunna Zone (Zone B) (pursuant to outline application 12/00958/OUT)</p> <p>Former Ministry Of Defence Land At Queen's Avenue And Alison's Road Aldershot</p> <p>This application has only recently been received and consultations are underway.</p>

Section B

Petitions

Item	Reference	Description and address
		There are no petitions to report

The information, recommendations and advice contained in this report are correct as at the date of preparation, which is more than two weeks in advance of the Committee meeting. Because of these time constraints some reports may have been prepared in advance of the final date given for consultee responses or neighbour comment. Any changes or necessary updates to the report will be made orally at the Committee meeting.

Case Officer	Sarita Jones
Application No.	16/00068/FULPP
Date Valid	2nd August 2016
Expiry date of consultations	26th August 2016
Proposal	Erection of a four storey building to comprise 12 flats (4 x studio, 2 x one bed and 6 x two bed) with vehicular access from Crimea Road and associated car parking and bin/cycle storage
Address	Enterprise House 88 - 90 Victoria Road And Part Of 84-86 Victoria Road Aldershot Hampshire GU11 1SS
Ward	Wellington
Applicant	Enterprise Home Developments LLP
Agent	Mr Chanto Foo
Recommendation	GRANT subject to S.106 Planning Obligation

Description

This irregular shaped site fronts Victoria Road and extends northwards to its boundary with Crimea Road. It comprises two parts. The Victoria Road part of the site was formerly occupied by a semi-detached Victorian residential villa which was last in office use. It is currently occupied by a partially completed building, constructed up to ground floor level. No works are currently taking place on site. The rear part of the site comprises a single storey brick built flat roofed building which appears to have been used as a warehouse and takes access from Crimea Road. Electricity infrastructure is also located within this building. The site includes part of the adjoining former court building comprising the stairwell and lift access from the rear of the building. The remainder of this red brick late 20th century Government Office building has three storeys plus accommodation in a flat-topped slate mansard and is vacant.

To the west is London House, a substantial part two storey/part three storey building finished in red brick with stone detailing and with a glazed shopfront where it adjoins the existing Victoria Road building. Beyond this the building becomes four to five storeys in height. This runs along the western boundary of the site and returns to have a frontage on Crimea Road. It is known as 1 Pickford Street. London House is in mixed residential/commercial use. 1 Pickford Street comprises fourteen flats and its parking area adjoins the proposed entrance from Crimea Road.

Planning permission was refused in March 2006 for a redevelopment scheme on a smaller site to the current proposal, 06/00015/FUL (the warehouse building and entrance from Crimea Road was excluded). This application sought permission to demolish the existing buildings and construct a five storey flat roofed block containing twelve residential units consisting of 9 one bedroom flats and three studios. Six surface car parking spaces were shown in the rear yard with a further six being provided above them through the use of mechanical stackers. Objection was raised on street scene grounds, inadequate car parking, unacceptable parking layout, and lack of open space provision.

Planning permission was refused in September 2006 for a redevelopment scheme, 06/00493/FUL, to demolish the existing buildings and erect two detached buildings (five storeys in height) to comprise 18 self contained dwellings with offices at ground floor, associated car parking, cycle and refuse storage. Objection was raised on street scene grounds, relationship to 1 Pickford Street, inadequate accessibility into the decked parking areas and no provision being made for open space provision. In dismissing an appeal against refusal of planning permission the Inspector advised that the height and scale of the building on the Victoria Road frontage was unacceptable in street scene terms. However he did not raise objection to the relationship with 1 Pickford Street (officer note at this time 1 Pickford Street was in office use). He recommended that matters relating to the parking layout could be dealt with by way of condition and the open space issue could be resolved through the completion of a unilateral obligation.

In January 2008 planning permission, 07/00703/FUL, was granted for the demolition of Enterprise House (450 sq m) and part of the warehouse building (100 sq m) and erection of a four storey mansard roofed block with two retail units (58 sq m and 28 sq m respectively) at ground floor level and nine residential units consisting of 6 one bedroom flats and three studios on the upper floors. The approved building would front Victoria Road and infill the space between London House and the court building. The façade featured central bay windows on the first and second floors and was finished in facing brickwork with a rolled lead mansard roof. The rear elevation of the building was contemporary in design with metal and glass balconies on the upper floors of the central section and included a central projection. Vehicular access was from Victoria Road on the eastern side of the site leading to a decked two storey car park between the proposed buildings providing 15 car parking spaces, including one disabled space and refuse facilities. 9 of these would serve the residential development. The warehouse building was approved to have a reduced floor area of 150 sq m with access retained from Crimea Road. This permission was implemented but the site was subsequently "mothballed" until late Summer 2015. This permission constitutes the fallback position for the purposes of planning law ie a scheme that may be built out without further permission being granted.

In December 2010, a conditions application, 10/00675/COND, was approved in respect of conditions 3, 4, 6, 7, 8, 13 and 14 attached to the 2008 permission.

In October 2009 planning permission, 09/00435/FULPP, was granted for the erection of a four storey building comprising youth development centre with short stay overnight sleeping accommodation, staff car park, cycle and refuse storage following demolition of garage and workshop at 36 Crimea Road. This permission has been implemented.

In April 2012 planning permission, 12/00019/COUPP, was granted for the change of use of 1 Pickford Street from office building to residential to provide 14 apartments (9 one bed and 5 two bed) with associated car parking and alterations to building. This permission has been implemented and the flats are occupied. These properties also have a parking area with

access from Crimea Road.

In September 2015, a site visit revealed that building works had restarted on the site. However it became apparent that these were not in accordance with the approved plans as residential sized window openings had been created on the Victoria Road frontage rather than shopfronts. The owners were advised that these works were not in accordance with the planning permission and works should cease. Work ceased in September 2015 and no further works have taken place to date. Pre-application discussions then took place which resulted in an application being submitted in January 2016. This application was not validated until August 2016 due to outstanding land ownership issues.

The proposal is for the demolition of the existing warehouse building and erection of a four storey building with a mansard roof comprising 12 flats (4 x studio, 2 x one bed and 6 x two bed) with vehicular access from Crimea Road and associated car parking and bin/cycle storage. The proposed building would front Victoria Road and infill the space between London House and the court building. It would be finished in red/orange facing bricks with a slate mansard roof. The bay windows are central within the front elevation and the main entrance door is on the west side of the front elevation. This pedestrian entrance leads to the car parking to the rear and the three ground floor dwellings. Pedestrian access to the upper floor flats is from the car park at the rear and is through the lift and stairwell shared with the adjoining former court building. The rear elevation of the building remains contemporary in design although the previously approved metal and glass balconies have been omitted. The central rear projection is supported on pillars at ground floor level with accommodation on the upper floors. Vehicular access would be from Crimea Road leading to a surfaced car park providing 12 car parking spaces, including one disabled space with refuse facilities and 10 Sheffield cycle stands to store 20 cycles.

Consultee Responses

Community - Contracts Manager	raises no objection to the proposal.
Scottish & Southern Energy	provides advice on its infrastructure.
Hampshire Fire & Rescue Service	advises that the development should be in accordance with Approved Document B5 of the Building Regulations and section 12 of the Hampshire Act 1983. Recommendations are also made about access for high reach appliances, water supplies, sprinklers, fire fighting and the environment and timber framed buildings.
Environmental Health	raises no objection to the proposal subject to conditions.
Planning Policy	raises no objection to the proposal.
Surface Water Drainage Consultations	advises that further details on surface water drainage are required.
Transportation Strategy Officer	raises no objection subject to conditions.
Thames Water	advises that it is the responsibility of a developer to

make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. It requests a condition concerning the use of pile foundations and an informative concerning the discharge of groundwater. However the foundations have been completed. No objection is raised to the proposal in terms of sewerage infrastructure capacity.

Neighbours notified

In addition to posting two site notices (one on Victoria Road and one on Crimea Road) and press advertisement, 146 individual letters of notification were sent to addresses in Arthur Street, Crimea Road, Pickford Street, Sebastopol Road and Victoria Road.

Neighbour comments

No letters of representation have been received in respect of this application.

Policy and determining issues

The site lies within the built-up area within Aldershot town centre. As such policies SS1 (The Spatial Strategy), CP1 (Sustainable Development Principles), CP2 (Design and Heritage), CP3 (Renewable Energy and Sustainable Construction), CP4 (Surface Water Flooding), CP5 (Meeting Housing Needs and Housing Mix), CP10 (Infrastructure Provision), CP12 (Open Space, Sport and Recreation), CP13 (Thames Basin Heaths Special Protection Area), CP15 (Biodiversity), CP16 (Reducing and Managing Travel Demand) and CP17 (Investing in Transport) of the Rushmoor Core Strategy and "saved" local plan policies ATC2 (Area east of Aldershot town centre), ENV16 (Development Characteristics), ENV19 (New Landscaping Requirements), ENV41-44 (Flood Risk), ENV48, ENV49, ENV50, ENV51 and ENV52 (Environmental Pollution and Noise), H14 (amenity space), OR4 (open space provision), TR10 (Contributions for Local Transport Infrastructure) and TC4 (town centre development) are relevant to the consideration of this proposal as are the adopted supplementary planning documents (SPD) on 'Housing Density and Design' (May 2006), 'Planning Contributions - Transport' 2008; and 'Car and Cycle Parking Standards', 2012 and the Aldershot town centre prospectus (January 2016). The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy as updated July 2014 and the advice contained in the National Planning Policy Framework/Planning Practice Guidance are also relevant.

The main determining issues are considered to be the principle of development, the impact on the character of the area, the impact on nearby occupiers/residents, the living environment created, highway considerations, public open space provision, nature conservation, flood risk and drainage issues and renewable energy and construction.

Commentary

Principle of development -

The site is within an area to which "saved" Policy ATC2 applies. This states that the Council will support proposals which will contribute to the regeneration of Aldershot and that Planning permission will be granted for a mix of uses, including commercial, industrial and residential, subject to the requirements of other policies of the plan. Having regard to the above and Government support for redevelopment of vacant or under used land/buildings in the urban area, the proposal is considered to be acceptable in principle.

Impact on the character of the area -

The area is one of mixed character, uses and built form on the edge of Aldershot town centre. The proposed building is the same height as previously approved. It remains subservient to London House and relates well to both this building and the adjoining court building. Its scale, layout and materials are considered to be consistent with the character and appearance of the area and, having regard to the fallback position, is considered acceptable in visual amenity terms.

The existing warehouse building will be demolished to create the proposed surface car parking and access from Crimea Road. The frontage on Crimea Road will be opened and any making good to the existing electricity substation can be dealt with by way of a condition. Subject to this the visual changes to this part of Crimea Road are considered to be a visual improvement to the streetscene and are acceptable.

Impact on nearby occupiers/residents -

It is noted that since the grant and implementation of the 2008 planning permission 1 Pickford Street has been converted into 14 flats. Having regard to the fallback position, and the back to back separation distance in excess of 30 metres between buildings, no material loss of privacy or overbearing/overshadowing impacts are considered to result to the residents of 1 Pickford Street.

The entrance will be from Crimea Road between 1 Pickford Street and the car parking area for 1 Pickford Street (also within the control of the applicant). Given the existing arrangements for the warehouse and existing car parking, no material loss of amenity is considered to result in terms of noise and disturbance to occupiers of 1 Pickford Street or 36 Crimea Road.

The relationship with London House to the west and the Court buildings to the east remain largely as approved in 2008. The communal use of the staircase/lift within the former court building is not considered to give rise to any material amenity issue for either future residents or occupiers of the former court building.

SSE as the electricity statutory undertaker has infrastructure within the warehouse building. Due to an oversight, notice was not served on them as having an interest in the site. This has now been done. Although they have been consulted and responded as the statutory undertaker, they now have until 14 October 2016 to make any comments as the owner of the infrastructure.

Living environment created -

The internal living environment is considered to be acceptable. The main habitable rooms of the proposed flats would have access to natural light and ventilation through proposed windows. No private amenity space would be provided, but this is not unusual for a town centre area where there are public recreation facilities nearby. A cycle storage area would be provided to the rear of the building with refuse storage being at the rear of the car park adjacent to the access road. These facilities are considered to be acceptable.

Victoria Road can be a busy road generating traffic noise. Environmental Health require adequate insulation to be provided to ensure a satisfactory internal noise environment which may be secured by way of condition. This may require an alternative means of ventilation to enable windows to remain closed when required. Subject to the imposition of appropriate conditions it is considered that the proposal would create an acceptable living environment for future residents.

Highway considerations -

The proposal is for the construction of a development of 12 flats which comprises 6 x 2 bedroom flats and 6 x 1 bedroom flats on a site off Victoria Road close to the centre of Aldershot town. The Council's parking standards would require 1 space for every 1 bed flat and 2 spaces for each 2 bed flat. In view of the proximity of the development to the town centre and public transport links and in line with the application of parking standards for other developments in the vicinity it would be appropriate to accept a proposal with one space for each residential unit. Our standard also requires the provision of spaces for visitors but as there are public car parks and on-street parking nearby, such spaces would not be required. For a development with 12 residential units the 12 parking spaces shown would be sufficient, one of the parking spaces is identified to be suitable for disabled use with a 1.2m margin to one side and to the front or rear of the space.

20 cycle spaces are to be provided within a covered cycle store. This level of provision exceeds the Council's adopted standard (1 space for every 1 bed flat and 2 cycle spaces for each 2 bed flat, total 19 spaces) and is acceptable.

An area is identified for refuse bin which would be within the maximum 25m haul length from a point where there would be access for a refuse freighter.

It is recognised that the proposal will not require vehicular access onto Victoria Road (which is to be welcomed) with access being provided from Crimea Road at the rear. The existing vehicular entrance will need to be reinstated and requires separate approval from the highway authority.

This application will increase the number of multi-modal trips when compared to the approved development. However following the court judgement of May 2016 in respect of Department For Communities And Local Government vs West Berkshire District Council and Reading Borough Council, it is no longer acceptable to take contributions for transport on sites of less than 10 dwellings. Given the fallback position, the increase in dwellings over the approved scheme is 3. A financial contribution in respect of the Council's SPD on Planning Contributions - Transport is not therefore sought. On this basis no objection is raised to the proposal in this regard.

The same principle also applies in respect of a contribution in respect of open space provision reflecting Policies OR4 and OR4.1.

6. Nature Conservation -

The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy is now in place. This comprises two elements. First, 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. The proposal meets the criteria against which requests to allocate capacity at Hawley Meadows SANG will be considered. In accordance with the strategy and having regard to the fall back position, the applicant has agreed to make a financial contribution of £19,900 in line with the strategy which is secured by way of a section 106 legal agreement. The applicant is in the process of completing this agreement and subject to this the proposal is considered to have an acceptable impact on the TBHSPA.

7. Flood risk and the water environment

Policy CP4 relates to surface water flooding and seeks details of sustainable drainage systems that will be incorporated into the development. No detailed information has been submitted with the application. Thames Water raise no objection to the proposal. Hampshire County Council as Lead Flood Authority seek further details. Given this and in the absence of a detailed SUDS strategy it is considered appropriate to secure these details by way of condition. Subject to the imposition of a condition as set out above no objection is raised to the proposal in terms of policy CP4.

8. Renewable energy and construction.

Following the Royal Assent of the Deregulation Bill 2015 the government's current policy position is that planning permissions should not be granted requiring or subject to conditions requiring, compliance with any technical housing standards for example the Code for Sustainable Homes, other than for those areas where authorities have existing policies. In Rushmoor's case this means that we can require energy performance in accordance with Code Level 4 as set out in policy CP3 of the Rushmoor Core Strategy. Such measures may be secured by way of condition and on this basis no objection is raised to the proposal in terms of policy CP3.

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

FULL RECOMMENDATION

It is recommended that subject to no new substantial or material matters being raised by SSE (The statutory undertaker) by 14 October 2016, and on the completion of a satisfactory Agreement under s106 of the Town and Country Planning Act 1990 by 31 October 2016 to secure a financial contribution towards SPA mitigation 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 31 October 2016 the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that 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 contrary to Policy CP13 of the Rushmoor Core Strategy.

- 1 The development hereby permitted shall be begun before the expiration of one year from the date of this permission.

Reason - As required by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, to reflect the objectives of the Council's Thames Basin Heaths Special Protection Area Avoidance and Mitigation Strategy as amended July 2014 and to accord with the resolution of Rushmoor's Cabinet on 17 June 2014 in respect of Planning Report no PLN1420.

- 2 Notwithstanding any information submitted in the application no works shall start on site until a schedule and/or samples of the external materials to be used in the development have been submitted to, and approved in writing by, the Local Planning Authority. The Development shall be completed and retained in accordance with the details so approved.

Reason - To ensure satisfactory external appearance.*

- 3 Notwithstanding any information submitted in the application, no works shall start on site until a schedule and/or samples of surfacing materials, including those to access driveways/forecourts to be used in the development have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved.

Reason - To ensure satisfactory external appearance and drainage arrangements.*

- 4 The development hereby approved shall be completed and retained in accordance with the floor and site levels as shown on the approved plans.

Reason - To ensure a satisfactory form of development in relation to neighbouring property.*

- 5 Notwithstanding any information submitted with the application no works shall start on site until details of all screen and boundary walls, fences, hedges or other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed and retained in accordance with the details so approved.

Reason - To safeguard the amenities of neighbouring property.*

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, (or any Order revoking and re-enacting that Order), no vehicular or pedestrian entrance shall be formed onto a highway other than those shown on the approved plans.

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

- 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 The development hereby approved shall not be occupied until the off-street parking facilities shown on the approved plans have been completed and made ready for use by the occupiers. The parking facilities shall be thereafter retained solely for parking purposes (to be used by the occupiers of, and visitors to, the development). *

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

- 9 Notwithstanding the provisions of condition 8 above, the parking spaces shown on the approved plans shall be provided in accordance with a plan which shows car parking spaces allocated to individual properties which shall be submitted to the Local Planning Authority for approval prior to first occupation of the development and once approved shall be retained as such.

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

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

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

- 12 Any existing means of access or part thereof not incorporated within the approved 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 In the event that unforeseen ground conditions or materials which suggest potential or actual contamination are revealed at any time during implementation of the approved development it must be reported, in writing, immediately to the Local Planning Authority. A competent person must undertake a risk assessment and assess the level and extent of the problem and, where necessary, prepare a report identifying remedial action which shall be submitted to and approved in writing by the Local Planning Authority before the measures are implemented.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared and is subject to approval in writing by the Local Planning Authority.

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

- 14 The development hereby approved shall not be occupied until measures to protect the building from traffic or other external noise have been implemented in accordance with a scheme to include, for example, double glazing 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.*

- 15 Prior to the commencement of development, details of measures to incorporate Sustainable Drainage Systems (SUDS) into the development shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented in full prior to the first occupation of the development and retained in perpetuity.

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

- 16 Prior to the commencement of development, details of measures to achieve the energy performance standards in accordance with Code Level 4 for Sustainable Homes or equivalent shall be submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented in full prior to the first occupation of the development and retained in perpetuity.

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

- 17 The refuse and cycle storage areas as shown on the approved plans shall be provided prior to the occupation of any part of the development and thereafter retained for their designated purpose.

Reason - To promote sustainable transport choices and to meet the functional requirements of the development.

- 18 The permission hereby granted shall be carried out in accordance with the following approved drawings - P01 rev C, 02 rev B, 03 rev A, 04 rev A, 05 rev A, 06 rev D, 07 rev B, 08 rev A, 10 rev A, 11 rev A, 12, 13 rev D and 14 rev A.

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

- 19 No works shall start on site until a construction method statement has been submitted to and approved in writing by the Local Planning Authority, which shall include:

- i) a programme of construction work;
- ii) the provision of facilities for contractor parking;
- iii) the arrangements for deliveries associated with all construction works;
- iv) access and egress for plant and deliveries;
- v) protection of pedestrian routes and boundaries with adjoining land/buildings during construction;
- vii) location of temporary site buildings, site compounds, construction materials and plant storage areas;
- vii) controls over dust, noise and vibration during the construction period; and

- viii) provision for storage, collection and disposal of rubbish from the development during the construction period.

Construction shall only take place in accordance with the approved method statement.

Reason - To protect the amenities of neighbouring, to prevent pollution and to prevent adverse impact on highway conditions in the vicinity.*

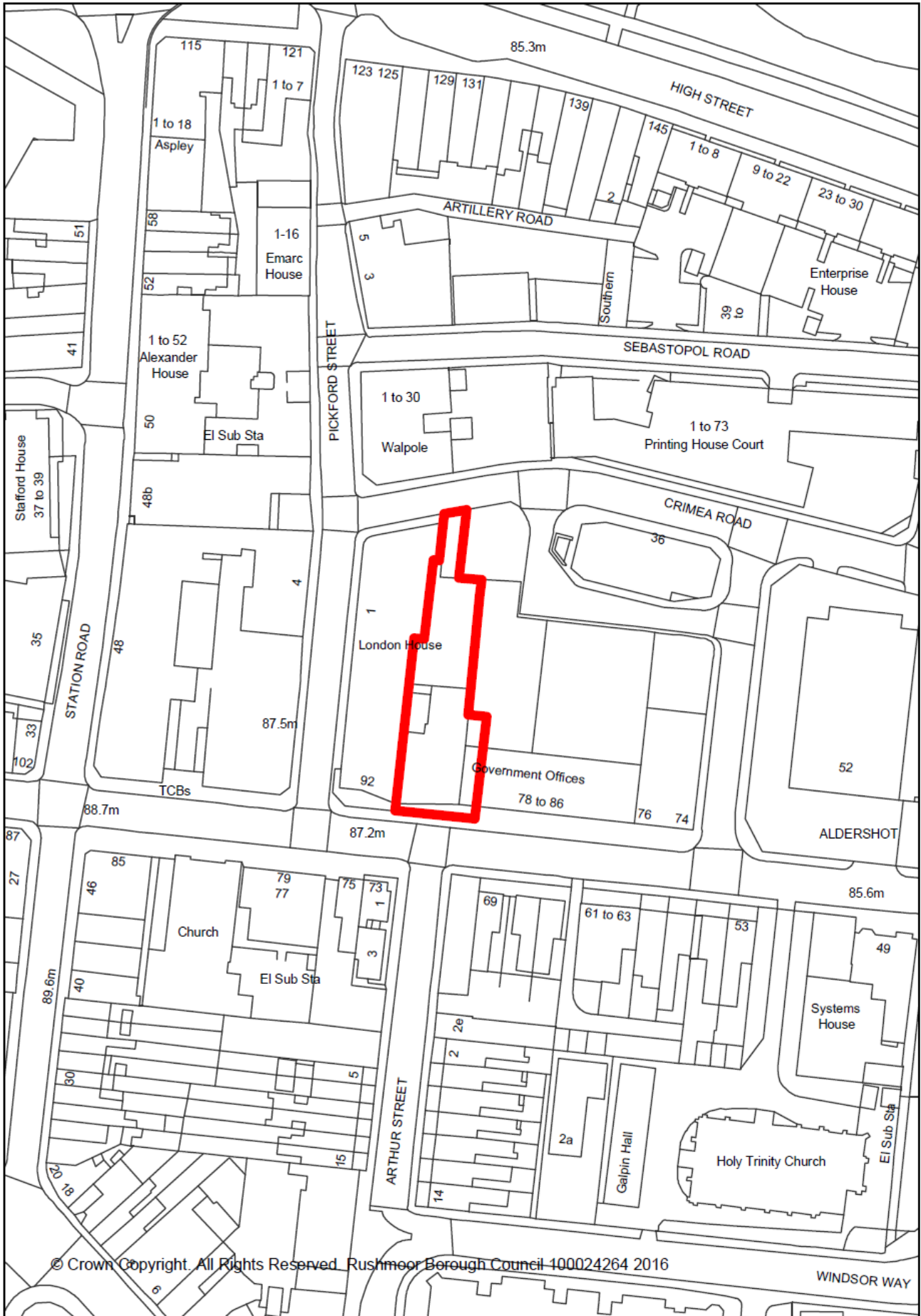
Informatives

- 1 INFORMATIVE – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, free of charge, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.
- 2 INFORMATIVE - REASONS FOR APPROVAL- The Council has granted permission because the proposal is acceptable in principle. It would have an acceptable impact on the character of the area, it will create a satisfactory living environment for future occupiers, have an acceptable impact on adjoining non-residential and residential occupiers and meet the functional requirements of the development. The proposal is acceptable in highway terms, it addresses public open space policy, makes an appropriate contribution towards SPA mitigation measures and secures appropriate energy efficiency measures. It complies with development plan policies, the Council's adopted Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy and the National Planning Policy Framework/Planning Practice Guidance and is recommended for approval. It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant permission is compatible with the Human Rights Act 1998.
- 3 INFORMATIVE - Your attention is specifically drawn to the conditions marked *. These conditions require the submission of details, information, drawings etc. to the Local Planning Authority BEFORE WORKS START ON SITE or, require works to be carried out BEFORE COMMENCEMENT OF USE OR FIRST OCCUPATION OF ANY BUILDING. Development started, carried out or occupied without first meeting the requirements of these conditions is effectively development carried out WITHOUT PLANNING PERMISSION. The Council will consider the expediency of taking enforcement action against any such development and may refer to any such breach of planning control when responding to local searches. Submissions seeking to discharge conditions or requests for confirmation that conditions have been complied with must be accompanied by the appropriate fee.
- 4 INFORMATIVE - This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).
- 5 INFORMATIVE - The applicant is recommended to achieve maximum energy efficiency and reduction of Carbon Dioxide emissions by: a) ensuring the design and materials to be used in the construction of the building are consistent with these aims; and b) using renewable energy sources for the production of electricity and heat using efficient and technologically advanced equipment.

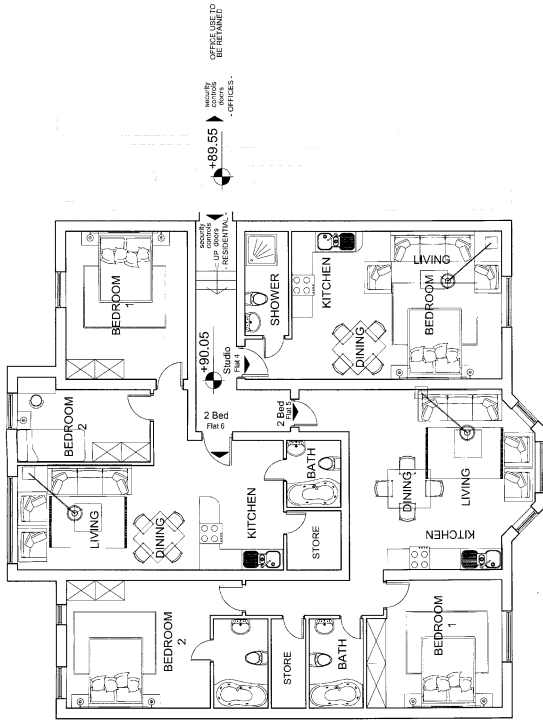
- 6 INFORMATIVE - The applicant is advised to follow good practice in the demolition of the existing buildings on site including the re-use of all material arising from demolition as part of the redevelopment wherever practicable. Please contact Les Murrell, Strategy Co-ordinator (Sustainability) at Rushmoor Borough Council on 01252 398538 for further information.
- 7 INFORMATIVE - The applicant is advised to contact the Recycling and Waste Management section at Rushmoor Borough Council on 01252 398164 with regard to providing bins for refuse and recycling. The bins should be: 1) provided prior to the occupation of the properties; 2) compatible with the Council's collection vehicles, colour scheme and specifications; 3) appropriate for the number of occupants they serve; 4) fit into the development's bin storage facilities.
- 8 INFORMATIVE - The planning permission hereby granted does not authorise the applicant, or his agents, to construct a new/altered access to, or other work within, the public highway. A separate consent for works within the highway must first be obtained from the highway authority who may be contacted at the following address:- Hampshire County Council Highways Sub Unit, M3 Motorway Compound, Hook, Hampshire, RG27 9AA.
- 9 INFORMATIVE - 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.
- 10 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.
- 11 INFORMATIVE - The applicant is advised that there may be a need to comply with the requirements of the Party Wall (etc.) Act 1996 before starting works on site. The Party Wall (etc.) Act is not enforced or administered by the Council but further information can be 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.
- 12 INFORMATIVE - It is a legal requirement to notify Thames Water of any proposed connection to a public sewer. In many parts of its sewerage area, Thames Water provides separate public sewers for foul water and surface water. Within these areas a dwelling should have separate connections: a) to the public foul sewer to carry waste from toilets, sinks and washing machines, etc, and b) to public surface water sewer for rainwater from roofs and surface drains. Mis-connections can have serious effects: i) If a foul sewage outlet is connected to a public surface water sewer this may result in pollution of a watercourse. ii) If a surface water outlet is connected to a public foul sewer, when a separate surface water system or soakaway exists, this may cause overloading of the public foul sewer at times of heavy rain. This can lead to sewer flooding of properties within the locality. In both instances it is an offence to make the wrong connection. Thames Water can help identify the location of the nearest appropriate public sewer and can be contacted on 0845 850 2777.
- 13 INFORMATIVE - The applicant is advised that during the demolition and construction phases of the development measures should be employed to contain and minimise

dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Head of Environmental Health.

- 14 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.
- 15 INFORMATIVE - A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing www.riskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality."



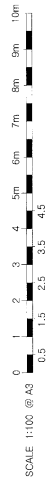
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88-90 Victoria Road

86-84 Victoria Road

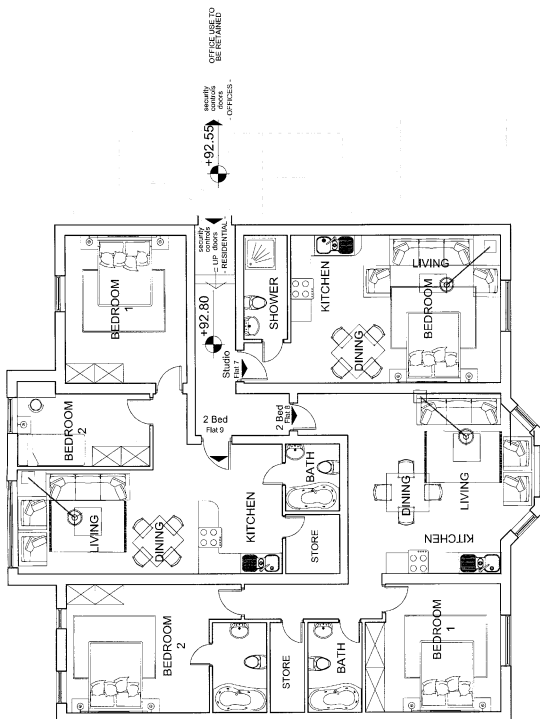
PROPOSED FIRST FLOOR PLAN



Ref. A	Revision Levels & security doors been added	By SN	Date 29/10/2015	Project: DEVELOPMENT OF 12 FLATS at 88-90 Victoria Road, ALDERSHOT, HAMPSHIRE Scale: A3 @ 1:100 Date: 19/10/2015 Drawing number: P03 Job number: 1517	Drawn by: SN
					Revision: A

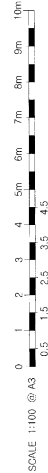
CTFOO Associates
 Chartered Quantity Surveyors
 100, Victoria Road, Aldershot, Hampshire, GU11 1JH
 Tel: 01256 333333 Fax: 01256 333334
 Email: info@ctfoo.co.uk www.ctfoo.co.uk

ALL DIMENSIONS TO BE CHECKED ON SITE
 ONLY TO BE SCALED FOR PLANNING AND BUILDING REGULATIONS
 Client: Enterprise Home Developments LLP



88-90 Victoria Road
 86-84 Victoria Road

PROPOSED SECOND FLOOR PLAN



Ref:	Revision	Date	By
A	Levels & elevations shown in bold	28/10/2015	SN

Project:	DEVELOPMENT OF 12 FLATS
Location:	at 88-90 Victoria Road, ALDERSHOT, HAMPSHIRE
Scale:	A3 @ 1:100
Date:	19/10/2015
Job number:	1517
Drawing number:	P04
Drawn by:	SN
Revision:	A

Client:	Enterprise Home Developments LLP
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14, GOSWORTHY ROAD, ALDERSHOT, HAMPSHIRE, GU11 3JF
 01256 353535
 www.ctfoo.co.uk



ALL DIMENSIONS TO BE CHECKED ON SITE
 ONLY TO BE SCALED FOR PLANNING AND BUILDING REGULATIONS

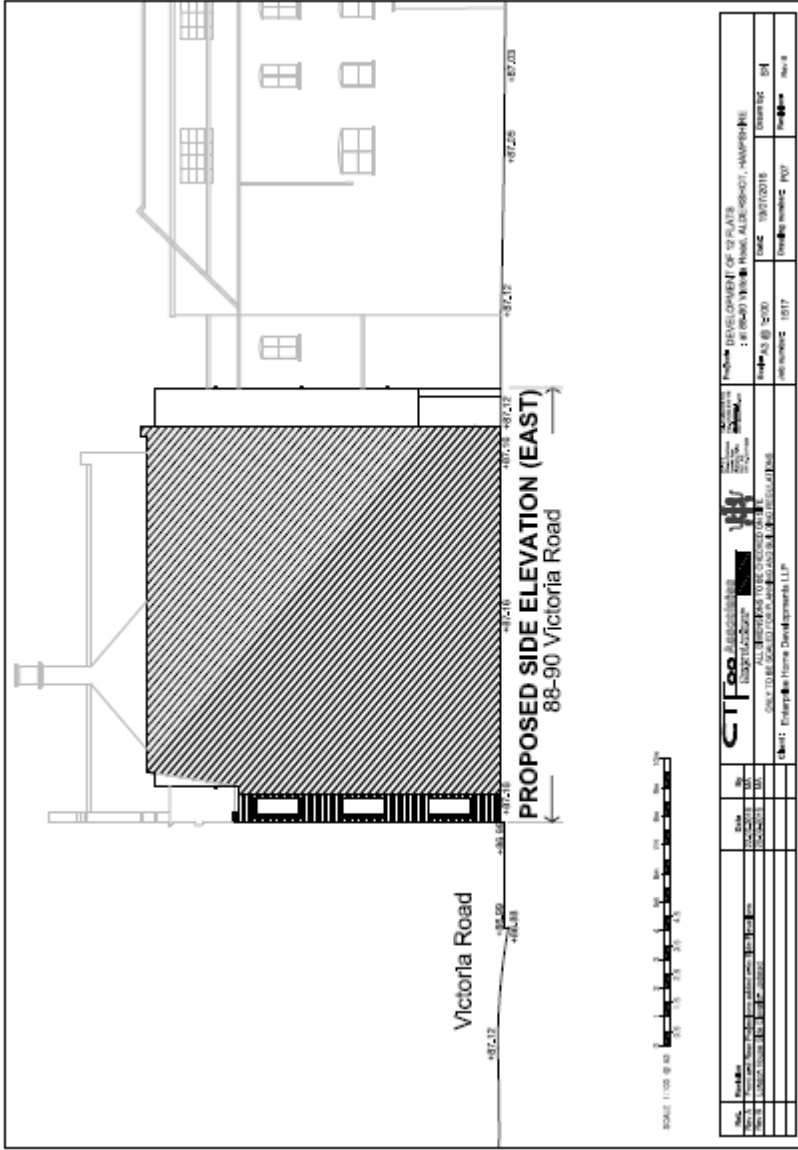


PROPOSED FRONT ELEVATION (SOUTH)

← 88-90 Victoria Road X 76-86 Victoria Road

SCALE 1:100 @ A3
 0 0.5 1 1.5 2 2.5 3 3.5 4 4.5 5m 6m 7m 8m 9m 10m

 <small>CTFO ASSOCIATES Chartered Surveyors 100 Victoria Road Aldershot, Hampshire GU11 1JH Tel: 01256 315150 Fax: 01256 315151 Email: info@ctfo.co.uk</small>		Project: DEVELOPMENT OF 12 FLATS : at 88-90 Victoria Road, ALDERSHOT, HAMPSHIRE	
<small>ALL DIMENSIONS TO BE CHECKED ON SITE ONLY TO BE SCALED FOR PLANNING AND BUILDING REGULATIONS</small>		Scale: A3 @ 1:100 Date: 19/10/2015	
Client: Enterprise Home Developments, LLP		Job number: 1517 Drawing number: P10	
Ref. A Revision: Levels been added		Drawn by: SN Revision: A	
Date: 19/11/2015 By: SN			



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.	16/00544/FULPP
Date Valid	21st July 2016
Expiry date of consultations	3rd August 2016
Proposal	Erection of a Restaurant/Public House (mixed Use Classes A3 and A4) with ancillary managers flat, car park, new in and out vehicular access onto Apollo Rise, landscaping and associated works
Address	Southwood Summit Centre 1 Aldrin Place Farnborough
Ward	Cove And Southwood
Applicant	Marston's PLC
Agent	Nathaniel Lichfield & Partners
Recommendation	GRANT subject to s106 Planning Obligation

Description & Relevant History

The application relates to a vacant site in a prominent corner position at the junction of Summit Avenue with Apollo Rise. It is part of a site formerly occupied by a detached two-storey office building ('Aldrin House', No.1 Aldrin Place) built in the late 1980s as part of the adjoining 'Southwood Crescent' development. The nearest adjoining neighbours are an adjoining Morrisons petrol filling station to the immediate west, which has been built on the other part of the Aldrin House site. The next nearest neighbours are commercial premises at Armstrong Mall, which back onto the opposite site of the Aldrin Place road. The site lies opposite the Southwood Village Centre on the other side of Summit Avenue. There is a pelican pedestrian crossing to the east of the Apollo Rise junction.

The Aldrin House office building was demolished and the site enclosed with hoardings following a prior approval of demolition in February 2012 (12/00074/PRIOR).

Planning permission was granted in October 2013 and subsequently implemented with amendments for redevelopment of the west part of the overall site with the erection of a petrol filling station with associated forecourt, kiosk shop, forecourt canopy, 6 fuel pump islands, LPG fuel point, underground fuel tanks and car care facilities including a car wash with associated car parking, access and servicing areas and landscaping. (13/00555/FULPP).

proposed site layout plan and additional information received on 17 August 2016 subject to a Transport contribution of £59,892 being secured.

Environmental Health	No objections subject to conditions and informatives.
HCC Highways Development Planning	Highway Authority comments in respect of this application can be made by the Borough Council's Transportation Strategy Officer under the Highways Agency Agreement.
Hampshire Fire & Rescue Service	No objections, but provides generic fire precaution advice.
Crime Prevention Design Advisor	No objections, but comments that access to the managers flat is via one of the staff entrances. With this arrangement the security of each entity becomes the responsibility of the other entity and there is the possibility of confrontation between staff and family members at this entrance, neither of which is ideal. Therefore, I recommend that separate entrances are provided for the managers flat and for the staff.[Officer Note: this matter has been drawn to the attention of the applicants, however it is not considered to be a matter giving rise to any material planning harm.]
Natural England	No objections subject to an appropriate SPA mitigation and avoidance contribution being secured in respect of the proposed managers' flat. In this respect, it is NE's view that, although technically an ancillary facility (therefore having A3/A4 use), the managers' flat, an SPA mitigation and avoidance contribution will still need to be made as the unit will be permanently occupied as a residential dwelling. This contribution will also act as a safeguard for the SPA should in the future the restaurant/public house no longer exist and the flat is still in use as a residential dwelling.
Petroleum Licensing	No objections.
Thames Water	No objections. No objections also received following re-notification after the receipt of revised site drainage proposals.

Neighbours notified

In addition to posting a site notice and press advertisement, 48 individual letters of notification were sent to properties in Armstrong Mall, Southwood Crescent (including the owner of the site, Legal & General), Southwood Village Centre (including Morrisons and the Crab & Anchor public house), Briars Close, and Regiment Close.

Neighbour comments

Agents acting for Legal & General, the owners of Southwood Crescent raise no objection. The occupiers of 9 Broadmead support the proposal stating it is absolutely needed for the area. Citing the is a lack of restaurants/bars to serve the residents of Southwood and

Businesses in Southwood such as BMW and Alphabet. There won't be any real negative impacts for residents. Nearest houses are across the busy road. The site is empty at the moment.

Policy and determining issues

The site lies in an out of centre location within the built-up area of Farnborough and within a Key Employment area. Summit Avenue is a 'Green Corridor'. Rushmoor Core Strategy Policies SS1 (Spatial Strategy), SP4 (Farnborough Town Centre), CP1 (Sustainable Development Principles), CP2 (Design and Heritage), CP3 (Renewable Energy and Sustainable Construction), CP4 (Surface Water Flooding), CP8 (Supporting Economic Development), CP10 (Infrastructure Provision), CP11 (Green Infrastructure Network), 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 Local Plan policies continue to be 'saved' and therefore remain in use for the time being until they are replaced by future tranches of Local Development Framework documents. In this respect, Local Plan Policies TC1 (town centres), S1 (local shopping centres), S5 (Restaurants, Cafes & Takeaways), ENV5 (green corridors), ENV16 (general development criteria), ENV21 & 22 (access for people with disabilities), ENV43 (surface water run-off), and TR10 (general highways criteria) are 'saved' policies that remain relevant to the consideration of this application.

The Council's adopted Supplementary Planning Documents (SPD) : 'Farnborough Town Centre', 2007 and the more recent Farnborough Prospectus 2012 are relevant. The SPD sets out the strategy for the regeneration of Farnborough Town Centre and identifies development opportunities. Other SPDs relevant to the consideration of the application are 'Planning Contributions - Transport' 2008 and 'Car and Cycle Parking Standards', 2012. The advice contained in the National Planning Policy Framework is also relevant.

The main determining issues relate to the principle of development, visual impact, impact on neighbours, highways considerations, drainage issues, renewable energy and sustainability, impact upon wildlife, and access for people with disabilities.

Commentary

1. Principle –

Employment Land Considerations : The site is land identified as being within the Southwood Business Park Key Employment Site (KES), as designated by Policy SS1 of the Core Strategy. The principal aim in this respect is the protection of KESs for traditional B-class employment uses. However, the NPPF is clear in its intention that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

In this context and based on up to date evidence, the emerging Preferred Approach New Rushmoor Local Plan (NRLP) proposes an amendment to the Southwood Business Park designation to remove the Southwood Crescent portion. This reflects a projected over-supply of office employment land over the NRLP plan period. Nevertheless, the land subject to the current application would remain within the proposed modified extent of the KES (re-named "Strategic Employment Sites" in the NRLP).

Core Strategy Policy CP8 states that:- *“The introduction of new non B-class uses will be permitted on Key Employment Sites where they would support, or not be detrimental to, the function and operation of the site. Where possible, non B-class uses should generate employment themselves.”*

Material to the consideration of the current proposal is the grant in 2013 of planning consent for the use of the adjoining land for a petrol filling station (13/00555/FULPP) and the current application site for erection of a single storey commercial building for flexible A1/A3/A5/B8 uses and associated car parking (13/00815/FULPP). The petrol filling station is now complete, but the remainder of the site remains cleared but undeveloped.

The primary test to satisfy in respect of Policy CP8 of the Core Strategy is that the proposal would support, or not be detrimental to, the function and operation of the KES. Concerns raised by the Council during the consideration of the commercial building scheme (13/00815/FULPP) arose from the difficulty in determining the implications of the consent in planning policy terms, given the wide flexibility of the proposed use that was sought. It was considered key that any consented scheme should not have a detrimental effect on the vitality and viability of Farnborough Town Centre. As a result, significant restrictive conditions were imposed on the hours of operation and the type of goods and services that could potentially be sold from the commercial units. Thus, whilst the principle of the loss of the site from the supply of land for traditional B-class employment uses was considered acceptable, the flexibility of the proposal made the judgement regarding the impact on the function and operation of the Business Park difficult and required significant restrictive conditions be imposed simply to enable a permission to be granted.

In September 2015, a revision (15/00713/REVPP) to the commercial building permission (13/00815/FULPP) was sought to vary the condition relating to the opening. The supporting statement indicated that the reason for this was difficulty in obtaining sufficient tenant interest. Consideration of the marketing information submitted to support this application corroborated this assertion, and determined that an adjustment to the hours of operation for the proposed commercial elements of the consent would not detract significantly or harmfully from the function of the Business Park. The proposed commercial elements of the currently consented scheme would therefore be able to operate between the hours of 07:00 and 24:00.

The current application is for a clearly defined use. The proposed family public house/restaurant would provide a degree of support for the function of the Business Park during day-time and evening hours. In this context, and mindful of the extant commercial permission, it is not considered that its loss would be detrimental to the function and operation of the KES. Hence, the proposal is considered acceptable when assessed against the requirements of Core Strategy Policy CP8, and those of the emerging NRLP.

Town Centre Policy Considerations : The current proposed restaurant/pub use proposes a certain configuration of space; and the applicant’s business model seeks an expansion of their pub/restaurant business *“in suburban and accessible locations, outside principal urban areas”*. Nevertheless, the NPPF identifies specifically that restaurants and pubs are main town centre uses. Accordingly, despite the applicant’s ambitions and the specific configuration of the proposal, it must be demonstrated that there are no sequentially preferable sites for the proposed use that are better located in terms of access and relationship to Farnborough Town Centre. Accordingly, a Sequential Assessment forms part of the Planning Statement submitted to support the application. In this respect, it is considered that the proposal satisfies the Sequential Test required by National planning policy; and that at this time, there are no sequentially preferable sites that the applicants should consider for their proposed development before the current application site.

Policy Conclusions : It is considered that the specific nature of the current proposals enables the Council to make a firm determination in this case that the proposal would not be detrimental to the function or operation of Southwood Business Park KES, such that no objection to the principle of the loss of employment land on the site can be sustained. Furthermore, the applicants have satisfactorily demonstrated that there are no sequentially preferable site for their proposed development.

The site investigation report submitted with the application does not identify any ground contamination issues that would preclude the proposed development from proceeding or, indeed, require the undertaking of any remedial works. The Council's Contaminated Land Officer simply recommends that a standard condition be imposed to cover the event that unforeseen contamination is encountered during the construction period.

It is therefore considered that the proposals are acceptable in principle subject to the proposals being found acceptable in detail in respect of all relevant usual development management issues.

2. Visual impact –

The conventional design and visual appearance of the proposed development would be appropriate and acceptable in this location. The site lies adjacent to a 'green corridor' (Summit Avenue) such that appropriate soft landscaping on margins of the road should be retained and/or provided. The proposals are accompanied by a landscape masterplan that confirms these measures.

3. Impact on Neighbours –

The previous B1 use of the site was not subject to any restrictions concerning hours of use or servicing. The site is relatively isolated from existing residential neighbours with the nearest commercial properties being the Morrisons petrol filling station and Armstrong Mall. The nearest residential property is currently approximately 150 metres distant on the opposite side of Summit Avenue. The Council are aware that there are proposals for the residential re-development of the Southwood Crescent area to the east of Apollo Drive that could potentially place residential new properties within 30 metres of the current application site in the future. However, a Noise Assessment has been submitted that considers both the impacts of the proposals on the existing nearest residents from the various potential noise sources generated by the proposed development, and also considers the implications of potential future residential re-development of the Southwood Crescent site.

The servicing area for the proposed restaurant/pub would be enclosed and on the north side of the building where it would be screened by the main bulk of the building and from any residential properties existing or proposed. Similarly, extraction and chiller plant would be installed on the kitchen roof where it would be screened from residential properties by the roofs of the proposed building. The customer car parking area would be behind the proposed building. External garden areas and a children's play area for the use of customers would be between the proposed building and the Summit Avenue and Apollo Drive frontages to the front and side. It is proposed that the opening hours be from 10.00am Monday to Saturday and 11.00am on Sundays, with closing times of midnight Sunday to Thursday and 1.00am the morning after Fridays and Saturdays; to be controlled by the Premises Licence under Licencing legislation. It is indicated that the proposed use would not be used as a music venue, and only background music would be provided. The Head of Environmental Health & Housing considers that the design of the proposed building would limit the extent to which

customer noise would be emitted, although the Premises Licence would need to impose controls over the management of the external garden areas to limit the potential for undue noise disturbance arising from customers using these areas. Additionally, it is recommended that conditions be imposed to restrict the opening hours to those indicated with the application; require the implementation and retention of the various noise control measures indicated by the submitted noise assessment; and restrict the times when the premises can be serviced.

Proposals have been submitted for external lighting to be installed, which are considered to be satisfactory. Nevertheless, to avoid unnecessary light spillage, it is considered that it would be prudent to impose a planning condition requiring the external lighting (except any essential for site security) to be switched off when the premises are closed.

It is also necessary to consider the issue of potential nuisance arising from cooking odours. No details of the specification of the extraction systems have been provided in this respect a planning condition requiring submission of detail and installation prior to the first use of the proposed development is therefore recommended.

Having regard to adjoining and nearby commercial neighbours it is not considered that the proposed development would give rise to any material harm to the operation of neighbouring businesses occupying premises in the Business Park in planning terms. This includes a consideration of any impact upon the operation of the adjoining petrol filling station.

It is considered that the impact on neighbours is acceptable in planning terms.

4. Highways Considerations –

A Transport Statement was submitted with the application and is considered to be satisfactory. Aside from occupying adjoining land, the proposed restaurant/pub proposes the formation of a new vehicular access from Apollo Drive. Although the existing vehicular access serving the petrol filling station from Summit Avenue was designed with the purpose of also serving the current application site, this is not required and there would be no vehicular access link between the two adjoining sites. The proposed new access from Apollo Drive is considered to have acceptable sight-lines and separation from the junction with Summit Avenue. A separate highway works agreement and licencing by the Highway Authority, Hampshire County Council) would be required for the proposed new access to be constructed and brought into use.

A further matter the subject of discussions between the Applicants and Hampshire County Council is the need to extinguish highway rights to a strip of land adjoining Summit Avenue. This matter is not considered to impact upon the planning merits of the proposals and simply affects whether or not the applicants can use the land as part of the external seating area for their proposed development. In the event that HCC do not agree to the extinguishment of highway rights over the land, it would continue to be a landscape planted area adjoining Summit Avenue.

It is considered that the internal layout of the proposed development in terms of vehicle circulation, servicing facilities, bin storage, and parking provision is acceptable and accords with the Council's adopted requirements in full in these respects.

The Council's Transportation Strategy Officer has identified a requirement for a Transport Contribution of £59,892 to be made towards improvements to the transport network in the form of support for scheme CW16 of the Farnborough Town Access Plan to improve

pedestrian and cycle links on Summit Avenue. This is to be secured with the s106 Planning Obligation under preparation.

Subject to the s106 Planning Obligation being completed and submitted to the Council it is considered that the proposed development would be acceptable in highways terms.

5. Drainage Issues –

Core Strategy Policy CP4 requires all new buildings and the development of car parking and hard standings to incorporate Sustainable Drainage Systems (SUDS). The site is located within Flood Zone 1, which is land at the lowest risk of flooding. As a result, the Environment Agency raise no objections as standing advice subject to and no mitigation measures are indicated as being necessary. This being the case, it is considered that there is no requirement under Policy CP4 for flood mitigation measures to be incorporated into the proposed development.

The applicants have submitted a Drainage Statement and detailed proposals for a SUDS drainage scheme indicating that foul and surface water drainage would be dealt with using a modified system of the existing drainage connections for the site installed when the petrol filling station was built, which are both over-sized. This connection would be made via a flow-control chamber to be installed under part of the car park area to hold surface water on site and reduce discharge rates into the public sewer system. As existing the site has almost complete coverage by hard-surfaces. The Report concludes that there would be a nominal improvement in surface water volumes and Thames Water has raised no objections to the proposals. As such, it is not considered that there would be any material and harmful impact upon drainage issues.

6. Renewable Energy & Sustainability –

Policy CP3 requires applicants to demonstrate how they have incorporated sustainable construction standards and techniques into the development to achieve, in the case of new commercial buildings and subject to viability, at least BREEAM 'Very Good' standard.

However following the Royal Assent of the Deregulation Bill 2015 (on 26 March 2015) the Government's current policy position is that planning permissions should no longer be granted requiring or subject to conditions requiring compliance with any technical housing standards such as BREEAM. This is other than for those areas where Councils have existing policies referring to the attainment of such standards. In the case of Rushmoor this means that we can require energy performance only in accordance with BREEAM 'very good' standard as set out in policy CP3 of the Rushmoor Core Strategy.

In this case the Energy/Carbon Reduction Report submitted with the application advises that an air-source heat pump would be used to pre-heat the building domestic hot water, which would have high usage with the proposed use. It is concluded that this would provide in excess of a 20% energy saving beyond the requirements of the Building Regulations and, as such, provide the appropriate energy performance improvement. As a result it is considered that it would be appropriate and reasonable to address Core Strategy Policy CP3 by the imposition of a planning condition requiring the implementation of the indicated renewable energy installation as described in the submitted Energy/Carbon Reduction Report.

7. Impact upon Wildlife –

Although an ancillary facility, Natural England has advised that the proposed managers' flat

would be likely to be permanently occupied and, as such, it is necessary for the impact upon the nature conservation interests of the Thames Basin Heaths Special Protection Area to be addressed.

The Rushmoor Thames Basin Heaths Special Protection Area Interim Avoidance and Mitigation Strategy comprises two elements. First the maintenance 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 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 Hawley Meadows SANG will be considered.

The applicant is aware of this requirement and the need to make a financial contribution of £7211 to maintain the Hawley Meadows SPA mitigation scheme to be secured by way of a section 106 planning obligation. In this respect the applicant has contacted the Council's Legal Team to pursue this matter. 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. Provided the applicants submit a satisfactory completed s106 Planning Obligation in this respect it is considered that they would have satisfactorily mitigated for the impact of their proposed development on the Thames Basin Heaths Special Protection Area in compliance with the requirements of Core Strategy Policies CP11 and CP13.

8. Access for People with Disabilities –

The proposed development would provide access for people with disabilities in accordance with Building Regulation requirements. Being a new development the developer is able to provide level access to the proposed building and the site layout incorporates the appropriate walkways and dedicated disabled parking spaces. In the circumstances it is considered that adequate facilities would be provided for people with disabilities using the proposed development.

Conclusions –

It is considered that the proposed development is acceptable in principle; and in visual and (subject to a Transport Contribution being secured) in highways terms; and have an acceptable impact on neighbours in planning terms. Furthermore, it is considered that adequate provision can be made for access for people with disabilities. On the basis of the provision of a contribution towards the Hawley Meadows SPA mitigation and avoidance 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 therefore considered acceptable having regard to Rushmoor Core Strategy Policies SS1, SP4, CP1, CP2, CP3, CP4, CP8, CP10, Cp11, CP13, CP15, CP16 and CP17; and saved Local Plan Policies TC1, S1, S5, ENV5, ENV16, ENV21 & 22, ENV43 and TR10.

Full Recommendation

It is recommended that subject to the completion of a satisfactory Agreement under Section 106 of the Town and Country Planning Act 1990 by 27 October 2016 to secure appropriate financial contributions towards Transport and SPA mitigation, 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 27 October 2016 the Head of Planning, in consultation with the Chairman, be authorised to refuse planning permission on the grounds that the proposal does not make satisfactory provision for a transport contribution in accordance with Council's adopted 'Transport Contributions' SPD and Core Strategy Policies CP10, CP16 and CP17; and 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 Core Strategy Policies CP11 and CP13.

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

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

- 2 The permission hereby granted shall be carried out in accordance with the following approved drawings - Axiom Architects Drawing Nos.3403/P100 REV.A, 3403/P104 REV.C, 3403/P105 REV.C, 3403/P107 REV.E, 3403/P108 REV.A, 3403/P109, 3403/P110 REV.A, 3403/P111 REV.A; Simpson Drawing Nos. 13162/SK01 REV.A, 13162/SK02 REV.A, 13162/SK03 REV.B & 13162:08; Clugston Drawing No.3660/10/001 REV.A; Swan Paul Drawing No.SPP2019 P90 001; Kingfisher Lighting Drawing No.D28174/AMA/B; Jenks Associates Ltd. Drawing No. 298-106-M-01 REV.P1; Axiom Architects Design & Access Statement; NLP Planning Statement; Cole Jarman Planning Noise Assessment; Sanderson Associates Transport Statement; Carter Lauren Construction Management Plan; External Materials Schedule; Jenks Associates Ltd Energy/carbon Reduction Report; Simpson Drainage Statement; Groundsure Site Investigation; and Enzygo Geoenvironmental Report.

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

- 3 The development hereby permitted shall be implemented in accordance with the external materials, surfacing materials, boundary enclosures, bin storage, cycle parking, surface water drainage, external lighting, energy usage/performance, construction management, and levels details submitted with the application and hereby approved. The development shall be completed in full accordance with the details so approved before any part of the development is occupied and the retained thereafter at all times.

Reason - To ensure satisfactory external appearance and impact on amenity, satisfactory on-site surface water drainage arrangements and to generally ensure a satisfactory development of the site.

- 4 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.

- 5 Notwithstanding the Landscape Masterplan submitted with the application, a fully detailed landscape and planting scheme (to include, where appropriate, both landscape planting and ecological enhancement) shall be submitted to and approved in writing by the Local Planning Authority prior to the practical completion of the development hereby approved or the first occupation of the development, whichever is the sooner.

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

- 6 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.

- 7 No sound reproduction equipment, conveying messages, music, or other sound which is audible outside the building hereby permitted shall be installed on the site.

Reason - To protect the amenity of neighbouring property.

- 8 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.

- 9 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.

- 10 The premises shall not be open to customers outside the following hours:-

1000 to 2400 hours Mondays to Thursdays;
1100 to 2400 hours Sundays; and
1000 to 0100 the morning after Fridays and Saturdays

unless with the prior written permission of the Local Planning Authority.

Reason : In the interests of the amenities of occupiers of residential property in the vicinity.

- 11 With the exception of lighting identified and agreed as being necessarily required solely for maintaining the security of the site/building during night-time hours, no other external lighting shall be used/operated outside the opening hours of any premises as defined by Condition No.10 of this permission, unless otherwise first agreed in writing by the Local Planning Authority. *

Reason - In the interests of the amenities of residential properties in the vicinity; and to ensure that there is no unnecessary use of lighting at the site.

- 12 No deliveries shall be made to the premises hereby permitted outside the hours of 0700 and 2100 hours Mondays to Saturdays or 0800 to 1800 hours on Sundays.

Reason - To protect the amenities of occupiers of residential properties in the vicinity.

- 13 No vehicles in the ownership or control of the operators of the premises hereby permitted shall park or wait outside the site in Summit Avenue, Apollo Drive or Aldrin Place. Servicing of the premises hereby permitted shall take place with delivery vehicles parked on site.

Reason - In the interest of highway safety.

- 14 No goods or materials of any sort shall be stored, stacked or displayed in the open outside of the service yard of the premises hereby permitted.

Reason - In the interests of visual amenity.

- 15 The premises hereby permitted shall not brought into use until the new vehicular access from Apollo Drive, on-site parking spaces and service yard shown on the approved plans have been made available to occupiers of, and visitors to, the development in accordance with the approved plans. Thereafter the parking spaces and service yard shall be kept available at all times solely for their respective purposes as approved.

Reason - To ensure the provision and retention of adequate vehicular access, parking and servicing within the development in the interests of the safety and convenience of highway users.

- 16 Notwithstanding the indication of roof-mounted extraction plant provided with the application, the restaurant/public house use hereby approved shall not commence, until details of the means of suppressing and directing smells and fumes from the premises have been submitted to and approved in writing by the Local Planning Authority. These details shall include the height, position, design, materials and finish of any external chimney or vent. The development shall be carried out in accordance with the details so approved and thereafter retained whilst the use hereby permitted is in operation.

Reason - To safeguard the amenities of neighbouring property. *

- 17 The noise control measures for the operation of the use hereby permitted as specified in the Cole Jarman Planning Noise Assessment report submitted with the application shall be implemented in full and retained at all times whilst the premises hereby permitted are in operation.

Reason - In the interests of the amenities of occupiers of residential properties in the vicinity.

- 18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015, (or any other Order revoking or re-enacting that Order) the land and/or building(hereby permitted shall be used only for the purpose of a mixed restaurant/public house use falling with Use Classes A3 and A4 and for no other purpose, including any other purpose within Class A, without the prior permission of the Local Planning Authority.

Reason - For the avoidance of doubt and to ensure no adverse impact on the retail function of Farnborough Town Centre in particular, contrary to Local Plan and Government Planning Policy.

Informatives

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

It is considered that the proposed development is acceptable in principle; and in visual and (subject to a Transport Contribution being secured) in highways terms; and have an acceptable impact on neighbours in planning terms. Furthermore, it is considered that adequate provision can be made for access for people with disabilities. On the basis of the provision of a contribution towards the Hawley Meadows SPA mitigation and avoidance 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 therefore considered acceptable having regard to Rushmoor Core Strategy Policies SS1, SP4, CP1, CP2, CP3, CP4, CP8, CP10, Cp11, CP13, CP15, CP16 and CP17; and saved Local Plan Policies TC1, S1, S5, ENV5, ENV16, ENV21 & 22, ENV43 and TR10.

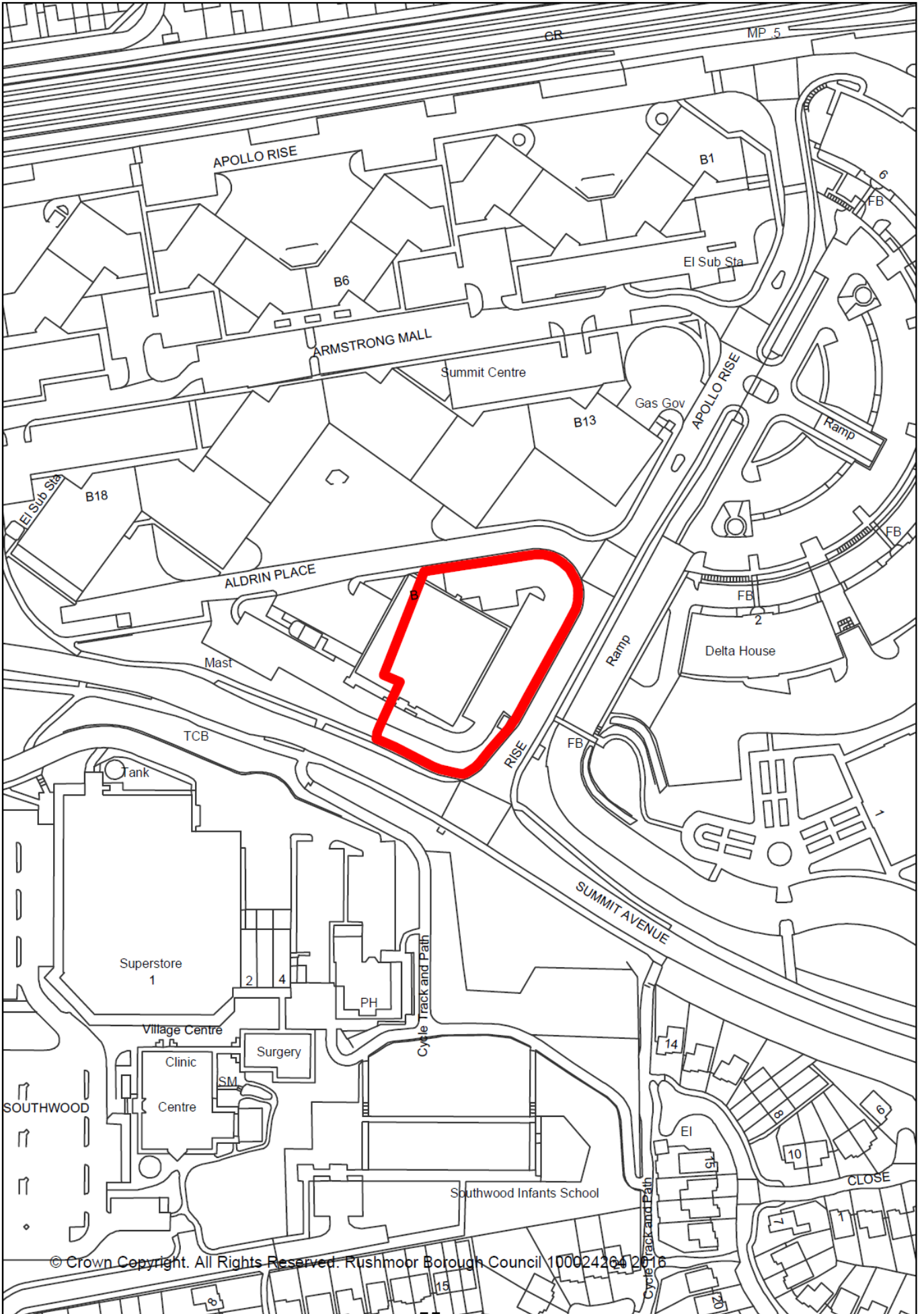
It is therefore considered that subject to compliance with the attached conditions, and taking into account all other material planning considerations, including the provisions of the development plan, the proposal would be acceptable. This also includes a consideration of whether the decision to grant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

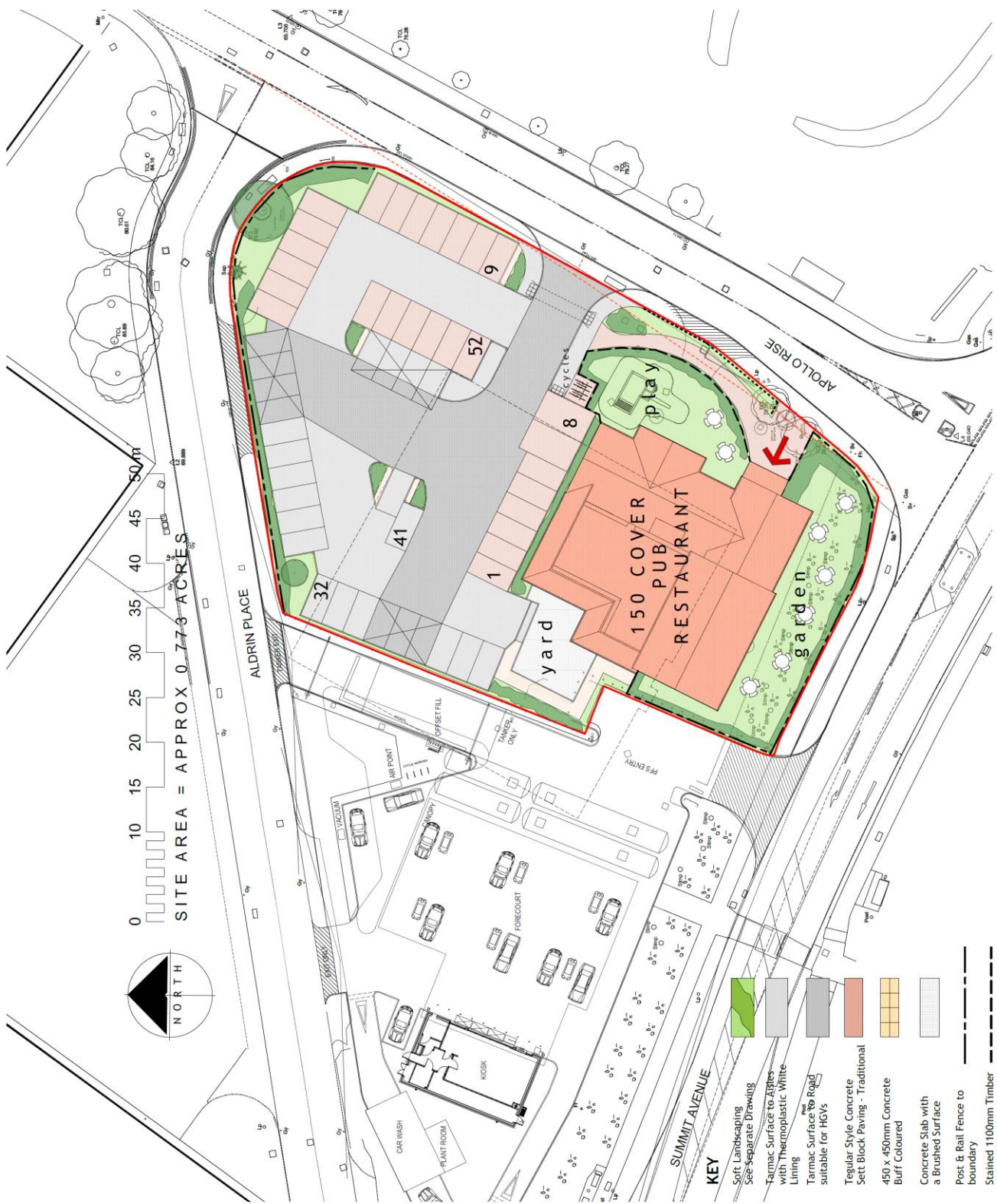
- 2 **INFORMATIVE -** Your attention is specifically drawn to the conditions marked *. These condition(s) require the submission of details, information, drawings etc. to the Local Planning Authority **BEFORE WORKS START ON SITE** or, require works to be carried out **BEFORE COMMENCEMENT OF USE OR FIRST 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.
- 3 **INFORMATIVE -** This permission is subject to a planning obligation under Section 106 of the Town and Country Planning Act 1990 (as amended).

- 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 follow good practice in the re-use of all material arising from demolition as part of the redevelopment wherever practicable. Please contact Les Murrell, Strategy Co-ordinator (Sustainability) at Rushmoor Borough Council on 01252 398538 for further information.
- 6 INFORMATIVE - The planning permission hereby granted does not authorise the applicant, or his agents, to construct a new/altered access to, or other work within, the public highway. A separate consent for works within the highway must first be obtained from the highway authority who may be contacted at the following address:- Hampshire County Council Highways Sub Unit, M3 Motorway Compound, Hook, Hampshire, RG27 9AA.
- 7 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.
- 8 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 & Housing for advice.
- 9 INFORMATIVE - The applicant is reminded that under the provisions of the Food Safety Act 1990 there is a requirement to register all food premises with the Local Authority at least 28 days before the commencement of any business operations. The applicant must therefore contact the Head of Environmental Health for advice.
- 10 INFORMATIVE - The applicant is reminded that the premises should be made accessible to all disabled people, not just wheelchair users, in accordance with the duties imposed by the Equality Act 2010. This may be achieved by following recommendations set out in British Standard BS 8300: 2009 "Design of buildings and their approaches to meet the needs of disabled people - Code of Practice". Where Building Regulations apply, provision of access for disabled people to the premises will be required in accordance with Approved Document M to the Building Regulations 2000 "Access to and use of buildings".
- 11 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.

- 12 INFORMATIVE - The applicant is advised that during the demolition and construction phases of the development measures should be employed to contain and minimise dust emissions, to prevent their escape from the development site onto adjoining properties. For further information, please contact the Head of Environmental Health & Housing.
- 13 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.
- 14 INFORMATIVE - The applicants are advised that separate Advertisement Consent is likely to be required for the display of advertising signage at the site. Please contact the Planning Dept. at Rushmoor Borough Council, Council Offices, Farnborough Road, Farnborough if advice is required in respect of this matter.
- 15 INFORMATIVE - This permission does not provide any approval for the use of the premises hereby permitted that may be required under other legislation, such as the Building Regulations and the Licencing Acts.
- 16 INFORMATIVE – The Local Planning Authority’s commitment to working with the applicants in a positive and proactive way is demonstrated by its offer of pre-application discussion to all, free of charge, and assistance in the validation and determination of applications through the provision of clear guidance regarding necessary supporting information or amendments both before and after submission, in line with the National Planning Policy Framework.





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 SITE AREA = APPROX 0.776 ACRES



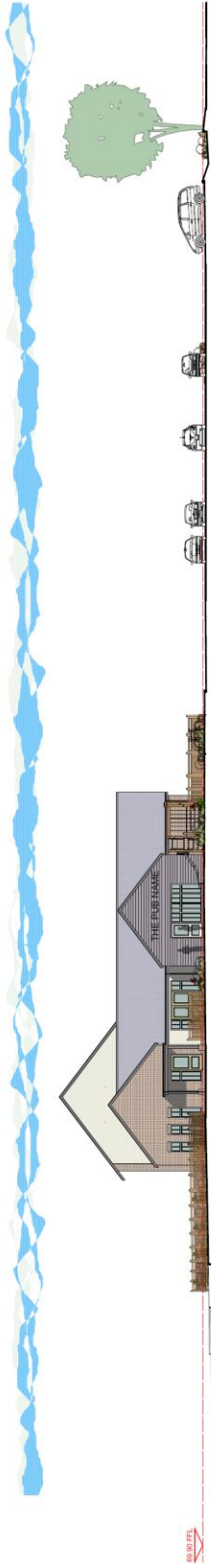
C	21/19/16	TITLE BLOCK REF NOTES OMITTED	ACR
B			
A			
Rev	Date	Description	By

AXIOM ARCHITECTS
 1000 Somerset High Street, Level 5, Eastbourne, BN1 1JY
 Tel: 01323 479434
 www.axiomarchitects.co.uk

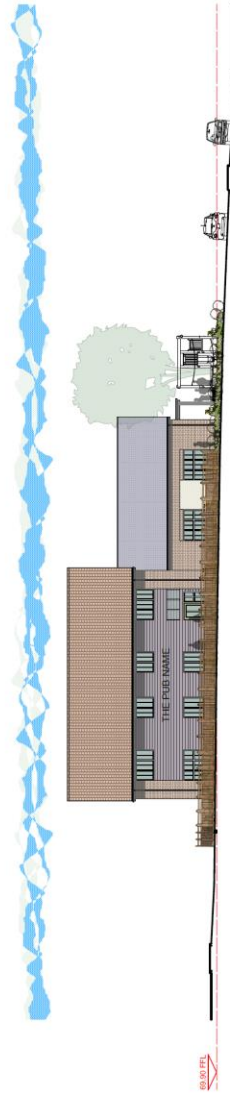
Client: **CARTER LAUREN**
 Project: **PROPOSED 150 COVER PUB RESTAURANT**
 SUMMIT AVENUE
 FARNBOROUGH
 Drawing: **SITE PLAN**

Scale	Status	Date	Drawn	Checked
1:250 @ A1	PLANNING	21/05/16	ACR	
Drawing No.	Revision			
3403/104	C			

- KEY**
- Soft Landscaping See Separate Drawing
 - Tarmac Surface to Areas with Thermoplastic White Lining
 - Tarmac Surface to Road suitable for HGVs
 - Regular Style Concrete Set Block Paving - Traditional
 - 450 x 450mm Concrete Buff Coloured
 - Concrete Slab with a Drained Surface
 - Post & Rail Fence to boundary
 - Stained 1100mm Timber Picket Fence
 - Knee Rail fence



SECTION A-A FRONT ELEVATION



SECTION B-B SIDE ELEVATION

A 2/18/16 TITLE BLOCK/NOTE LIMITED
Rev. Date Description
ACR By

AXIOM ARCHITECTS
1000 West 10th Street, Suite 100
Farmborough, BC V5A 3P6
Tel: (604) 274-7434
www.axiomarchitects.com

Client: **CARTER LAUREN**
Project: **150 COVER PUB RESTAURANT**
SUMMIT AVENUE
FARMBOROUGH
Drawing: **SITE SECTIONS**

Scale	Status	Date	Drawn	Checked
1/160 @ A1	Planning	15.6.16	gh	

Drawing No. **3403/P108** Revision **A**

VIEW LOOKING NORTH EAST FROM SUMMIT AVENUE



VIEW LOOKING NORTH WEST FROM SUMMIT AVENUE

Section D

The following applications are reported for INFORMATION purposes only. They relate to applications, prior approvals, notifications, and consultations that have already been determined by the Head of Planning and where necessary, in consultation with the Chairman, in accordance with the Council's adopted Scheme of Delegation.

If Members wish to have more details about the decision on any of the applications on this list please contact David Stevens (01252 398738) or John W Thorne (01252 398791) in advance of the Committee meeting.

Application No	15/00818/CONDPP	Ward: Wellington
Applicant:	Enterprise Homes Developments LLP	
Decision:	Conditions details approved	
Decision Date:	26 September 2016	
Proposal:	Submission of details to comply with conditions 4 (double glazing), 6 (refuse bin storage) and 8 (privacy screening flat 14) pursuant to planning permission 12/00019/COUPP in respect of a change of use from office building residential to provide 14 apartments (9 one bed and 5 two bed) with associated car parking and alteration to building	
Address	1 Pickford Street Aldershot Hampshire GU11 1TY	

Application No	16/00086/CONDPP	Ward: Manor Park
Applicant:	Bugler Developments Ltd	
Decision:	Conditions details approved	
Decision Date:	15 September 2016	
Proposal:	Submission of details to comply with condition 3 (surfacing materials) pursuant to planning permission 15/00194/FULPP dated 25 August 2015 in respect of the erection of a part two, part three storey building to provide 29 one, 3 two and 2 three bedroom residential units (34 in total) for disabled or vulnerable veterans with their dependents, shared common room, staff accommodation, car and cycle parking, refuse storage, landscaping and associated works	
Address	Christmas Lodge Evelyn Avenue Aldershot Hampshire GU11 3QB	

Application No 16/00385/CONDPP Ward: Manor Park

Applicant: Bugler Developments Ltd

Decision: **Conditions details approved**

Decision Date: 26 September 2016

Proposal: Submission of details to comply with condition 2 (external materials) pursuant to planning permission 15/00194/FULPP dated 25 August 2015 in respect of the erection of a part two, part three storey building to provide 29 one, 3 two and 2 three bedroom residential units (34 in total) for disabled or vulnerable veterans with their dependents, shared common room, staff accommodation, car and cycle parking, refuse storage, landscaping and associated works

Address **Christmas Lodge Evelyn Avenue Aldershot Hampshire GU11 3QB**

Application No 16/00387/CONDPP Ward: Manor Park

Applicant: Bugler Developments Ltd

Decision: **Conditions details approved**

Decision Date: 15 September 2016

Proposal: Submission of details to comply with condition 9 (construction method statement) pursuant to planning permission 15/00194/FULPP dated 25 August 2015 in respect of the erection of a part two, part three storey building to provide 29 one, 3 two and 2 three bedroom residential units (34 in total) for disabled or vulnerable veterans with their dependents, shared common room, staff accommodation, car and cycle parking, refuse storage, landscaping and associated works

Address **Christmas Lodge Evelyn Avenue Aldershot Hampshire GU11 3QB**

Application No 16/00455/COND Ward: St Mark's

Applicant: Shell UK Retail

Decision: **Conditions details approved**

Decision Date: 14 September 2016

Proposal: Submission of details of external materials pursuant to condition 3 of planning permission 16/00221/FULPP (erection of side extension to sales building)

Address **22 Farnborough Road Farnborough Hampshire GU14 6AY**

Application No 16/00464/NMA Ward: Empress

Applicant: Knight Frank Investment Management

Decision: **Permission Granted**

Decision Date: 26 September 2016

Proposal: Non material amendment to planning permission 15/00813/FULPP dated 22 December 2015 for the erection of an extension to the existing shopping centre to provide two retail units to include external display areas to front, alterations to the external appearance of existing tower feature, creation of rear service yard with access from Hawthorn Road and alterations to existing car park layout and landscaping to allow the recessing of a flank wall along southern elevation, revision to eastern boundary wall, amend internal height of mezzanine floor for units 1 and 2, change to the location and specification of underground attenuation tank, change to size and position of substation, amend type and specification of service yard access doors, amend details of materials to be used for refurbishment of tower and increase plant zone to the rear of the building

Address **Proposed Extension To Princes Mead Westmead Farnborough Hampshire**

Application No 16/00474/FULPP Ward: St Mark's

Applicant: Alexandra Real Estate Partners Ltd

Decision: **Permission Granted**

Decision Date: 27 September 2016

Proposal: Demolition of existing attached garage and erection of two-storey side extension to ancillary hotel accommodation (Use Class C1) at No.59; demolition of existing two-storey rear extension, erection of three-storey rear extension at No.61; to create a 14 unit 'aparthotel' (Use Class C1) with associated access, parking and landscaping

Address **59 - 61 Alexandra Road Farnborough Hampshire**

Application No 16/00494/FULPP Ward: Fernhill

Applicant: Mr William Perry

Decision: **Permission Granted**

Decision Date: 13 September 2016

Proposal: Erection of a detached 3 bedroom dwelling with associated parking and amenity space, retention of 6 Chapel Lane on a reduced curtilage and alterations to existing vehicular access arrangements onto Chapel Lane.

Address **6 Chapel Lane Farnborough Hampshire GU14 9BE**

Application No 16/00512/FULPP Ward: North Town
Applicant: Mr David Law
Decision: **Permission Granted**
Decision Date: 07 September 2016
Proposal: Erection of security fencing to create additional storage area for unit 2
Address **Unit 2 Elliott Park Eastern Road Aldershot Hampshire GU12 4TF**

Application No 16/00551/TPOPP Ward: Empress
Applicant: Mr Phillips
Decision: **Permission Granted**
Decision Date: 22 September 2016
Proposal: Fell to ground level 5 Cypress trees (part of group G5 of TPO 442). Five Sweet Chestnut trees (part of group G5 of TPO 442) crown reduce to clear BT lines. One Sweet Chestnut (T7 of TPO 442) lift canopy to gutter height
Address **1 St Michaels Road Farnborough Hampshire GU14 8ND**

Application No 16/00552/FULPP Ward: Aldershot Park
Applicant: Mr A Clements
Decision: **Permission Granted**
Decision Date: 07 September 2016
Proposal: Erection of attached three-bedroom dwelling house (re-submission of scheme approved with lapsed planning permission 13/00057/FULPP dated 14 June 2013)
Address **Land Adjacent To 12 Herrett Street Aldershot Hampshire**

Application No 16/00554/ADVPP Ward: Cherrywood
Applicant: Lok'nStore
Decision: **Permission Granted**
Decision Date: 07 September 2016
Proposal: Display of two new internally-illuminated high-level fascia signs on north-west and south-east side elevations of building, two non-illuminated fascia signs over loading-bay doors and an LED illuminated orange strip around the perimeter of the building roof line
Address **112 Hawley Lane Farnborough Hampshire GU14 8JE**

Application No 16/00555/FUL Ward: St Mark's
Applicant: Mr Irfan Nakip
Decision: **Permission Granted**
Decision Date: 13 September 2016
Proposal: Installation of a new shopfront together with installation of walk-in cold store to the rear of the property, relocation of the timber stairway to the first floor level at the rear of the building, infilling of two window openings on the west face of ground floor rear extension and installation of two condensing units in associated acoustic enclosures to rear of proposed cold store
Address **129 Lynchford Road Farnborough Hampshire GU14 6ET**

Application No 16/00556/TPO Ward: Knellwood
Applicant: Mr D Marneweck
Decision: **Permission Granted**
Decision Date: 07 September 2016
Proposal: One Holly (T2 of TPO 351) crown reduce by no more than 4 metres
Address **Cooper Court Salisbury Road Farnborough Hampshire GU14 7AZ**

Application No 16/00558/FULPP Ward: Empress
Applicant: Mr Roger Everett
Decision: **Permission Granted**
Decision Date: 16 September 2016
Proposal: Demolition of existing double garage and construction of new double garage with home office above
Address **1 Mariners Drive Farnborough Hampshire GU14 8DA**

Application No 16/00559/TPO Ward: Empress
Applicant: Mrs Darcy
Decision: **Permission Granted**
Decision Date: 06 September 2016
Proposal: One Beech (T7 of TPO 369A) at 18 Clockhouse Road, reduce back overhanging branches by no more than 4 metres. One Sycamore (T8 of TPO 369A) at 20 Clockhouse Road, crown reduce and reshape by no more than 3 metres and canopy lift to no more than 8 metres from ground level
Address **Land Affected By TPO 369A 18-20 Clockhouse Road Farnborough Hampshire**

Application No 16/00560/TPOPP Ward: Knellwood
Applicant: Mr Adrian Dunham
Decision: **Permission Granted**
Decision Date: 07 September 2016
Proposal: One Beech (part of group G8 of TPO 432A) closest to the gate, crown reduce by no more than 3 metres
Address **36 Avenue Road Farnborough Hampshire GU14 7BL**

Application No 16/00563/FULPP Ward: Knellwood
Applicant: Mr & Mrs G Sagoo
Decision: **Permission Granted**
Decision Date: 28 September 2016
Proposal: Erection of a triple garage in front garden, 2.1 metre high front boundary wall and gates, single storey and first floor rear extensions
Address **47 Church Avenue Farnborough Hampshire GU14 7AP**

Application No 16/00565/ADVPP Ward: Cherrywood
Applicant: Iveco Limited
Decision: **Permission Granted**
Decision Date: 23 September 2016
Proposal: Display of two internally-illuminated fascia signs located at high-level on front (north) and west side elevations of building; four internally-illuminated service bay number signs, and two internally-illuminated wall signs adjoining entrance door on front elevation; and three 4.5 by 1.5 metre flag signs mounted on 10 metre high poles adjoining site entrance from Chancerygate Way
Address **4 Chancerygate Way Farnborough Hampshire GU14 8FF**

Application No 16/00567/CONDPP Ward: St Mark's
Applicant: ADS Group Limited
Decision: **Conditions details approved**
Decision Date: 09 September 2016
Proposal: Submission of details pursuant to conditions 3 (external materials) , 7 (building sound insulation), 8 (plant sound insulation) of planning permission 14/00326/FULPP dated 4th November 2014 for the erection of exhibition hall, media centre, meeting and conference facilities (D1) together with supporting infrastructure
Address **Site Of Hall 1 And 1A ETPS Road Farnborough Hampshire**

Application No 16/00569/TPO Ward: Rowhill
Applicant: Mrs Pauline Smith
Decision: **Permission Granted**
Decision Date: 07 September 2016
Proposal: One Ash tree (T1 of TPO 452) crown reduce by no more than 3 metres
Address **16A Eggars Hill Aldershot Hampshire GU11 3NG**

Application No 16/00572/TPOPP Ward: Knellwood
Applicant: Mr Minshaw
Decision: **Permission Granted**
Decision Date: 13 September 2016
Proposal: Three Yew trees (group G2 of TPO 446A) shape back canopy by reducing lateral spread of north western aspect by no more than 3 metres
Address **Fairbank 39 Rectory Road Farnborough Hampshire GU14 7BT**

Application No 16/00575/TPO Ward: Empress
Applicant: Mrs Madeline Neal
Decision: **Permission Granted**
Decision Date: 13 September 2016
Proposal: Crown thin Oak tree (T10 of TPO 381) by no more than 30% on southern side
Address **14 Hinstock Close Farnborough Hampshire GU14 0BE**

Application No 16/00577/FULPP Ward: Manor Park
Applicant: Mr Prabesh KC
Decision: **Permission Granted**
Decision Date: 09 September 2016
Proposal: Alterations and extension and change of use of building to one bedroom house and 4 one bedroom flats (variation of scheme approved under implemented planning permission 12/00278/COUPP)
Address **The Railway Tavern 112 - 114 Grosvenor Road Aldershot Hampshire GU11 3EJ**

Application No 16/00580/FULPP Ward: St Mark's
Applicant: ADS Group Limited
Decision: **Permission Granted**
Decision Date: 30 September 2016
Proposal: Erection of exhibition hall, media centre, meeting and conference facilities (D1) together with supporting infrastructure
Address **Site Of Hall 1 And 1A ETPS Road Farnborough Hampshire**

Application No 16/00583/FULPP Ward: St Mark's
Applicant: Mr Scott Gallager
Decision: **Permission Granted**
Decision Date: 16 September 2016
Proposal: Raise the eaves and ridge heights and formation of a dormer window to rear to facilitate a loft conversion
Address **8 Whites Road Farnborough Hampshire GU14 6PD**

Application No 16/00593/FULPP Ward: Fernhill
Applicant: Mr John Terry-Dawson
Decision: **Permission Granted**
Decision Date: 09 September 2016
Proposal: Two storey side extension to an existing two storey semi detached property
Address **1 Clayton Road Farnborough Hampshire GU14 9DQ**

Application No 16/00594/TPOPP Ward: Cove And Southwood
Applicant: Dr Steve Mason
Decision: **Permission Granted**
Decision Date: 19 September 2016
Proposal: One Oak (T15 of TPO 417) removal of two branches that are close to house at 14 McNaughton Close. One Oak (T16 of TPO 417) removal of seven branches close to house and garage at 15 McNaughton Close as per submitted photographs
Address **14 McNaughton Close Farnborough Hampshire GU14 0PX**

Application No 16/00598/TPO Ward: Knellwood
Applicant: Mrs C S Acheson
Decision: **Permission Granted**
Decision Date: 19 September 2016
Proposal: One Oak (T22 of TPO 435A) in front garden, crown thin by no more than 10% and reduce two major limbs over road by no more than 3 metres
Address **191 Sycamore Road Farnborough Hampshire GU14 6RQ**

Application No 16/00599/TPO Ward: Fernhill
Applicant: Miss Annette Meadows
Decision: **Permission Granted**
Decision Date: 20 September 2016
Proposal: One Oak (part of group G21 of TPO 357A) fell to ground level
Address **14 The Potteries Farnborough Hampshire GU14 9JR**

Application No 16/00608/FULPP Ward: West Heath
Applicant: Mr S Jones
Decision: **Permission Granted**
Decision Date: 06 September 2016
Proposal: Erection of a single storey side extension
Address **7 Yeomans Close Farnborough Hampshire GU14 8PJ**

Application No 16/00609/TPO Ward: Cove And Southwood
Applicant: Sentinel Housing Association
Decision: **Permission Granted**
Decision Date: 22 September 2016
Proposal: One Oak (part of group G1 of TPO 373) remove primary limb back to main stem and cut back side branches to give a 2 metre clearance from the property
Address **Oak Lodge 17 Wood Lane Farnborough Hampshire**

Application No 16/00610/CONDPP Ward: Fernhill

Applicant: Mr Peter Holcroft

Decision: **Conditions details approved**

Decision Date: 27 September 2016

Proposal: Submission of revised details pursuant to Condition 22 (external lighting) attached to Planning Permission 12/00615/FULPP dated 05th February 2013

Address **Proposed Redevelopment At Abercorn House Randell House And Hamilton Court Fernhill Road Blackwater Camberley Hampshire**

Application No 16/00611/TPO Ward: St John's

Applicant: Sentinel Housing Association

Decision: **Permission Granted**

Decision Date: 22 September 2016

Proposal: One Oak (part of group G6 of TPO 261) marked as T6 on attached plan, crown lift to no more than 6 metres from ground level. One Oak (part of group G6 of TPO 261) marked as T8 on attached plan, remove back to main stem previously pruned limb overhanging garden of 10 Melrose Close. One Oak (part of group G6 of TPO 261) marked as T13 on attached plan, remove limb with severe cambium damage overhanging garden of 6 Kenilworth Road

Address **Land Affected By TPO 261- To The North Of Whetstone Road And Melrose Close And East Of Trunk Road Farnborough Hampshire**

Application No 16/00612/REV Ward: Manor Park

Applicant: MOTEST UK LTD

Decision: **Permission Granted**

Decision Date: 27 September 2016

Proposal: Variation of Condition No.1 (air tools, roller shutter doors and B2 hours) imposed by planning permission 14/00538/REV dated 13 August 2014 to allow on a permanent basis, roller shutter doors to be open during opening hours, air tools to be used and B2 opening hours 0800 to 1800 Mondays to Saturdays and 1000 to 1600 Sundays

Address **14 Halimote Road Aldershot Hampshire GU11 1NJ**

Application No 16/00613/FULPP Ward: West Heath

Applicant: Ms Linda Butcher

Decision: **Permission Granted**

Decision Date: 09 September 2016

Proposal: Erection of a carport, single storey side and rear extension and conversion of garage to habitable room

Address **76 West Heath Road Farnborough Hampshire GU14 8QX**

Application No 16/00614/FULPP Ward: Knellwood

Applicant: Mr & Mrs Murphy

Decision: **Permission Granted**

Decision Date: 19 September 2016

Proposal: Demolition of existing garage and erection of a two storey side extension and formation of a pitched roof over an open canopy to front

Address **1 Belvedere Road Farnborough Hampshire GU14 6SP**

Application No 16/00620/CONDPP Ward: Empress

Applicant: Asda Stores Ltd

Decision: **Conditions details approved**

Decision Date: 28 September 2016

Proposal: Submission of details in respect of conditions 3 (Acoustic Fencing) and 4 (Landscaping) of planning permission 16/00027/FUL in respect of the construction of a 'Home Shopping' link canopy and van loading canopy with 3m high fence and other associated works

Address **ASDA Westmead Farnborough Hampshire GU14 7LT**

Application No 16/00621/FULPP Ward: Manor Park

Applicant: Mrs Laxmi Rai

Decision: **Permission Granted**

Decision Date: 27 September 2016

Proposal: Change of use of ground floor premises from retail (Use Class A1) to mixed financial & professional services and workshop use (Use Classes A2 and B1)

Address **99 Victoria Road Aldershot Hampshire GU11 1JE**

Application No 16/00622/FULPP Ward: Cove And Southwood
Applicant: Mr & Mrs Adrian Davies
Decision: **Permission Granted**
Decision Date: 16 September 2016
Proposal: Demolition of existing garage and utility room and erection of a two storey side extension and single storey rear extension
Address **19 Highfield Close Farnborough Hampshire GU14 0HW**

Application No 16/00627/TPOPP Ward: Cove And Southwood
Applicant: Mr Stephen Darch
Decision: **Permission Refused**
Decision Date: 29 September 2016
Proposal: One London Plane (T70 of TPO 419A) fell to ground level
Address **Amenity Land Adjacent To 17 Long Beech Drive Farnborough Hampshire**

Application No 16/00635/FUL Ward: Rowhill
Applicant: Mr James Hubbard
Decision: **Permission Granted**
Decision Date: 13 September 2016
Proposal: Installation of a roof light to side elevation
Address **First Floor Flat 32 Lansdowne Road Aldershot Hampshire GU11 3ER**

Application No 16/00638/FULPP Ward: Knellwood
Applicant: Mrs L BARZEY
Decision: **Permission Granted**
Decision Date: 06 September 2016
Proposal: Raise ridge height, formation of two dormer windows within front roof slope with sky light, formation of a dormer within rear roof slope to form rooms in roof and front porch
Address **Abbey View 130 Rectory Road Farnborough Hampshire GU14 7HT**

Application No 16/00639/FULPP Ward: Empress
Applicant: Mr Darryl Spray
Decision: **Permission Granted**
Decision Date: 07 September 2016
Proposal: Erection of a single storey front, side and rear extension following removal of existing detached garage
Address **20 Newton Road Farnborough Hampshire GU14 8BN**

Application No 16/00642/COND Ward: Empress
Applicant: Key Property Investments (Number One)
Decision: **Conditions details approved**
Decision Date: 15 September 2016
Proposal: Submission of details to comply with condition 5 (shopfronts) attached to planning permission 15/00326/COU dated 25 June 2015 in respect of the change of use of 28-50 (evens) Kingsmead from Use Class A1 to Use Classes A3 (restaurant and cafe) and A4 (drinking establishments)
Address **28 - 50 Kingsmead Farnborough Hampshire**

Application No 16/00644/FULPP Ward: Rowhill
Applicant: Mr & Mrs Dalboth
Decision: **Permission Granted**
Decision Date: 19 September 2016
Proposal: Retention of garage conversion to habitable room and erection of a single storey side and rear extension
Address **21 Stovolds Way Aldershot Hampshire GU11 3LR**

Application No 16/00648/FUL Ward: West Heath
Applicant: Mr Mrs R Leach
Decision: **Permission Granted**
Decision Date: 16 September 2016
Proposal: Erection of a two storey rear extension
Address **96 Fernhill Road Farnborough Hampshire GU14 9DP**

Application No 16/00649/FUL Ward: St Mark's
Applicant: Mr And Mrs Matczak
Decision: **Permission Granted**
Decision Date: 07 September 2016
Proposal: Erection of a single storey front extension
Address **2A Southampton Street Farnborough Hampshire GU14 6AX**

Application No 16/00650/FULPP Ward: West Heath
Applicant: Mr Hood
Decision: **Permission Granted**
Decision Date: 28 September 2016
Proposal: Erection of a two storey side extension
Address **17 Belmont Close Farnborough Hampshire GU14 8RU**

Application No 16/00653/NMAPP Ward: Empress
Applicant: Wickes Building Supplies
Decision: **Permission Granted**
Decision Date: 23 September 2016
Proposal: NON MATERIAL AMENDMENT : amendments to scheme approved by planning permission 14/00203/FUL dated 30 June 2014 (and subject to amendments approved by 15/00563/REVPP dated 28 October 2015 and 16/00539/NMAPP dated 2 August 2016) comprising the reduction to 3m x 3m goods door and the provision of a 1500x900mm window on rear elevation of Unit 2; deletion of Outdoor Project Centre doors from side elevation of Unit 2; increase in height of shopfront windows of Unit 2 to 7.195 m high; relocation of motorcycle parking bays from main car park into yard to side of Unit 2 resulting in loss of one disabled parking space, but an increase of three regular parking spaces; re-positioning of bicycle parking and substitution of concrete for tarmac surface for yard to side of Unit 2; deletion of two gravel beds in Unit 1 car park in favour of two additional parking spaces; and installation of bollards along frontage of combined Units 1 & 2 building adjoining parking spaces to protect pedestrian walkway
Address **13 Invincible Road Farnborough Hampshire GU14 7QU**

Application No 16/00655/FUL Ward: Manor Park
Applicant: Mr A Cotugno
Decision: **Permission Granted**
Decision Date: 09 September 2016
Proposal: Erection of single storey rear extension following demolition of existing single storey element
Address **15 Halimote Road Aldershot Hampshire GU11 1NJ**

Application No 16/00658/FULPP Ward: St Mark's
Applicant: Mr G Lizio
Decision: **Permission Granted**
Decision Date: 14 September 2016
Proposal: Erection of part single storey and part two storey rear extension following demolition of existing outbuilding
Address **39 High Street Farnborough Hampshire GU14 6HP**

Application No 16/00661/FULPP Ward: West Heath
Applicant: Mr Rai
Decision: **Permission Granted**
Decision Date: 19 September 2016
Proposal: Erection of a two storey side extension and single storey rear extension
Address **18 Whittle Crescent Farnborough Hampshire GU14 9EB**

Application No 16/00663/FULPP Ward: Knellwood
Applicant: Mrs L Norris
Decision: **Permission Granted**
Decision Date: 12 September 2016
Proposal: Erection of a two storey rear and single storey side extensions, erection of pergola and retention of 2m closeboard fencing with trellis along incorporating access gates
Address **52 Cedar Road Farnborough Hampshire GU14 7AX**

Application No 16/00666/FULPP Ward: Empress

Applicant: Mr Aaron Shepherd

Decision: **Permission Granted**

Decision Date: 23 September 2016

Proposal: Erection of a two storey side and rear extension

Address **122 Union Street Farnborough Hampshire GU14 7PX**

Application No 16/00671/FUL Ward: Cove And Southwood

Applicant: Mr John Paine

Decision: **Permission Granted**

Decision Date: 13 September 2016

Proposal: Erection of a side porch

Address **28 Larch Way Farnborough Hampshire GU14 0QN**

Application No 16/00674/FULPP Ward: Empress

Applicant: Bilfinger GVA

Decision: **Permission Granted**

Decision Date: 27 September 2016

Proposal: Reconfiguration of ground floor layout, including installation of a new entrance doors in front elevation of building to serve upper floor office accommodation, to facilitate access to upper floor offices self-contained from existing ground floor bank premises

Address **31 - 37 Victoria Road Farnborough Hampshire GU14 7NR**

Application No 16/00676/FULPP Ward: Aldershot Park

Applicant: Mr & Mrs Kapur

Decision: **Permission Granted**

Decision Date: 19 September 2016

Proposal: Erection of a part single and part two storey rear extension

Address **431 Stockbridge Drive Aldershot Hampshire GU11 3RT**

Application No 16/00683/FULPP Ward: Fernhill
Applicant: Mr Stuart Mitchell
Decision: **Permission Granted**
Decision Date: 22 September 2016
Proposal: Erection of single storey side extension
Address **1 Bridge Cottages Hawley Lane Farnborough Hampshire GU17 9ES**

Application No 16/00685/FULPP Ward: Aldershot Park
Applicant: Mr & Mrs Hepburn
Decision: **Permission Granted**
Decision Date: 19 September 2016
Proposal: Erection of detached garage to rear
Address **110 Lower Farnham Road Aldershot Hampshire GU12 4EJ**

Application No 16/00687/CONDPP Ward: Empress
Applicant: Knight Frank Investment Management
Decision: **Conditions details approved**
Decision Date: 15 September 2016
Proposal: Submission of details to comply with condition 13 (lighting strategy) attached to planning permission 15/00813/FULPP for the erection of an extension to existing shopping centre to provide two retail units to include external display areas to front, alterations to the external appearance of existing tower feature, creation of rear service yard with access from Hawthorn Road and alterations to existing car park layout and landscaping at Proposed Extension To Princes Mead
Address **Proposed Extension To Princes Mead Westmead Farnborough Hampshire**

Application No 16/00688/FULPP Ward: St Mark's
Applicant: Mr Peter Watts
Decision: **Permission Granted**
Decision Date: 28 September 2016
Proposal: Creation of a first floor extension to existing bungalow and erection of a single storey side extension
Address **25 Whites Road Farnborough Hampshire GU14 6PB**

Application No 16/00690/FULPP Ward: North Town
Applicant: Mr & Mrs J Wade
Decision: **Permission Granted**
Decision Date: 22 September 2016
Proposal: Erection of a two storey side extension with boundary fencing
Address **1 Haig Road Aldershot Hampshire GU12 4PS**

Application No 16/00692/FUL Ward: West Heath
Applicant: Mr And Mrs Mawdsley
Decision: **Permission Granted**
Decision Date: 21 September 2016
Proposal: Erection of a two storey side extension and single storey front and rear extension following demolition of existing detached garage
Address **81 Blunden Road Farnborough Hampshire GU14 8QP**

Application No 16/00693/FULPP Ward: Knellwood
Applicant: Mrs Christine Maskell
Decision: **Permission Granted**
Decision Date: 27 September 2016
Proposal: Erection of a single storey front extension
Address **2 Syon Place Farnborough Hampshire GU14 7EH**

Application No 16/00698/REVPP Ward: Manor Park
Applicant: Landley Homes Ltd
Decision: **Permission Granted**
Decision Date: 23 September 2016
Proposal: Removal of Condition No.12 (energy performance requirements) of
planning permission 15/00695/FULPP dated 6 November 2015
Address **10 - 14 Elms Road Aldershot Hampshire GU11 1LJ**

Application No 16/00699/FULPP Ward: St John's
Applicant: Mr & Mrs Haustead
Decision: **Permission Granted**
Decision Date: 27 September 2016
Proposal: Erection of single storey front and first floor side extension
Address **14 Juniper Road Farnborough Hampshire GU14 9XU**

Application No 16/00700/FULPP Ward: West Heath
Applicant: Mr David Hanks
Decision: **Permission Granted**
Decision Date: 28 September 2016
Proposal: rection of a single storey front extension
Address **54 Glebe Road Farnborough Hampshire GU14 8QU**

Application No 16/00705/HCC Ward: St Mark's
Applicant: Hampshire County Council
Decision: **No Objection**
Decision Date: 13 September 2016
Proposal: Hampshire County Council Consultation: Retrospective application for
canopies outside temporary classroom
Address **Marlborough County Infant School Redvers Buller Road Aldershot
Hampshire GU11 2HR**

Application No 16/00708/FUL Ward: Aldershot Park

Applicant: Mrs L Allen

Decision: **Permission Granted**

Decision Date: 29 September 2016

Proposal: Erection of single storey side and rear extension

Address **20 Gloucester Road Aldershot Hampshire GU11 3SL**

Application No 16/00710/HCC Ward: Cherrywood

Applicant: WENDY AGOMBAR

Decision: **No Objection**

Decision Date: 27 September 2016

Proposal: HAMPSHIRE COUNTY COUNCIL CONSULTATION: Temporary double modular building for use by Henry Tyndale. To be sited at Farnborough Grange Community Infant/Nursery School at Farnborough Grange Nursery and Infant Community School

Address **Farnborough Grange Nursery And Infant Community School Moor Road Farnborough Hampshire GU14 8HW**

Application No 16/00728/FUL Ward: Aldershot Park

Applicant: Mr And Mrs Kavanagh

Decision: **Permission Granted**

Decision Date: 29 September 2016

Proposal: Erection of a two storey rear extension

Address **136 Tongham Road Aldershot Hampshire GU12 4AT**

Application No 16/00784/NMA Ward: Knellwood

Applicant: Mr G Applegate

Decision: **Permission Granted**

Decision Date: 27 September 2016

Proposal: Non- Material Amendment to application 16/00139/FULPP dated 30th March 2016 to allow the insertion of an obscure glazed bathroom window in the side elevation at ground floor

Address **Whitehaven 133 Sycamore Road Farnborough Hampshire GU14 6RE**

Enforcement and possible unauthorised development

1. Introduction

This report considers current matters of enforcement and possible unauthorised development. Authority to take planning enforcement action is delegated to the Head of Planning. Matters that require a Committee decision are reported, together with delegated decisions to take action.

It is not an offence to carry out works without planning permission and the National Planning Policy Framework (NPPF) states that enforcement action is discretionary and that local planning authorities should act proportionately in responding to suspected breaches of planning control. Local authorities are also advised to take action only where it is appropriate to do so. The purpose of this report is normally, therefore, is to report to Committee matters that are breaches of planning control but where it is recommended that it is not expedient to take enforcement action.

2. Policy

The Council's Approach to Planning Enforcement is set out in the adopted Local Enforcement Plan. The essential thrust of the Plan is that we will not condone wilful breaches of planning law but we will exercise our discretion about taking enforcement action if it is considered expedient to do so. The priorities with regard to enforcement are:

- To focus our resources to ensure that the most pressing and harmful issues are addressed appropriately.
- In determining the expediency of enforcement action we will have regard to the seriousness of any harm which is evident as a result of a breach of planning control.
- Matters which can potentially have a serious impact on the safety or amenity of residents or occupiers of property or on the natural environment will take priority over minor infractions and matters of dispute between neighbours.

3. Items

Each item contains a full description, details of any investigation, and an assessment of the situation and concludes with a recommendation.

This report relates to:

Item 1 Delegated Decisions to take Enforcement Action

All information, recommendations and advice contained in this report are understood to be correct at the time of writing this report. Any change in circumstances will be updated verbally at the Committee meeting. Where a recommendation is either altered or substantially amended between preparing the report and the Committee meeting, a separate sheet will be circulated at the meeting to assist Members in following the modifications proposed.

4. Human rights

The Human Rights Act 1998 (the Act) has incorporated part of the European Convention on Human Rights into English law. Any recommendation either to take or not to take enforcement action has been assessed to make sure that the decision is compatible with the Act. If there is a potential conflict this will be highlighted in the individual report on the relevant item.

5. Financial implications

There are no direct financial implications arising from this report. However, in the event of an appeal, further resources will be put towards defending the Council's decision. Rarely, and in certain circumstances, decisions on planning enforcement cases result in the Council facing an application for costs arising from a planning appeal. Officers will aim to alert Members where this may be likely and provide appropriate advice in such circumstances.

Keith Holland
Head of Planning

BACKGROUND PAPERS

Rushmoor Local Plan Review (1996-2011)[saved policies]

Rushmoor Core Strategy (October 2011)

Rushmoor Local Enforcement Plan (2016)

National Planning Policy Framework (NPPF)

Item 1

Delegated Decisions to take Enforcement Action

The Following Decision is reported for INFORMATION purposes only. It relates to a decision to take enforcement action that has already been made by the Head of Planning in accordance with the Council's adopted Scheme of Delegation.

Address	86 Rectory Road, Farnborough
Ward	Knellwood
Decision	Issue Enforcement Notice
Decision Date	23 September 2016
Reasons	Operational Development, erection of a static caravan in the rear garden and use as residential accommodation.
Alternatives	No Action – would endorse unauthorised bad, non-policy compliant development. Therefore enforcement action necessary.
Case Officer	John Thorne
Associated Documents	Enforcement Reference 15/00205/OTHER

Recommendation: To Note

**VARIATION OF LEGAL AGREEMENT RELATING TO WELLESLEY (AUE)
DEVELOPMENT – RESIDENTIAL TRAVEL PLAN**

1. Introduction

- 1.1 The first residential phase of the Wellesley development (Aldershot Urban Extension) is largely completed with 55 practical completions in Development Zone A – Maida, of which 51 units are occupied (September 2016).
- 1.2 The purpose of this report is to seek authority to vary the terms of the 2014 section 106 agreement (“the Agreement”) in respect of the owner/developer’s obligation to provide financial security for the Residential Travel Plan in the form of a deposit/bond to be paid to Hampshire County Council (HCC). This deposit or bond was originally referred to in the legal agreement as the ‘Residential Travel Plan Secured Amount’.
- 1.3 The proposed amendments relate to obligations between Hampshire County Council and the Owner/Developer under Schedule 2 and 4 of the Principal Agreement. The variations do not affect obligations between Rushmoor (RBC) and the Owner/Developer, which are contained within Schedule 1 and 3 of the Principal Agreement.
- 1.4 This following report sets out details of each of the proposed changes, considers the consequences of the changes and the implied risk to the Council/County Council in agreeing it.

2. Background

- 2.1 In March 2014 planning permission, 12/00958/OUT was granted for the redevelopment of former military land to provide up to 3,850 dwellings together with a neighbourhood centre, two primary schools, open spaces and other associated facilities.
- 2.2 A Residential Travel Plan was submitted and approved with the Outline Planning Application for the purpose of delivering and maintaining sustainable transport targets in respect of the residential element of the development. The implementation of the Travel Plan was secured by way of relevant clauses in the section 106 legal agreement.
- 2.3 Grainger (the developer) and Hampshire County Council have recently agreed in principle, certain changes to the financial security for the Residential Travel Plan. The principal change is a reduction in the initial amount of financial security - newly defined as the ‘Residential Travel Plan Deposit’ - which has reduced from £750k to £220k.

- 2.4 In this regard, the proposed variation would secure a ‘Residential Travel Plan Initial Deposit’ of £220k payable to HCC by Grainger prior to occupation of 25 residential units (it is noted that this number of occupations has now been exceeded and will need to be adjusted in consultation with HCC). Grainger would be required to top up this sum in the form of a ‘Residential Travel Plan Further Deposit’ in the event that HCC required access to funds in default, in the specific circumstances set out in the revised agreement. Any top up, together with the principal sum, shall not exceed £750k (the original amount of the security). It is intended the cash deposit would be paid to HCC but would not be ring fenced into a separate account over which HCC would have a charge.

3. Changes to the Legal Agreement

- 3.1 The proposed amendments relate to Covenants between Hampshire County Council and the Owner/Developer under Schedule 2 and 4 of the Principal Agreement. The variations being sought relate to:-
- a) **The amount of the initial residential travel plan deposit and the triggers for topping up the balance of the fund** (*Replacement of Paragraph 1.1 (f) of Schedule 2 of the Principal Agreement*)

Advantages –

HCC have confirmed the rationale behind the significant reduction in the financial security agreed, from the original figure negotiated with Grainger in the s106 agreement. HCC has advised Solicitors acting for the RBC that in the current economic climate, the County Council do not require any developers to provide Travel Plan bond/cash deposits in excess of £500k. Therefore, in the case of Wellesley, a figure of £220k would be appropriate. In any event HCC and RBC would be protected as the overall cap of £750k (the original amount of the security) still remains, taking into account the initial £250k and any top ups from Grainger required on default.

Comment –

Solicitors on behalf of RBC have raised a specific issue with HCC. The current drafting would appear to allow Grainger to delay any top up payment to HCC until the trigger points in the agreement are reached i.e. 1,000 residential units, 2,000 residential units, 3,000 residential units and so on. This may cause problems for HCC in the event of them having to draw on the funds at an early stage in the development between 25 units when the Residential Travel Plan Initial Deposit is made, and the next payment at 1,000 residential units. This could be resolved by making an amendment to the draft to require the top up payments to be paid “*on demand and in any event prior to occupation of 1,000 residential units*”. This is particularly important as there is no restriction on occupation of the 1,000 residential units until the top up is paid. This matter is currently being discussed.

- b) **The circumstances in which the County Council shall be entitled to use the residential travel plan deposit** (*New Paragraph 1.1 (g) of Schedule 2 of the Principal Agreement*)

Comment –

RBC has no objection in principle to the proposed variations.

- c) **The circumstances in which the County Council shall return any unspent portion of the residential travel plan deposit** (*Replacement Paragraph 5 of Schedule 4 of the Principal Agreement*)

Comment –

RBC has no objection in principle to the proposed variations to Paragraph 5 of Schedule 4.

- d) **Amendments to the Definitions relating to the residential travel plan deposit** (*Clause 1.1 of the Principal Agreement*)

Comment –

RBC has no objection in principle to the proposed changes to the definitions contained within Clause 1.1 of the Principal Agreement.

4 Recommendation

- 4.1 That the Solicitor to the Council, subject to being satisfied, in consultation with the Head of Planning and Hampshire County Council be **AUTHORISED** to enter into a Deed of Variation under section 106A of the Town & Country Planning Act incorporating the changes set out in paragraph 3.1 above.

Keith Holland
Head of Planning
Ann Greaves
Solicitor to the Council

Contact: Maggie Perry – tel.no. 01252 398711 maggie.perry@rushmoor.gov.uk

Background Papers

Planning permission 12/00958/OUT and associated legal agreement dated 10 March 2014

Development Management Committee
12th October 2016

Directorate of Community
and Environment
Planning Report No. PLN1636

Appeals Progress Report

1. Appeal Decisions

- 1.1 Appeal against an Enforcement Notice requiring the removal of 24 UPVC windows from an extended and converted building containing 5 flats at: **14 Church Circle, Farnborough** (14/00071/CONSRV).
- 1.2 The unauthorised development consists of the removal of original windows and installation of UPVC windows in the original building, and the installation of UPVC windows in the approved extension which do not match those of the original building or those approved in planning permission for the extension. The building lies within a conservation area. The appeal was lodged on Ground (a) [that planning permission should be granted for the unauthorised development the subject of the Notice].
- 1.3 The Inspector found the Enforcement notice issued by the Council to be flawed on legal grounds: First, that the condition which the notice sought to enforce did not refer to the installation of 'single glazed timber sash windows' as alleged; and secondly that the notice referred to 24 windows whilst there are 26 in the appeal property. A third matter, an erroneous reference to a sub-section of the legislation, was in the Inspector's view, a minor matter which could be corrected without difficulty for the appellant. The appeal decision is dated 21st September 2016.
- 1.4 The Inspector therefore allowed the appeal and quashed the notice on legal grounds. The planning merits of the case were not therefore considered or determined. Consideration will therefore be given to the preparation and issue of a new enforcement notice seeking to address the unauthorised development.

Decision – Appeal **ALLOWED**

2. Recommendation

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

Keith Holland
Head of Planning