



ADDENDUM

Planning Services



Welcome from Councillor Alan Oliver Chairman of the Planning Committee

On behalf of the members of the Planning Committee and the officers, I would like to welcome you to this evening meeting. I should be grateful if you would ensure that your mobile phones are switched off during the meeting.

To help you get a better understanding of the way the Planning Committee works, I have listed a few points below.

How the Committee makes a decision

The Planning Committee's decision on an application can be based only on planning issues. These issues include:

- Local, regional and national policies and Government guidance;
- The design, appearance and layout of a proposed development;
- Road safety and traffic;
- The effect on the local area and local properties;
- Loss of light and overlooking;
- Nuisance caused by noise, disturbance and smell; and
- Protecting buildings and trees

The agenda

You will find copies of the agenda in the public seating area of the Council Chamber. At the front of agenda, the planning applications being discussed are listed in order of the application number.

Extra information sheets

There may be an additional information sheet attached to this welcome letter. You should read this with the agenda. These sheets detail any comments received after the report was written, updates, comments and a list of the public speakers under each item number.

Introducing the Committee

Below is a list of the 11 members of the Planning Committee in alphabetical order:

Councillor Simon Ambler
Councillor Brian Blewett
Councillor Graham Cockarill
Councillor Ange Delaney
Councillor John Kennett
Councillor Alan Oliver

Councillor Richard Quarterman
Councillor James Radley
Councillor Tim Southern
Councillor Sharyn Wheale
Councillor Jane Worlock

Committee Procedures

The Chairman will announce the application to be discussed, a Planning Officer will then give a short presentation followed by Public Speaking if applicable.

The rules for Public Speaking are detailed in the Council's leaflet 'Public Speaking at Planning Committees'. A copy of this leaflet is available by contacting 01252 774419.

The Committee will then discuss the application and make a decision. The member in whose ward the application is located will normally open the discussions.

The committee may decide to:

1. Approve the application
2. Refuse the application
3. Defer consideration e.g. for further information or amendments or
4. Defer consideration for a site visit by a panel of Councillors (the viewing panel).

If you have any more comments about the Planning Committee process, please email committeeservices@hart.gov.uk

ADDENDUM SHEET

SUMMARY OF ADDITIONAL INFORMATION AND CHANGES TO RECOMMENDATION TO BE PRESENTED AT COMMITTEE

ADDENDUM FOR THE PLANNING COMMITTEE OF 11th November 2020

PAPER B – Validation Requirements

In the Validation List there is a formatting error under the Parking Statement/Plan section. It should read:

Parking Statement/ plan	Information required
When required	
a) Proposals where there is an increased requirement for vehicle parking and/or where existing parking arrangements are changing (this includes increase in bedroom numbers)	<ul style="list-style-type: none">• Details of existing and proposed parking provision in when there is an increased need for car/lorry parking and/or where existing car/lorry parking arrangements are changing.
b) All new residential and new/expanded commercial development will require the provision of cycle stores.	<p>Where cycle stores are required;</p> <ul style="list-style-type: none">• Location, elevations and materials for cycle stores <p>Cycle stores must be designed and sited to minimise their impact and should, wherever possible, be either incorporated internally as part of the building or sited behind the building line.</p> <p>See also Saved Policy GEN1 of the Hart District Local Plan (Replacement 1996-2006 And Policy 13(d) of the Hart Local Plan (Strategy and Sites) 2032, The Council's Interim Guidance and Manual for streets</p>

PAPER C – Fleet Police Station

There is an error in the report at paragraph 3.5. The proposed reasons for refusal should be identical to those listed in the officer report that is appended to the paper.

For clarity paragraph 3.5 should be amended to read as follows:

Reasons for Refusal:

3.5 The Committee is therefore requested to resolve that, had it been in a position to determine the application now at appeal, it would have refused the application for the following reasons:

1. The proposed development would not provide an adequate level of affordable housing. As such, the proposal is contrary Policy H2 of the Hart Local Plan (Strategy and Sites) 2032 and the aims of the National Planning Policy Framework.
2. The proposed development would not achieve a high-quality design or positively contribute to the overall appearance of the area. As such, the proposal is contrary to Policy NBE9 of the Hart Local Plan (Strategy and Sites) 2032, Saved Policy GEN1 of the Hart Local Plan (Replacement) 1996-2006, Policy 10 of the Fleet Neighbourhood Plan and the aims of the National Planning Policy Framework.
3. The site is located within 5km of the Heath Brow and Bourley and Long Valley Site of Special Scientific Interest which forms part of the Thames Basin Heaths Special Protection Area. In the absence of any evidence that the test of no alternatives under Regulation 62 of The Conservation of Habitats and Species Regulations 2017 can be satisfied, or evidence that there are grounds of overriding public interest, the proposed development, either alone or in combination with other plans or projects, would be likely to have a significant adverse effect on the Special Protection Area. As such, the proposal is contrary to Saved Policy NRM6 of the South East Plan, Policies NBE3 and NBE4 of the Hart Local Plan (Strategy and Sites) 2032 and Policy 17 of the Fleet Neighbourhood Plan.

Appendix 1 to Paper C

Since the Officer report was drafted, Officers have been further reviewing the application including the Appellant's Statement of Case and would make the following additional comments to be taken into account by the Planning Committee on the following points:

Housing Tenure/Provision of Affordable Housing

Planning Policy requires the provision of 40% Affordable Housing and this should be provided on site. In this case the Appellants are not proposing to provide any affordable housing on site and are relying on the Vacant Building Credit to reduce the overall level of affordable housing. As set out in the report this reduces the overall level to 28% affordable housing. The Appellant's are proposing a contribution in lieu of delivery on site and have requested that the Council accepts a contribution based on what the scheme could viably deliver.

The Council has been in a series of discussions with the Appellant over the provision

of affordable housing on this site. The Council has procured expert advice from Avison Young (AY) to assist Officers in appraising the Appellant's viability appraisal. Whilst some matters have been agreed there are many areas that are not agreed.

Immediately prior to the appeal being lodged the Appellants did provide a further update to their Viability Report; "Affordable Housing & Viability Response to Avison Young Audit" (Sept 2020). In this document the Appellants have narrowed the issues and made changes to some of their assumptions. The result is that the original offer of £197,000 that was previously indicated has been increased to £297,186. As set out previously this would be a contribution in lieu of on-site provision of Affordable Housing. This figure is still somewhat short of the amount that AY have recommended that the development could viably deliver; AY have recommended that the scheme could contribute £705,000.

It should be recognised that a contribution of £705,000 would not secure the equivalent of 8.86 dwellings which would be number of the units that would be affordable if we were to secure on-site provision of 28% of the development being Affordable.

Given the differences that remained between the Council and the Appellants on this point and the fact that there are substantive issues with the scheme relating to the Thames Basin Heaths Special Protection Area (TBHSPA) and Design, the Council did not accept the amended information. This is because accepting the amended information would not have changed the ultimate outcome of the application.

Impact on the Thames Basin Heath Special Protection Area (TBHSPA)

Officers would like to clarify with the Planning Committee that although the Appellant's continue to indicate that they have entered into a Deed of Covenant to secure access to a third party Suitable Alternative Natural Greenspace (SANG), no evidence of this agreement has ever been supplied. The Committee should note that although this agreement is referenced in the Appellant's Statement of Case for the appeal, a copy of the Deed has not yet been supplied to the Council or to the Planning Inspectorate.

In addition, the mitigation or avoidance measures required are two-fold, not only does there need to be SANG provision but there should also a financial contribution made to the Council relating to the Strategic Access Management and Monitoring (SAMM) project. The Appellant has failed to enter into such an agreement or even agree Heads of Terms with the Council.

The Appellant, in the submission of their Shadow Appropriate Assessment clearly accept that their development would have a "likely significant effect" on the TBHSPA. In the absence of any information to the contrary or to appropriate mitigation or avoidance measures having first been secured, it is not possible for the Council to conclude that the development would not have an adverse effect on the TBHSPA. For that reason, the application would have been recommended for refusal.

Other Matters

The Council has a Public Sector Equality Duty under the Equality Act 2010. "Age" is identified as a "protected characteristic" and as such the Council must have regard to this in any decision it makes. In this case, the proposal is for older persons accommodation and the Council must consider the impact on older people should the application not be granted. In particular this would relate to access to older persons accommodation. As stated elsewhere in the report there is a need for older people accommodation that needs to be met in the District and this does weigh in favour of the Development. However, this housing could be delivered elsewhere or in an alternative form which does not conflict with the objectives of Development Plan. Balancing the needs of the elderly does, in this case not outweigh the harm caused by not providing sufficient/adequate affordable housing, failing to deliver a site of sufficient quality in design terms and failing to mitigate against the impact on the TBHSPA.