



**NOTICE OF MEETING**

**Meeting:** Planning Committee  
**Date and Time:** Wednesday 11 November 2020 7.00 pm  
**Place:** Council Chamber  
**Telephone Enquiries to:** Celia Wood  
**Members:** Ambler, Blewett, Cockarill, Delaney, Kennett, Oliver (Chairman), Quarterman, Radley, Southern, Wheale and Worlock

Joint Chief Executive

CIVIC OFFICES, HARLINGTON WAY  
FLEET, HAMPSHIRE GU51 4AE

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**AGENDA**

**This meeting is being administered under the provisioning of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meeting) (England and Wales) Regulations 2020. The Provision made in this regulation applies notwithstanding any prohibition or other restriction contained in the standing orders or any other rules of the Council governing the meeting and such prohibition or restriction had no effect.**

**This Agenda and associated appendices are provided in electronic form only and are published on the Hart District Council Website**

**1 MINUTES OF PREVIOUS MEETING (Pages 3 - 4)**

The Minutes of the meeting held on 14 October 2021 to be confirmed and signed as a correct record.

## **2 APOLOGIES FOR ABSENCE**

To receive any apologies for absence from Members\*.

**\*Note:** Members are asked to email Committee Services in advance of the meeting as soon as they become aware they will be absent.

## **3 CHAIRMAN'S ANNOUNCEMENTS**

## **4 DECLARATIONS OF INTEREST**

To declare disclosable pecuniary, and any other, interests\*.

**\*Note:** Members are asked to email Committee Services in advance of the meeting as soon as they become aware they may have an interest to declare.

## **5 LOCAL VALIDATION REQUIREMENTS LIST (Pages 5 - 6)**

To request that the Planning Committee agrees to the adoption of the local list of validation requirements for planning applications.

### **RECOMMENDATION**

Planning Committee agree the adoption of the Local Validation List as set out in Appendix A to come into effect on 16th November 2020.

## **6 19/02659/FUL - POLICE STATION, 13 CROOKHAM ROAD, FLEET – NON-DETERMINATION PLANNING APPEAL (Pages 7 - 25)**

To inform the Planning Committee of the submission of the non-determination planning appeal and to establish what the decision of the Planning Committee would have been had it determined the application.

Addendum

**Date of Despatch: Tuesday, 3 November 2020**

## **PLANNING COMMITTEE**

**Date and Time:** Wednesday 14 October 2020 at 7.00 pm

**Place:** Council Chamber

**Present:**

Ambler, Blewett, Cockarill, Delaney, Kennett, Quarterman, Radley, Southern and Worlock

**In attendance:**

**Officers:** Maskill, Shared Legal Services, Vincent, Whittaker and Wood

### **19 MINUTES OF PREVIOUS MEETING**

The Minutes of the meeting held on 12 August 2020 were confirmed and signed as a correct record.

### **20 APOLOGIES FOR ABSENCE**

Councillor Quarterman chaired the meeting in Councillor Oliver's absence.

### **21 CHAIRMAN'S ANNOUNCEMENTS**

Item 7 on the Agenda – Development Applications. Item no 101 – 20/01602/FUL – 72 Christchurch Drive, Blackwater, GU17 0HH, had been withdrawn.

### **22 DECLARATIONS OF INTEREST**

None declared.

### **23 PLANNING WORKING PARTY PEER REVIEW**

Planning Committee were updated following the Planning Committee Working Party's review of those recommendations from the Planning Peer Review that specifically relate to the Planning Committee. Planning Committee were asked to accept the recommendations as detailed below.

Members voted on each of the recommendations in turn after a brief discussion.

Note: Councillor Blewitt left the meeting at 7.16pm and returned at 7.20pm to vote on recommendation number 3 only.

## **DECISION**

- 1 That the Planning Committee agree to move request for a motion on each planning application after the debate.

- 2 That the Planning Committee agrees to retain the ability to ask questions of the public speakers
- 3 That the Planning Committee continues to use the Major Sites Sub-Committee provided that in the case of applications referred to it by the Planning Committee, clear terms of reference, including whether the decision is to be taken by the Sub-Committee, are given.

**24 OBJECTION TO ORD/20/00001 “THE LAND NORTH OF WINCHFIELD COURT TREE PRESERVATION ORDER, 2020”**

The Committee was asked to consider one email objection which related to this Tree Preservation Order (TPO). The TPO protected a number of trees within an area of open space adjacent to Pale Lane and to the north of Winchfield Court. The issue of this TPO was considered expedient as there was an immediate threat to trees at this site. It was thought that an older TPO ref: ORD/14/00071 provided protection but no evidence could be found that this TPO had ever been confirmed. As, such that TPO would lack effect.

Members were informed that the Tree Replacement Notice for the felled Yew tree runs separately to this TPO.

**DECISION**

That TPO ORD/20/00001 be confirmed with modification as below:

Remove Yew, T2 to be shown by striking through on the schedule.

**25 DEVELOPMENT APPLICATIONS**

As per the Chairman’s Announcement Item No: 101 - 20/01602/FUL - 72 Christchurch Drive, Blackwater, GU17 0HH, had been withdrawn and was not discussed.

The meeting closed at 7.40 pm

## PLANNING COMMITTEE

**DATE OF MEETING:** 11<sup>th</sup> NOVEMBER 2020

**TITLE OF REPORT:** LOCAL VALIDATION REQUIREMENTS

**Report of:** Head of Place

**Cabinet Portfolio:** Place

### 1 PURPOSE OF REPORT

- 1.1 To request that the Planning Committee agrees to the adoption of the local list of validation requirements for planning applications.

### 2 OFFICER RECOMMENDATION

- 2.1 Planning Committee agree the adoption of the Local Validation List as set out in Appendix A to come into effect on 16<sup>th</sup> November 2020.

### 3 BACKGROUND

- 3.1 Local Planning Authorities (LPA) are required to publish information listing what is required to accompany planning applications so that we can “validate” them. The Validation list comprises of two parts, the National List (the requirements are prescribed in legislation) and the Local List (local discretion). The National List requirements are set out in the Development Management Procedure Order.
- 3.2 The Local List should set out only the information required to make an application “valid”. National advice requires Council’s to be proportionate in the amount of information that they require to make an application valid. The Council is not prevented from seeking additional information at a later date in order to properly assess an application. Whatever information is required to accompany an application should be proportionate to the nature of the application. There can be a tendency to over prescribe Local Requirements. This creates a bureaucratic and administrative burden for applicants and the Council itself and can give rise to criticism from applicants.
- 3.3 Planning Committee last reviewed the contents of the Local List in March 2018. The Council is required to review the contents of the Local List every two years and as a consequence the current local list is out of date.

### 4 CONSIDERATIONS

- 4.1 Work on the new Local List began in Summer 2019 and we were ready to consult on the list in Spring 2020 however work was delayed due to the Covid-19 pandemic. Officers have undertaken a full and comprehensive review of the Local List to ensure that its contents are appropriate and aligned with the newly adopted Development Plan Policies. As a result of the changes we were required to carry out a full public consultation; this took

place in August-September 2020. Consultation details were published on the Council's website, from the 4<sup>th</sup> August to the 14<sup>th</sup> September. The Council also consulted with Statutory and non-Statutory Consultees including the Town and Parish Councils.

- 4.2 A summary of the consultation responses is appended to this report (Appendix B). The Local List has been reviewed in light of those comments and amended where necessary. The amendments made were to the supporting text and guidance rather than to the List itself; these are all relatively minor and no further public consultation is required. It should be noted that comments were received suggesting that the requirement for Flood Risk Assessments had been missed. However, these are required under National Legislation and the Validation documents have been amended to reflect this. In addition
- 4.3 Officers have reviewed not only the content of the List but also its format in order to simplify the checklists.

## **5 CONCLUSIONS**

- 5.1 The Local Validation Checklist has been produced in line with the requirements of the National Planning Policy Framework, the National Planning Practice Guidance and the Council's Adopted Development Plan. The submission of the right information at validation is a significant factor in making timely and good-quality decisions on planning applications within statutory periods.
- 5.2 In light of the above, it is recommended that the Planning Committee adopt the Local Validation Requirements as set out in Appendix A to this report.

## **6 FINANCIAL AND RESOURCE IMPLICATIONS**

- 6.1 There are no financial or resource implications and any costs incurred with the publication of the Local Validation Requirements will be met from within existing budgets.

**Contact Details:** Emma Whittaker [emma.whittaker@hart.gov.uk](mailto:emma.whittaker@hart.gov.uk)

### **APPENDICES**

Appendix A: The Revised Local List Validation Checklist (November 2020)

Appendix B: Schedule of Consultation Responses

## PLANNING COMMITTEE

**DATE OF MEETING:** 11 NOVEMBER 2020

**TITLE OF REPORT:** 19/02659/FUL - POLICE STATION, 13 CROOKHAM ROAD, FLEET – NON-DETERMINATION PLANNING APPEAL

Report of: HEAD OF PLACE

### 1. PURPOSE OF REPORT

- 1.1 To inform the Planning Committee of the submission of the non-determination planning appeal and to establish what the decision of the Planning Committee would have been had it determined the application.

### 2. OFFICER RECOMMENDATION

- 2.1 It is recommended that the Committee confirm that it would have **REFUSED** planning permission for the reasons set out in the appended officers' report.

### 3. BACKGROUND

- 3.1 Members are advised that a non-determination planning appeal has been lodged with the Planning Inspectorate, on 14<sup>th</sup> October 2020, in relation to the application for the demolition of existing building and redevelopment of the site to form 31 retirement apartments including communal facilities, retention of existing access, car parking and landscaping.
- 3.2 A copy of the officers' report is attached as Appendix 1.
- 3.3 The planning appeal is to be dealt with by way of a Public Inquiry but no date has yet been set. The Council is required to submit its Statement of Case shortly and this report therefore seeks to establish the putative reasons for refusal that the Committee would have sought to have imposed should they have been in a position to determine the application.
- 3.4 It is considered that there are three issues of concern in respect of the application, namely the design of the proposed development, the lack of adequate provision either on-site or through a financial contribution toward the provision of affordable housing and the lack of appropriate avoidance measures to address the potential impact of the development on the nature conservation value of the Thames Basin Heaths Special Protection Area. These issues, along with other material considerations, are discussed in detail in the appended officers' report.

## 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. Affordable Housing

The application has failed to provide the optimum quantity and mix of affordable housing that is viable. 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. Design

By virtue of the proposed layout, massing and appearance, the proposed development would not achieve a high-quality design, positively contribute to the overall appearance of the area or be keeping with local character. 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. Impact on the Thames Basin Heaths Special Protection Area

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.

## 4. CONCLUSION

4.1 The Planning Committee are requested to confirm that, had they been in a position to determine the planning application for a residential development on land at Fleet Police Station, 13 Crookham Road, Fleet, they would have resolved to refuse the application for the reasons specified above.

Contact Details: Robert Moorhouse, Principal Planning Officer, ext. 4075;  
robert.moorhouse@hart.gov.uk

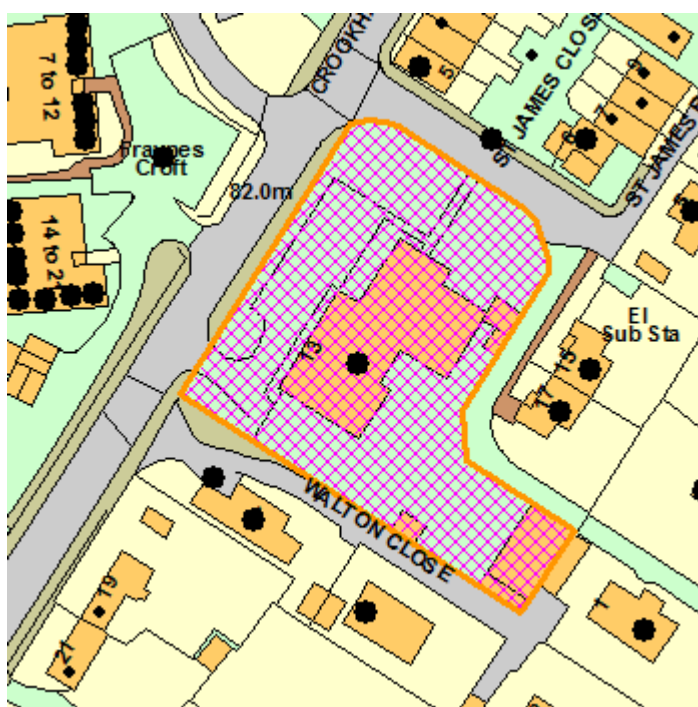
## APPENDICES:

Appendix 1 – Delegated Planning Application Report



**COMMITTEE REPORT  
ITEM NUMBER:**

APPLICATION NO.	19/02659/FUL
LOCATION	<b>Police Station 13 Crookham Road Fleet Hampshire GU51 5QQ</b>
PROPOSAL	Demolition of existing building and redevelopment of the site to form 31 retirement apartments including communal facilities, retention of existing access, car parking and landscaping
APPLICANT	-
CONSULTATIONS EXPIRY	11 September 2020
APPLICATION EXPIRY	13 April 2020
WARD	Fleet Central
RECOMMENDATION	<b>Refuse</b>



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## THE SITE:

The application site consists of the former Fleet Police Station, 13 Crookham Road, Fleet. The site is now vacant and contains the former police buildings and associated garages, parking and hardstanding.

The site is bound by Crookham Road, St James Road and Walton Close. The locality comprises a mix of residential, commercial and civic uses. Fleet Town Centre, focused on Fleet Road, is to the north east.

A strip of land immediately to the south west of St James Road and part of the access spur leading to the Bowling Green to the south east is shown to be in the applicant's control but does not form part of the application site.

## PLANNING HISTORY:

Relevant planning history comprises:

19/00654/OUT - Outline planning application for up to 30 apartments for older people (sixty years of age and/or partner over fifty-five years of age), guest apartment, communal facilities and access. Withdrawn 11.06.2020.

20/00703/ADV - Erection of hoarding, 6m gates and pedestrian gate. Consent granted 27.05.2020.

17/01205/PREAPP - Outline pre-application advice for 14 dwellings. Meeting held 15.09.2017.

98/01103/FUL - Reinstatement of a fire damaged roof, infilling of two windows & garage doors & general refurbishment. Approved 23.12.1998. This application was made by Hampshire Constabulary Business & Property.

## PROPOSAL:

The application seeks full planning permission for the demolition of the existing buildings and redevelopment of the site to form 31 retirement apartments including communal facilities, retention of the existing access, car parking and landscaping.

The proposed apartments would consist of x19 one-bedroom apartments and x12 two-bedroom apartments. These would be supported by communal facilities including a one-bedroom guest suite, lobby, residents lounge and rear garden. The development would fall within Use Class C3 (Dwellinghouses).

The applicant is Churchill Retirement Living and the applicant has advised:

"The developments consist of 1- and 2-bedroom apartments and are sold by the Applicant with a lease containing an age restriction which ensures that only people of 60 years or over, or those of 60 years or over with a spouse or partner of at least 55, can live in the development."

The proposed development would consist of a single three storey building fronting Crookham Road. The main entrance to the building would be to the west and also provide access to a

car park of 20 vehicular spaces. Vehicular access would be from Crookham Road as per the arrangement for the former police station. Further details of the application can be found in the relevant section of this report.

## **CONSULTEES RESPONSES**

### Fleet Town Council

Objection. Previous comments stand:

The proposed amendments are very limited - removal of a plant room to provide an additional couple of parking spaces but parking still well below Hart's standards.

States need for older person living in the country and the District, but is the need in Fleet? Policy H1 requires provision of an appropriate mix of dwelling types and sizes having regard to the most up to date evidence on housing need. Fleet has a significant stock of housing for the elderly (over 55?) Does Fleet need more?

Previously questioned the veracity of the artists elevation on Crookham Road. The current level of the police station building, and Crookham Road pavement are level. The plan of the proposed development shows a slope down from Crookham Road to the new building which must mean a reduction in the site level of 1 to 1.5 metres to reduce the elevation to that shown, so extensive earth works to re-level the site.

Too bulky and out of keeping with surrounding properties.

The access to the town centre is difficult from a mobility vehicle as crossing Reading Road South is difficult.

### Highway Authority - Hampshire County Council

The existing access would be utilised and visibility of 2.4 metres by 43 metres has been demonstrated on drawing SWTP-P1031-DR-001 which meets the Manual for Streets requirements for a 30mph speed limit.

The development will not meet the adopted parking standards of Hart District Council (HDC). As the parking authority HDC should confirm if the reduction would be acceptable. Secure cycle storage should be provided in line with the requirements especially for use by staff.

No objection.

### Lead Local Flood Authority - Hampshire County Council

The information submitted by the applicant in support of this planning application indicates that surface water runoff from the application will be managed through permeable paving (option 1), or alternatively a cellular tank (option 2). Additionally, surface water will be discharged at greenfield discharge rates to the public surface water sewer through an existing connection after replacement. This is acceptable in principle since the existing site has an existing connection (secure outfall) for surface water.

No objection subject to planning conditions requiring a detailed surface water drainage scheme, agreement in principle from the sewer asset owner and details of long-term

maintenance arrangements for the surface water drainage system.

#### Thames Water

Surface water drainage condition recommended. No objection in relation to foul water sewerage network infrastructure capacity.

#### Natural England

As long as the applicant is complying with the requirements of Hart's Avoidance and Mitigation Strategy for TBHSPA through a legal agreement securing SANG and SAMM, Natural England has no objection on the grounds of the TBHSPA.

Requirement for the foul water to connect to the mains sewage necessary to avoid adverse impacts on the integrity of the nearby Basingstoke Canal Site of Special Scientific Interest. The preliminary drainage layout included the proposal for either direct or indirect foul connection. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure this measure.

#### HDC Countryside Officer

Objection. There is a requirement to secure SANGs and there is no evidence of this being secured. We do note that there is an intention to use the current Taylor Wimpey SANGs. Should this be the route that the applicant is favouring then they will also need to provide evidence that the SANGs is currently meeting its current required capacity and therefore able to accommodate this development.

#### HDC Landscape Officer

Objects, the application would not meet the design requirements of HLP06 Policy GEN1 or HLP32 Policy NBE9.

#### HDC Biodiversity Officer

No objection subject to condition.

The proposed application will not impact directly upon any designated sites of conservation value and there is limited potential for protected species to be present.

A precautionary approach should be undertaken with regards to breeding birds with work ideally taking place outside of the bird breeding season (March - September inclusive). If this cannot be done, then a check to ensure there are no active nests should be carried out immediately before work is carried out. Similarly, if a bat is subsequently discovered, works should stop immediately, and Natural England should be contacted.

In order to achieve a biodiversity net gain, a plan should be submitted showing locations where swift bricks can be incorporated into the design.

#### HDC Joint Waste Client Team

The Joint Waste Client Team has the following reservations:

Waste capacity - we have calculated that the site requires the following waste and recycling

capacity: 5 x 1100 litre waste containers, 5 x 100 litre recycling containers and 2-3 x 240 litre glass recycling containers. The site plan shows four containers in the bin storage area, which will provide insufficient waste and recycling capacity.

Glass recycling facilities - the site plan does not include the provision of 240 litre wheeled bins for glass recycling.

There needs to be space for additional waste and recycling containers for potential future services including the collection of food waste.

## **NEIGHBOUR COMMENTS**

One neighbour comment of support has been received. This states that that the proposal for a retirement home would appear to be a practical and visually appropriate use of this site.

## **POLICY AND DETERMINING ISSUES**

The Development Plan for the site and relevant policies are as follows:

### Saved policy from the South East Plan

Policy NRM6 - Thames Basin Heaths Special Protection Area

### Hart Local Plan (Strategy and Sites) 2032, adopted 30.04.2020 (HLP32)

SD1 Sustainable Development  
 SS1 Spatial Strategy and Distribution of Growth  
 H1 Housing Mix: Market Housing  
 H2 Affordable Housing  
 H4 Specialist and Supported Accommodation  
 H6 Internal Space Standards for New Homes  
 ED5 Fleet Town Centre  
 NBE3 Thames Basin Heaths Special Protection Area  
 NBE5 Managing Flood Risk  
 NBE6 Water Quality  
 NBE7 Sustainable Water Use  
 NBE9 Design  
 NBE11 Pollution  
 INF3 Transport  
 INF5 Community Facilities  
 INF6 Broadband or Successor Services

The HLP32 identifies the site as falling within the Fleet Settlement Boundary and approximately 50m south west of the Fleet Town Centre boundary.

### Saved policy from the Hart Local Plan (Replacement) 1996-2006 (updated 01.05.2020) (HLP06)

GEN1 General Policy for Development

Fleet Neighbourhood Plan (FNP, 2019)

Policy 10 General Design Management Policy  
 Policy 10A Design Management Policy related to Character Areas (for the purposes of this policy, the site is identified as been within the Fleet Town Centre Character Area at Appendix 5)  
 Policy 17 Thames Basin Heath SPA Mitigation  
 Policy 19 Residential Parking

The following policy and guidance have also informed this assessment:

National Planning Policy Framework (NPPF, 2019)  
 Planning Practice Guidance (PPG)  
 Hart, Rushmoor and Surrey Heath Strategic Housing Market Assessment 2014 -2032 (SHMA, 2016)  
 Government's Technical Housing Standards - Nationally Described Space Standard (2015)  
 Hart District Council Urban Characterisation and Density Study (UCDS, 2010)  
 Hart District Council Parking Provision Interim Guidance (PPIG, 2008)  
 Hart District Council Five Year Housing Land Supply from 1 April 2020 (September 2020)

PLANNING ASSESSMENT

The main planning considerations for the application comprise:

Principle of development  
 Housing quality, mix and tenure  
 Design  
 Transport and parking  
 Impact on the Thames Basin Heaths Special Protection Area

Principle of Development

HLP32 Policy SS1 seeks to direct and focus growth within settlements. Policy H4 relates to specialist and supported accommodation, including C3 uses for independent living, and states that such schemes will be permitted on sites within settlement boundaries.

Section 5 of the NPPF references the Government's objective of significantly boosting the supply of homes. Section 11 promotes the effective use of previously developed (brownfield) land.

The application site is previously developed land within the Fleet Settlement Boundary and close to Fleet Town Centre. The site is with an area characterised by residential, commercial and civic uses but is immediately adjacent to residential homes.

The police station use is a 'community facility'. In this instance, the former police station was vacated in 2015 and is no longer required. As such, there is no conflict with HLP32 Policy INF5.

With due regard to the above, the principle of residential development for older persons on this site is acceptable.

Housing Mix, Quality and Tenure

### Housing Mix

The application proposes x19 one-bedroom apartments and x12 two-bedroom apartments within a single building with a communal access.

HLP32 Policy H4 confirms that where proposals include C3 uses, which allow for independent living, the proposed mix of housing tenures, sizes and property types will be assessed in terms of Policy H1. Policy H1 (criteria a) requires that proposals for market housing will be supported where they provide an appropriate mix of dwelling types and sizes having regard to the most up to date evidence on housing need. The FNP does not contain a relevant policy in relation to housing mix.

The HLP32 (para. 124) cross references the SHMA and the 7% need for one-bedroom dwellings and 28% need for two-bedroom dwellings across the strategic housing marked area (which also includes Rushmoor and Surrey Heath). Specifically, in relation to housing for older persons, the HLP32 (para. 130) states:

"Local evidence suggests that there is a need for smaller homes, which would enable people to down-size where they are under-occupying their current homes. In sustainable locations, such as in the centre of towns and larger villages, applicants should investigate opportunities to provide new homes that are suitable for people of retirement age and older, looking to downsize."

The SHMA also identifies a trend for older persons to occupy smaller dwellings (paras. 13.12 and 13.23). Whilst the site is not within Fleet Town Centre, it is close to it and a relatively sustainable location.

In this instance, there is no objection to the principle of providing smaller units for older persons in this location.

The applicant has confirmed that all of the proposed units would comply with Part M4(2) of the Building Regulations in accordance with HLP32 Policy H1 (criteria b) which requires a minimum of 15% of the dwellings to do so.

The proposed development would be a single flatted block where it would not be feasible to provide a proportion of self-build homes (HLP32 para. 133) such that there is no conflict with HLP32 (criteria d) which seeks self and custom-built homes where suitable.

### Housing Quality

The overall design of the application proposal is considered in the relevant section of this report. In terms of the size of the proposed dwellings, the one-bedroom flats would be between 51.2sqm - 66.8sqm and the two-bedroom flats between 73.5sqm - 91.4sqm. All flats would meet or exceed the relevant requirements of the Government's Technical Housing Standards - Nationally Described Space Standard. The proposal therefore complies with HLP32 Policy H6.

### Housing Tenure

The application is for 31 dwellings and therefore subject to the affordable housing requirements of HLP32 Policy H2.

The application does not propose any on-site affordable housing. Instead, a financial

contribution towards the provision of off-site affordable housing is offered.

HLP32 Policy H2 requires 40% on site affordable housing of a tenure, size, type and standard identified. In this instance, the 'vacant building credit' (VBC) is applicable in accordance with the Government's Planning Practice Guidance (PPG) (para. 63). The PPG explains the VBC as follows:

"National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace." (Paragraph: 026 Reference ID: 23b-026-20190315).

The VBC applies to buildings that have not been 'abandoned' in accordance with relevant factors identified in the PPG: the condition of the property; the period of non-use; whether there is an intervening use; and evidence regarding the owner's intention. In this instance, the former police station was vacated in 2015, it is not in a poor state of disrepair (it has walls, windows, a roof etc), there is no intervening use and the owners have an intention to develop it and have submitted two planning applications to this end. Accordingly, as a matter of judgement, the existing building has not been abandoned and VBC applies to this application as below:

Existing building floorspace: 818sqm  
 Proposed building floorspace: 2,812sqm  
 Increase: +1,994sqm

Affordable housing should be sought on this 1,994sqm of additional floorspace. Or, to convert to a percentage:  $1,994 / 2,812 = 0.71$  (71%) of the development. In accordance with the national policy therefore, the affordable housing target for the application is 71% of the 40% affordable housing target at HLP32 Policy H2, this equates to a 28.4% affordable housing target for this application.

HLP32 Policy H2 states:

"Where it is robustly justified and it is clearly demonstrated that the provision of affordable housing on site is impractical, the Council may accept off-site provision, or a financial contribution of equivalent value in lieu of on-site provision.

Only when fully justified, will the Council grant planning permission for schemes that fail to provide 40% affordable housing, or fail criteria a) to g) above. Any such proposals must be supported by evidence in the form of an open book viability assessment, demonstrating why the target cannot be met."

The applicant has advised that they consider that the provision of on-site affordable housing within or alongside an open market sheltered retirement housing scheme on this site is impractical and would make it impossible to achieve a successful and sustainable development. This is in part due to service charges. The Council's Housing Team has liaised with the Council's preferred registered providers and advised that having on-site affordable housing is unlikely to be workable in this instance due to the single block, age restrictions and service charges.



The applicant has submitted a viability assessment that seeks to demonstrate the maximum amount of affordable housing that could be provided. An Audit of the applicant's 'Affordable Housing and Viability Statement (November 2019)' has been undertaken by Avison Young's (AY) on behalf of the Local Planning Authority. Discussions have taken place with the applicant to seek to secure the optimum quantity and mix of affordable housing that is viable and meets the identified housing need (as sought by Policy H2).

With regard to HLP32 Policy H2, guidance in the NPPF and PPG and informed by the AV Audit, it has not been demonstrated that the optimum quantity (in this case, financial contribution) has been offered for the following reasons:

Alternative Use Value - The alternative use value (AUV) of £925,000 is based on an illustrative scheme of x10 dwellings. The PPG (para. 17, ref ID. 10-017-20190509) states: "If applying alternative uses when establishing benchmark land value these should be limited to those uses which would fully comply with up-to-date development plan policies, including any policy requirements for contributions towards affordable housing at the relevant levels set out in the plan."

This raises a number of issues:

At the time of writing the applicants Statement (November 2019), the development plan policy affordable housing threshold was eleven dwellings. It is now ten dwellings so the AUV scheme would require a contribution to affordable housing (with due regard to vacant building credit).

Ten dwellings on a 0.28 ha brownfield site close to Fleet Town Centre is artificially low. By way of example, the next door site at Saint James Close which has been built out is nine dwellings on a 0.11ha site, so 81 dwellings per hectare (HDC reference 09/01699/FUL).

The application is for 31 retirement flats, three times more units than the AUV scheme. Even allowing for economies of scale associated with such schemes, this is a significant difference in terms of quantum of development.

A 2017 pre-application proposal was received for a 14-dwelling scheme (HDC reference 17/01205/PREAPP), again in excess of the AUV scheme used.

Development Costs - it is not clear why has the general BICS build cost (£1,751 per sqm) has been used in lieu of the three storey figure (£1,656 per sqm). The marketing and sales costs are generally high, an aggregate disposal fee of 3.5% has been adopted by AY as opposed to the 5.5% by the applicant.

Developer Profit - 20% is high and not justified in this instance. It is at the top end of the 15-20% figure referenced in the PPG (para. 018, ref ID. 10-018-20190509). Furthermore, 18% is used for the AUV scheme. AY have included a capital value for the guest suite.

The result of these differences is a payment in lieu of £197,000 offered by the applicant, against a figure of £705,000 considered to be the maximum amount the scheme could provide by AY.

Further discussions have taken place with the applicant following the AY Audit, however an agreed position has not been reached and any information provided by the applicant to inform these later discussions has not been formally accepted as part of the application. Consequently, the applicant has failed to fully justify that the optimum quantity of affordable

housing that is viable would be provided and is in conflict with HLP32 Policy H2 and para. 62 of the NPPF which seeks to create mixed and balanced communities.

## Design

The application proposes a three storey L shaped building with the long frontages to Crookham Road (north west) and Walton Close (south west). A communal amenity garden would be provided to the rear of the building on the east part of the site and a car park to the south, accessed from Crookham Road. The main access to the building would be from the access road to the south west. The proposed building would feature a pitched roof, gables, dormer windows and balconies. The predominant elevation material would be red brick, light cream render and brick accents are also proposed. The roof would consist of grey tiling.

The starting point for consideration is the sites context, this is reinforced by HLP32 Policy NBE9 and the NPPF (para. 130), i.e. taking the opportunities for improving the character and the quality of the area. This is further reinforced by the National Design Guide.

Key opportunities in this context comprise:

Enlivening the Crookham Road elevation.

Breaking the mass of the building down and settling it into its context; avoiding a monolithic and dominant building mass.

Create active frontages with the streets the development has an interface with.

Create a garden that receives maximum sunlight.

Surface water management and habitat creation.

Local identity.

The Urban Character and Design Study (UCDS) identifies the site to be in 'Area D Fleet Road' of the Fleet Town Centre Neighbourhood Area. A number of locally listed and positive buildings are identified in the sub area on the Townscape Analysis Map. The UCDS identifies Area D as sensitive to change and notes the following characteristics (Appendix 1, pg. 10):

"Area D: Fleet Road

Principal retail area of Fleet retaining its Edwardian character

Mix of early 20th century purpose-built shops, with some 1960s infill and a 1980s shopping mall (The Hart Centre)

Many locally listed buildings, mainly located in the south west part of the road

Two-three storeys with a common building line, often on the back of the pavement

The historic buildings are notable for their use of red brick, tile hanging, steeply pitched roofs and gables facing the street

By contrast, the inappropriate scale and poor-quality detailing of the Hart Centre and some of the 1960s buildings

A number of specific 'negative' buildings where sensitive redevelopment would be welcome."

In this instance, there are a number of concerns raised in respect of the design approach adopted in the application.

The development would fail to integrate and interact successfully with Crookham Road. The proposed building would be set back approximately 5m from Crookham Road and below the level of Crookham Road. This would result in a fundamental disconnect between the building and Crookham Road. This disconnect would be further reinforced by the proposed hedge and railing boundary treatment. Further, the main entrance would not be on Crookham Road,

instead the main entrance (and main entrance lobby) would address the car park and a second 'shoppers' access is proposed to St James Road.

All the elevations show how the boundary treatments would create a deadening effect around the edges of the site, creating largely inactive as opposed to active frontages.

The proposed amenity garden would be orientated eastwards and would be substantially in shadow most of the time.

As such, in urban design terms the orientation and the arrangement of the building has been approached in a way that is not responsive to the site and its context.

The north end of the Walton Close elevation would be seen when approaching Fleet Town Centre on Crookham Road, which is identified as a 'primary road' in the UDCS (Legibility and Movement Map, Appendix 1, pg. 2). This is proposed as a largely blank and un-expressive corner element which would be the first impression of this development when approaching from the south.

The St James Road (north east) elevation shows a largely blank elevation and overbearing building mass. The rear elevation (south east, also to St James Road) shows the dominant and heavy roof mass that is proposed.

In combination, these present the proposed building as large and with a rather monolithic building mass. The depth is greater than much of the surrounding context.

In terms of materials, sources of reference are more generic than memorable, and it is unclear why more locally distinctive buildings have not been identified as points of reference (for example, those identified in the UCDS). The proposed building appearance and details are generic with use of relatively functional building details such as UPVC.

Waste and recycling storage are proposed within an external store on the south west boundary of the site. However, the Council's Joint Waste Client Team have advised that the proposed bin store would provide insufficient waste and recycling capacity.

In terms of other design and sustainability matters:

External lighting locations have been indicated. A detailed external lighting scheme could be secured by condition to meet the requirements of HLP32 Policy NBE11.

The development would provide a communal garden of 954sqm. It is recommended that a planning condition could secure its detailed design and maintenance to ensure compliance with HLP32 Policy INF4.

The applicant has confirmed that all dwellings will meet the water efficiency standard of 110 litres/person/day as required by HLP32 Policy NBE7. This could be secured by condition.

The development proposes the use of photovoltaic cells, which is supported in principle within the context of HLP32 Policy NBE9(j). The provision of the photovoltaic cells could be secured by planning condition.

The applicant has confirmed that the development will be served via high speed broadband as sought by HLP32 Policy INF6. This could be secured by condition.

For the reasons identified above, the development would not achieve a high-quality design or positively contribute to the overall appearance of the area, as required by HLP32 Policy NBE9 and FNP Policy 10. The proposal would fail to be in keeping with local character and conflict with HLP06 Policy GEN1 in this regard. For the same reasons, the development

would not meet the design requirements of the NPPF (para. 127).

### Residential Amenity

There are residential uses to all sides of the application site on Crookham Road, St. James Road and Walton Close.

Fraynes Croft is a two storey development opposite the site on Crookham Road which the Crookham Road elevation of the proposed development would face. Fraynes Croft is orientated eastwards at an approximate angle of 45 degrees from the proposed building. At its nearest point (the south corner), it would be approximately 25m from the proposed building. The east elevation would be between 25-45m from the proposed building as it steps back from Crookham Road. There is some existing hedging and trees to the front of Fraynes Croft adjacent to Crookham Road that would provide some screening. Given the above, the proposal would not result in a material loss of amenity to Fraynes Croft.

St James Road and St James Close includes three and two storey townhouses to the north east of the site and a two storey pair of semi-detached houses to the rear.

The north east elevation of the proposed building would be three storeys in height and approximately 12.5m from the facing elevation of 5 St James Close, which is a three storey dwelling. 5 St James Close contains windows serving habitable rooms on the facing elevation but these are secondary windows within dual aspect rooms (where they are habitable rooms). The proposed building would be set back from Crookham Road such that its north east frontage would face the rear half of the flank elevation of 5 St James Close. The nearest windows in the proposed building would be those serving dual aspect living rooms on the north corner.

The east flank of the proposed building fronting St James Road would have no direct facing relationship with 6 St James Close to the south east. The nearest facing elevation to 6 St James Close would be to the south west of the proposed amenity garden at a distance of approximately 38m.

The rear of the proposed building would include three storeys (10m) of south east facing flats facing the existing two storey residential dwellings at 15-17 St James Road. These would be approximately 24m distant at the nearest point with the proposed amenity garden between. The existing main rear elevation of the existing building is in a similar location at a similar height and there is currently further lower built form between.

The nearest part of the proposed building to 17 St James Road would be approximately 12m distant. There would be no direct facing relationship at this point and the only upper floor window on the south east flank elevation of the proposed building would be positioned on the south west side, away from and not overlooking 17 St James Road.

On the basis of the above distances, building heights and orientations, window positions and existing building on the site, the proposal would not result in a material loss of amenity to the occupiers of existing properties on St James Road or St James Court.

Walton Close runs parallel to the south west boundary of the site and includes four residential bungalows. That most likely to be impacted by the proposed development is 4 Walton Close. 4 Walton Close currently has an eastern outlook to the boundary wall of the site with the existing building at a distance of approximately 16.5m and height of approximately 5.5m, which then steps up to approximately 10m in height at a distance of

approximately 25m.

The proposed development would retain the approximate 16.5m distance. This would be at a ridge height of approximately 5.2m on the facing elevation with a pitched roof height of approximately 10m. Windows serving habitable rooms would be positioned on the proposed south west elevation. There would therefore be some impact upon the outlook from 4 Walton Close, and to a lesser degree 1-3 Walton Close. This impact should be seen in the context of the existing outlook from 4 Walton Close and there would be some mitigation provided by the boundary treatment and existing soft landscaping to 4 Walton Close. On this basis, whilst there will be a change in outlook, this would not result in a material loss of amenity to existing properties on Walton Close.

Furthermore, the application site is within Fleet close to the town centre where it is recognised that brownfield land should be efficiently used.

For the reasons identified above, the proposed development would not result in a material loss of amenity to neighbouring residential properties and would meet the requirements of HLP06 saved policy GEN1(iii) and the NPPF (para 127(f)) in this regard.

### Transport, Parking and Servicing

The proposed development would utilise the existing vehicular access from Crookham Road in the north west corner of the site. This would lead to refuse, buggy and cycle storage areas as well as three parallel parking spaces adjacent to the internal access road and the south west boundary to Walton Close. The internal access road would continue to the main parking area in the south east corner of the site comprising 17 spaces (including two disabled spaces) and a turning head. The development would therefore provide 20 car parking spaces in total. A vehicle tracking drawing has been provided to demonstrate that the end spaces in the far south east corner of the site can be adequately accessed. A vehicle tracking drawing has also been provided to demonstrate that a delivery van can access, turn and egress the site.

With reference to visibility splays and the 30mph speed limit, the Local Highway Authority have raised no highway safety concerns and have no objection to the application.

The development falls within the 'active elderly without resident warden' (as no warden would be permanently resident) category in the PPIG, the minimum parking standards for which are the same as for 'general residential'. The PPIG requires 1.5 vehicular spaces per one-bedroom and 2.5 vehicular spaces per two-bedroom unit in this location (Parking Zone 2). This equates to 58.5 spaces for the proposed development. The 20 spaces proposed (0.65 per unit) would represent a significant shortfall against the Council's adopted standards. Fleet Town Council have raised a concern regarding the level of parking being below the Council's standards.

The applicant has referenced a number of planning appeals relating to retirement living schemes where a relatively low parking ratio (and one much lower than the Council's standards) has been accepted by Planning Inspectors. These appeals were considered on their own merits and with reference to the typology and locational attributes of the individual proposals.

The applicant has also provided evidence from existing operational Churchill Retirement Living sites. This shows average parking provision at a ratio of 0.42 spaces per unit and average peak demand of 0.36 spaces per unit.

In this instance, the site is in a relatively accessible location close to Fleet Town Centre. The facilities of the Town Centre are within easy walking distance such that shopping and service provision that would meet the day-to-day needs of prospective residents and access to public transport would be provided.

The Council have received advice from a specialist transport consultancy in relation to the proposed level of parking. This included a review of the application and interrogation of car ownership and retirement flat parking data. The review identified:

Lower car ownership levels for households residing in flats (average 0.95) than houses (1.89) in the Hart 008 Middle Super Output Area, this relates to any flat not just retirement flats.

Average parking provision for flatted retirement schemes nationally of 0.5 (those on the TRICS database).

Providing low levels of car-parking can encourage future occupiers to alter a car-owning lifestyle and adopt an alternative lifestyle at a time they are already seeking to make a change. Prospective occupiers will be aware of this when viewing the site.

Existing parking controls in place around the site, limiting the likelihood of overspill parking. Potential misuse of unallocated parking within the proposed development without management, particularly given the proximity to the town centre.

The review concluded that the proposed provision would be sufficient to accommodate demand subject to the provision on a car park management plan.

With due regard to the accessibility of the site, evidence provided by the applicant and specialist transport advice received by the Council, the proposed parking provision at a ratio of 0.65 is appropriate in this instance such that the conflict with the quantum sought in the PPIG, and therefore HLP32 Policy INF3d) and FNP Policy 19 is acceptable. This conclusion is reached subject to a planning condition requiring a car parking management plan to control the use of the spaces.

There are no specific cycle parking requirements in the PPIG for active elderly schemes without a resident warden, however HLP32 Policy INF3 promotes sustainable transport modes and prioritising walking and cycling and Policy NBE9 requires sufficient well-designed bicycle storage. The development would provide a secure covered parking facility for five mobility scooters and cycles close to the main entrance lobby. The provision of this facility and design and quantum of cycle parking within it should be secured by condition to ensure compliance with the above policies.

The development would include a communal bin store close to the site entrance to Crookham Road accessible to residents. This would include recycling bins. On waste collection days, the lodge manager would move the bins out of the storage adjacent to Crookham Road and return them after collection. The Joint Waste Client Team have not raised an objection to this arrangement but do have concerns regarding waste and recycling capacity (see Design section of this assessment).

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

The TBHSPA is a network of heathland sites which are designated for their ability to provide a habitat for the internationally important bird species. The area is designated as a result of the Birds Directive and the European Habitats Directive and protected in the UK under the provisions set out in the Habitats Regulations.

The Habitats Regulations 2017 requires Local Planning Authorities (as the Competent Authority) to consider the potential impact that a development may have on a European Protected Site. In this case the TBHSPA.

Where applicable, South East Plan Policy NRM6, HLP32 Policies NBE3 and NMBE4 and FNP Policy 17 require adequate measures to avoid or mitigate any potential adverse effects on the SPA. The application proposed 31 net additional dwellings (Class C3 use) within the 400m - 5km TBHSPA 'zone of influence'. As such, adequate measures in accordance with the Habitats Regulations and above development plan policies are required.

There is much evidence and continued monitoring around the provision of Suitable Alternative Natural Greenspace (SANG) and the suitability/success of this in relation to the protection of the TBHSPA. In this instance, the applicant has advised that they are seeking to acquire privately owned SANG and that heads of terms for such an acquisition have been acquired. However, at the time of writing, evidence of the required amount of SANG has not been provided. Further, no legal agreement securing the necessary SANG has been agreed. Neither has a legal agreement to secure the necessary Strategic Access Management and Monitoring (SAMM) been agreed.

Accordingly, the Council is not able to undertake an Appropriate Assessment that would demonstrate that without the SANG mitigation and a contribution towards SAMM the proposal would not have a significant effect on the SPA. There is no evidence of grounds of overriding public interest and the application fails the test of 'no alternative solutions' (Regulation 64). In the absence of any appropriate mitigation, it is concluded that the scheme would fail to meet the requirements of the Habitats Regulations and that this development would, either on its own or in combination with other plans or projects, have a detrimental on the nature conservation status of the TBHSPA. Consequently, the application is unacceptable and contrary to South East Plan Saved Policy NRM6, HLP32 Policies NBE3, NBE4 and FNP Policy 17 in this regard.

### Other Planning Considerations

#### Ecology

The Council's Biodiversity Officer has advised that the proposed development will not impact directly upon any designated sites of conservation value and there is limited potential for protected species to be present. In order to achieve a biodiversity net gain as sought by HLP32 Policy NBE4, FNP Policy 10 and the NPPF (para. 175d)), a plan should be submitted showing locations where swift bricks can be incorporated into the design. This could be secured by condition.

A precautionary approach should be undertaken with regards to breeding birds and bats. This could be included within informatives on any permission issued.

#### Flood Risk and Drainage

The site is with Flood Zone 1 and no objections have been raised by the Lead Local Flood Authority or Thames Water. This is subject to planning conditions requiring a detailed surface water drainage scheme, discharge rates to and capacity of wastewater infrastructure and a maintenance plan for the surface water drainage system. Subject to these planning conditions, the proposed development would manage flood risk as required by HLP32 Policy NBE5 and FNP Policy 10.

## Planning Balance

The provision of 31 age restricted dwellings would make a contribution to the Council's housing land supply and this would support the NPPF objective of significantly boosting the supply of homes (para. 59). This is a planning benefit that is given moderate weight at this time. This is because the Council can demonstrate a very robust 10.2-year housing land supply (HDC Five Year Housing Land Supply from 1 April 2020, published September 2020) and a 241% housing delivery rate (Government Housing Delivery Test: 2019 measurement, published 13.02.2020).

The proposed development would make more efficient use of currently vacant brownfield land, as supported by the NPPF (Section 11). However, the weight given to this is reduced in the planning balance due to the unacceptability of the development proposal. The NPPF requires that in seeking to make effective use of land, this should be done while safeguarding and improving the environment (para. 117).

Notwithstanding the benefits identified above, the proposed development is in clear conflict with the development plan as a whole for the reasons identified in this report. There are no material considerations of sufficient weight to indicate a departure from the development plan should be taken in this instance.

## **CONCLUSION**

Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise (Planning and Compulsory Purchase Act 2004 38(6) and NPPF paras. 2 and 47).

The application has been assessed against the development plan and relevant material considerations and it is recognised that it would bring some planning benefits. However, a number of conflicts with the development plan have been identified as set out in this report relating to affordable housing and design. Furthermore, the proposed development would, either on its own or in combination with other plans or projects, have a detrimental impact on the nature conservation status of the TBHSPA. The development is therefore in conflict with HLP32 Policies H2, NBE3, NBE4 and NBE9, FNP Policies 10 and 17 and the NPPF.

Accordingly, in the event the application was brought before the Planning Committee, the application would have been recommended for refusal for the following reasons:

## **RECOMMENDATION - Refuse**

### **REASONS FOR REFUSAL**

- 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.



# **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](mailto: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:

<p>Parking Statement/ plan</p> <p>When required</p> <p>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)</p> <p>b) All new residential and new/expanded commercial development will require the provision of cycle stores.</p>	<p>Information required</p> <ul style="list-style-type: none"> <li>• 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.</li> </ul> <p>Where cycle stores are required;</p> <ul style="list-style-type: none"> <li>• Location, elevations and materials for cycle stores</li> </ul> <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, <a href="#">The Council’s Interim Guidance</a> and <a href="#">Manual for streets</a></p>
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**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.