

## **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.

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## APPENDICES:

Appendix 1 – Delegated Planning Application Report