

PLANNING COMMITTEE

09 October 2024

Amendment/Correction List after publication of Agenda

Additional Information for Councillors

Agenda Item 4 (Applications for Consideration)

Item 2

Application Reference R24/0405

Since the agenda was published, the Local Planning Authority (LPA) have received confirmation from the Planning Inspectorate that the applicants have lodged an appeal on the grounds of non-determination of this application by the Local Planning Authority. This appeal has been accepted by the Planning Inspectorate and is following the Written Representations procedure. The appeal process formally started on 02 October 2024, and appeal notifications have already been distributed by the Local Planning Authority.

This appeal means that the Local Planning Authority are no longer the determining authority for this application, as the Inspector assigned to the appeal will make the planning decision. However, the case is still being presented to Members for them to note and discuss as the Local Planning Authority require confirmation from the Members of the Planning Committee as to whether they support the officer recommendation for refusal. If the Members of the Planning Committee do support the recommendation, it will form the basis of the Local Planning Authority's defence against the appeal.

Officers are aware that the agent for the applicants has contacted some Cllrs, including the Chair and Vice Chair, setting out their position in terms of the ongoing need for asylum accommodation at Dunchurch Park Hotel. They have also identified several points in the agenda report that they disagree with, in particular their commitments to and needs of the Home Office in relation to onsite accommodation provision.

The agent states that the agenda report is missing details in relation to the need for asylum seeker accommodation and the contract between Signature Hotel Group Limited and SERCO, although they do go on to identify areas of the report where these matters were referred to. They also emphasis that *"this application seeks only to extend the timescale for which 40 temporary cabins located within the main car park at the hotel can be retained"*. The temporary nature of the development is already made clear in the agenda report and within the development description multiple times.

The need for asylum accommodation in the UK is recognised throughout the agenda report, as it was in both the LPA report for the original application and the Inspector's appeal decision. However, both the former Central Government Conservative administration and the current Labour administration identified the need to discontinue the use of hotels for this purpose, highlighting the negative impacts that such uses are having on the national economy and the amenities of affected communities. Notwithstanding this, the refusal to extend the temporary permission for the pods would have no effect on the hotel's ability to continue to accommodate asylum seekers in the permanent on-site accommodation as they

do now. They would also still have until the end of January 2025 to phase out the use of the pods, so there would be no immediate need to find alternative provision for the families currently occupying them.

When allowing the appeal, the Inspector clearly recognised the harm to the heritage assets arising from the development, and it was only because **at that time** there was an “*acute need*” that the Inspector considered that harm to be justifiable for the temporary period allowed. The applicants have so far been unable to provide evidence of an acute ongoing need for asylum accommodation within the pods supported by the Home Office. The Local Planning Authority has received correspondence from the Home Office confirming that the original contract ended in September 2024. Whilst the Home Office in this letter stated they would like to continue the use of the hotel for asylum accommodation, they did not specifically identify a need for the retention of the pods but would welcome the opportunity to use them if available. In addition, they did not agree an ongoing commitment to use the hotel at all for this purpose, despite the LPA seeking further clarification from them. They also clearly stated that they recognised this was a matter for the LPA to consider, and that they would respect our decision. Overall the LPA does not consider it has been unreasonable in its behaviour or stance, particularly owing to the national change in direction with using hotels for asylum seeker accommodation.

Section 12 of the agenda report exclusively addressed the Council’s obligations under the Equalities Act 2010. The agent states that asylum seekers “*are likely to have protected characteristics*” and that this means the PSED is engaged, a fact also recognised within paragraph 12.1 of the agenda report. This principle is not challenged by the LPA. However, as set out in Paragraph 12.2 of the agenda report, the refusal to permit retention of the pods would not mean the LPA had failed in its duty as accommodation on the site would continue.

RECOMMENDATION

Members of the Planning Committee are asked to confirm their support for the officer recommendation that the application should be **refused** on the grounds that continued heritage harm would be caused that has not been sufficiently justified.