



**SITE: POLICE STATION, 13 CROOKHAM ROAD, FLEET, HAMPSHIRE,
GU51 5QQ**

**CHURCHILL RETIREMENT LIVING LTD.
CHURCHILL HOUSE
PARKSIDE
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OCTOBER 2020

TOWN & COUNTRY PLANNING ACT 1990

APPEAL BY CHURCHILL RETIREMENT LIVING LTD AGAINST HART DISTRICT COUNCIL'S FAILURE TO DETERMINE A PLANNING APPLICATION FOR THE DEMOLITION OF THE EXISTING BUILDINGS AND REDEVELOPMENT TO FORM 31 APARTMENTS FOR OLDER PERSONS WITH ASSOCIATED COMMUNAL FACILITIES, PARKING AND LANDSCAPING.

SITE AT: POLICE STATION, 13 CROOKHAM ROAD, FLEET, HAMPSHIRE, GU51 5QQ

LPA REF: 19/02659/FUL

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1.0 INTRODUCTION

- 1.1 This statement has been prepared by Planning Issues Ltd. to support an appeal by Churchill Retirement Living Ltd against Hart District Council's failure to determine planning application reference 19/02659/FUL for the demolition of the existing buildings on site and redevelopment to form 31 apartments for older persons including communal facilities and associated car parking and landscaping. This document should be read in conjunction with the Draft Statement of Common Ground (SoCG).
- 1.2 Planning Issues is a subsidiary company of the Appellant. Planning Issues has provided planning advice to the Appellant on the proposed redevelopment of the appeal site since February 2019 and has acted as agent on behalf of the Appellant in submitting and pursuing the planning application that is now subject to this appeal.
- 1.3 This Statement provides a summary of the site and its surroundings, relevant planning policy considerations and planning history, a statement of the Appellant's case, and documentation which will be referred to in evidence.

2.0 Appeal Proposal

Appeal Site Description

- 2.1 The appeal site is an L shaped plot of land of approximately 0.29ha. The site falls from the eastern boundary to the western boundary. The site is currently vacant being formerly a police station. The police station building is of a red brick construction and sits centrally within the site. The buildings main entrance is located at the eastern boundary. On the south eastern boundary is a single storey garage block. A tarmac surfaced car park associated with the police station use occupies the north and eastern part of the site with access gained from Crookham Road. A secondary vehicular access is located to the south east from St James Road. The police station building is of two storeys in height with a pitched roof.
- 2.2 To the south of the site is Walton Close which incorporates a number of residential properties, separating the site from Walton Close is a high brick wall. To the west is Crookham Road and on the opposite side of the road is Grace Gardens and Fraynes Croft, both incorporate residential properties. To the north is St James Road and on the opposite side are residential properties which were built in approximately 2010. To the east is the access road to Fleet bowls club house and residential dwellings to the rear. The properties in the area range from single storey to three stories in height with the majority being of a

brick construction. The site is not within a conservation area or any other townscape designation.

- 2.3 Please see the design and access statement submitted with the application for further details on the appeal site and its context.

Appeal Proposal

- 2.4 The scheme the subject of this appeal is for the redevelopment of the site to form 31 apartments for older persons including communal facilities and associated car parking and landscaping.

- 2.5 The Appellant has specialised in the provision of purpose built apartments designed specifically for the elderly since 1998 and has provided development proposals throughout England and Wales. The accommodation proposed is specifically designed to meet the needs of independent retired people, and provides self-contained apartments for sale contained within a single block. The planning statement submitted with the application provides more information on the nature of the accommodation proposed and the benefits of specialised accommodation for older persons.

Relevant Planning History

- 2.6 The most recent planning history for the site is set out below:

17/01205/PREAPP - Outline pre-application submission for 14 residential units.
(Sept 2017)

19/00654/OUT - Outline planning application for up to 30 apartments for older people.

The Appellant submitted an earlier outline application for up to 30 apartments for older people. This application was withdrawn by the Appellant on the 10th June 2020.

3.0 Planning Application Process

- 3.1 The application subject of this appeal was submitted to Hart District Council in November 2019 and was validated on the 15th January 2020 following receipt of additional information.

- 3.2 At the time of writing (October 2020) the application remains undetermined and the LPA are unable to provide a timeframe for the application to be determined. The applicant has

therefore decided to appeal the application for the LPA's failure to determine the application within the statutory time period.

3.3 The application with additional information submitted to the Council on the 18th December 2019 included the following plans:

Drawing Title	Plan Number	Scale
Location Plan	10103FL PA00	1:1250 @A3
Site Plan	10103FL PA01	1:200 @A1
Ground Floor Plan	10103FL PA02	1:100 @A1
First Floor Plan	10103FL PA03	1:100 @A1
Second Floor Plan	10103FL PA04	1:100 @A1
Roof Plan	10103FL PA05	1:100 @A1
Crookham Road Elevation	10103FL PA06	1:100 @A1
Walton Close Elevation	10103FL PA07	1:100 @A1
St James Road Elevation	10103FL PA08	1:100 @A1
St James Close Elevation	10103FL PA09	1:100 @ A1
Indicative Photovoltaic Roof Layout	C526-Fleet-Mech	-
Existing Ground Floor Plan	FP01 Rev A	1:100 @ A1
Existing First Floor Plan	FP02	1:100 @ A1
Existing Elevations	EL 01 Rev A	1:100 @ A1
Topographical Survey	SU 01	1:200 @ A0
Landscape Strategy Plan	12773_TG_P01 Rev B	1:200 @ A1
Preliminary Drainage Layout	PDL-101 Rev A	1:200 @ A1
Proposed Lighting Plan	10103FL- SK001	1:200 @ A1

3.4 The Appellant amended the application in July 2020 with the following plans;

Drawing Title	Plan Number	Scale
Site Plan	10103FL PA01 Rev A	1:200 @A1

Roof Plan	10103FL Rev A	1:100 @A1
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3.5 The Appellant is of the view that the above-mentioned plans with the two amended site and roof plans are the plans subject of this appeal.

3.6 The application was also submitted with the following accompanying statements and information;

- Design and Access Statement by Churchill Retirement Living.
- Planning Statement by Planning Issues Ltd
- Drainage Strategy by AWP
- Transport Statement by AWP
- Ecological Desk Study by Ecosa Ltd.
- Shadow Habitats Regulation Assessment by Tyler Grange
- Ground Investigation Report by Crossfield Consulting
- Affordable Housing Viability Assessment by Planning Issues
- Statement of Community Involvement by Planning Issues
- Thames Basin Heath SANG Statement by Planning Issues
- Sustainability and Energy Statement by Planning Issues

4.0 DEVELOPMENT PLAN POLICY

- 4.1 This section of the SoC identifies the relevant national, regional, and local planning policies considered to be of relevance to the determination of the Appeal. It is anticipated that the applicable adopted and emerging national and local planning policy will be agreed with the Council through the SoCG. If certain matters cannot be agreed, evidence will be presented in relation to adopted and emerging national and local planning policy.
- 4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for the area consists of the Hart District Local Plan 1996-2006 (Saved Policies), Hart Local Plan (Strategy and Sites) 2032 and Fleet Neighbourhood Plan.

Development Plan Policy

Hart District Local Plan 1996-2006 (Saved Policies)

The relevant policies include:

- ❖ Policy GEN 1: General Policy for Development;
- ❖ Policy GEN 4: General Design Policy;
- ❖ Policy GEN 9: Contaminated Land;
- ❖ Policy CON 8: Trees, Woodland and Hedgerows: Amenity Value.

Hart Local Plan (Strategy and Sites) 2032 (April 2020)

- ❖ Policy SS1: Spatial Strategy and Distribution of Growth
- ❖ Policy H1: Housing mix: Market Housing
- ❖ Policy H2: Affordable Housing
- ❖ Policy H4: Specialist and supported accommodation
- ❖ Policy H6: Internal space standards for new homes
- ❖ Policy NBE4: Thames Basin Heaths Special Protection Area
- ❖ Policy NBE5: Biodiversity
- ❖ Policy NBE6: Managing Flood Risk
- ❖ Policy NBE7: Water Quality
- ❖ Policy NBE8: Sustainable Water Use
- ❖ Policy NBE10: Design
- ❖ Policy NBE12: Pollution
- ❖ Policy I1: Infrastructure
- ❖ Policy I2: Green Infrastructure
- ❖ Policy I3: Transport
- ❖ Policy I4: Open Space, Sport and Recreation

- ❖ Policy I5: Community facilities
- ❖ Policy I6: Broadband

Fleet Neighbourhood Plan (November 2019)

- ❖ Policy 10: General Design Management
- ❖ Policy 17: Thames Basin Heath SPA Mitigation
- ❖ Policy 19: Residential Parking

National Planning Policy

4.3 The National Planning Policy Framework (2019) (the Framework) sets out the Government's planning policies for England, and how these are expected to be applied, and is a material consideration in the determination of the Appeal.

4.4 The following sections are considered to be relevant to this appeal;

- Section 2 - Achieving Sustainable Development
- Section 4 - Decision-making
- Section 5 - Delivering a sufficient supply of homes
- Section 6 - Building a strong, competitive economy
- Section 8 - Promoting healthy and safe communities
- Section 9 - Promoting Sustainable Transport
- Section 11 - Making Effective use of Land
- Section 12 - Achieving well-designed places

4.5 In addition, the **National Planning Practice Guidance (PPG)**, launched on 6th March 2014, also contains relevant advice on the determination of planning applications and plan making. It is considered that the following sections are relevant to this appeal;

- Design
- Effective Use of Land
- Housing for Older and Disabled People
- Viability

Non-Statutory Development Plan Documents

4.6 The Council have adopted a number of supplementary planning documents in support of the Local Plan.

- ❖ Affordable Housing Informal Development Guidance (2019)
- ❖ Thames Basin Heath Interim Avoidance Strategy

- ❖ Community Infrastructure Policy (updated August 2014)
- ❖ Parking Provision Interim Guidance

5.0 Appellant's Case

- 5.1 The following section of the Statement of Case summarises the Appellant's evidence in relation to the proposed development at the Appeal site, prior to a full submission of the Appellant's evidence.
- 5.2 In the absence of reasons for refusal, the Appellant's case focuses on compliance of the scheme with the development plan and national planning policy, and the material planning benefits to be accrued by the proposed scheme. The Appellant's evidence will demonstrate that the scheme makes a significant contribution to housing and specialist housing need in a sustainable location and incorporates good-quality design appropriate to local character.
- 5.3 Given the failure of the LPA to determine the application and the absence of any reasons for refusal the Appellant will need to submit evidence separately addressing any deemed reasons for refusal cited by the LPA.

Five Year Housing Land Supply

- 5.4 Paragraph 73 of the NPPF requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement. The supply of specific deliverable sites should in addition include a buffer of 5%. The Council's five year housing land supply position from 1 April 2020 has been set out in a document published in September 2020 and identifies that the Council can identify a 10.2 years of deliverable land supply.

Principle of Development

- 5.5 The site is a vacant previously developed site within one of the main urban areas of the district. Policy SS1 of the Local Plan 2032 identifies that development will be focussed within the defined settlements (Fleet), on previously developed land in sustainable locations. Policy SS1 continues with the objective of delivering at least 6,208 new homes through new development and redevelopment within the defined settlement policy

boundaries. The proposed development of a previously developed site within Fleet for residential development complies with the spatial objectives of Policy SS1.

- 5.6 Supporting text to Policy INF5 identifies police stations as a community facility. The policy states that development proposals that would result in the loss of community facilities will only be supported if it is demonstrated that a suitable replacement facility of a similar or improved nature is provided that meets the needs of the local population or its current and intended users; or the existing premises are no longer required or viable and there is no alternative community use capable of meeting the needs of the local area. Hampshire Constabulary agreed to proceed with the closure and relocation from Fleet Police Station in December 2013 and it was confirmed surplus to requirements and put up for sale in July 2014. The property has been vacant for some time. The property as a police station is no longer required and policing for the community is provided from an alternative base, and has been for some time. The loss of the former police station complies with Policy INF5 of the Local Plan 2032.
- 5.7 The Appellant contends there is no objection to the principle of redeveloping the site subject of this appeal for specialised accommodation for older persons.

Design

- 5.8 The application was submitted with a design and access statement that undertook a thorough contextual analysis of the site and surrounding area. The scale and massing of the scheme at three stories is in keeping with the height of buildings in the locality. The traditional appearance of the building and use of a palette of materials common to the area ensure that the proposal is in keeping with the character and appearance of Crookham Road.
- 5.9 The site is not within a Conservation Area or any other areas of townscape designation. The site does not affect the setting of any designated or non-designated heritage assets.
- 5.10 The Appellant is an experienced provider of specialised accommodation for older people and designs schemes with the functional requirements of its end users in mind as well as the constraints and opportunities provided by the site. The Appellant is the view that the proposed scheme is a high quality design and that

planning permission should have been granted without further delay. Previous discussions with the local planning authority suggested that the scheme was acceptable to them in design terms, however in the absence of a decision notice the Appellant reserves the right to provide additional evidence in respect to the design response.

Neighbouring Amenity

- 5.11 The Appellant considers that the proposed scheme makes efficient use of the land whilst ensuring that the amenities of neighbouring residential properties are protected. The proposed scheme is in accordance with widely accepted standards for separation distances and it is considered that there would be no material loss of amenity to adjoining residential uses through loss of privacy or overlooking and the proposal complies with Policy GEN1 of the saved policies of the replacement Hart Local Plan 1996-2006.

Amenity Space Provision

- 5.12 The Appellant is a market leader in the provision of specialised accommodation for older people. The Appellant is committed to providing high and high impact visual landscaped amenity areas for their lodges. The age and nature of residents is such that the quantum of amenity space is not as important as the quality as residents use the space passively for sitting out in and socialising. In addition to the external amenity space provision shown on plan, arguably the most important area of amenity space provision is the Owners Lounge including coffee bar. This area allows residents to socialise throughout the year and throughout the day with regular activities and events planned. Mindful of the end user and the Appellant's experience of this form of accommodation it is considered that the proposal provides sufficient amenity space provision for the needs of prospective residents and is in compliance with the Local Plan.

Highways and Parking

- 5.13 The Appellant submitted a transport statement with the application which considered the transport aspects of the site and the proposed development. There was no objection raised to the proposed scheme from County Highways but

advised that it is for the District Council to determine whether the level of parking provision is acceptable. The transport statement include evidence from the Appellant's existing developments including a number in Hampshire to demonstrate that the level of parking provision is sufficient to meet the needs of the development and would not result in harm to highway safety. Accordingly, the Appellant considered that the proposal complies with the Local Plan policy 13 and Paragraph 109 of the NPPF which advises that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Thames Basin Heath SPA

- 5.14 The proposal site falls within 5km of the Thames Basin Heath Special Protection Area. Based on the Natural England standard calculation and the occupation rates of retirement living schemes the proposed development requires 0.32ha of suitable alternative natural green space. The Appellant has a deed of covenant with Taylor Wimpey Developments Limited to secure suitable alternative natural greenspace at Queen Elizabeth Barracks, Fleet. The Appellant considers that the agreed covenant demonstrates that adequate measures will be put in place to mitigate any potential adverse effects. Accordingly, the Appellant considers the proposal complies with Policy NBE3 of the Local Plan 2032.

Affordable Housing

- 5.15 The Appellant submitted a detailed viability assessment of the proposed scheme for the Council's consideration. This included evidence in respect to the viability inputs associated with specialised accommodation for older people which is acknowledged by national planning policy (PPG) to differ from mainstream housing in terms of its characteristics and viability consideration (e.g. additional communal areas, slower sales rate etc.). The Appellant also provided additional evidence in respect to a report produced on behalf of the Council by Avison Young. At the current time the local planning authority has not responded to the latest evidence submitted by the Appellant. On that basis the Appellant is assuming this to be a live issue for the appeal and would need to provide detailed expert advice on all aspects of development viability of the proposed scheme.

Planning Balance and Material Planning Benefits

5.14 It is necessary for the decision maker to carry out a planning balance exercise in respect to the application including consideration of the policy compliance of the application, its planning merits in meeting planning objectives and the consideration of other planning benefits. Evidence will be presented to demonstrate that in line with the social, economic, and environmental objectives of Paragraph 8 of the Framework, the scheme presents the following benefits:

- **Social Benefits:** The scheme creates an age-friendly environment. The design and internal layout of the buildings and the apartments help to address the on-set or increase of mobility problems. The companionship and community spirit which the proposal seeks to achieve can help to reduce feelings of isolation, loneliness, and depression. As such, many owners are better able to maintain health and general well-being. The scheme includes a wide range of organised onsite facilities and services. Should owners require home visits, doctors and other health care professionals can coordinate visits to several patients within one location rather than travelling to a number of separate destinations. There is an identified 'critical' need both nationally and locally for specialised accommodation for older people.
- **Economic Benefits:** The onsite facilities and services can all help to provide a meaningful reduction to the financial and strategic burdens on local health services. In addition, the scheme will introduce a new community to the area, and many residents are likely to visit local shops and businesses, often choosing to shop on a daily basis rather than travelling further afield, contributing to the local economy. People moving to retirement housing are generally vacating accommodation that no longer suits their needs. In most cases they are leaving property that is now too large for them and consequently are releasing under-occupied family dwellings back into the housing market, boosting supply, which is positive for the economy.
- **Environmental Benefits:** The proposed development will reuse a vacant and underused previously developed site rather than undeveloped greenfield

land. This is in line with a key principle of the Framework (Section 11) of encouraging the most effective use of land, and of giving substantial weight to the value of using suitable brownfield land. Local planning authorities are required to take a proactive role in helping to bring forward land suitable for meeting development needs. The scheme is located in close proximity to local shops, amenities, services, and commercial and social facilities. It is located within walking distance of Fleet Town Centre, close to the shops and other commercial and social facilities within the town and is well-served by local transport links. As such the proposal will reduce the reliance on private motor vehicles. In addition, the provision of shared facilities for a large number of people within a single building makes efficient use of both materials and energy resources.

6.0 WITNESSES

6.1 At this stage, we anticipate presenting evidence and witnesses to address the reasons for refusal which will be;

- Planning witness addressing planning policy, planning obligations and planning balance
- Design Witness
- Heritage Witness
- Development Viability Witness
- Surveyor providing evidence on land valuation

6.2 We will seek to reduce the evidence required through the production of an agreed Statement of Common Ground (SoCG), as indicated above and will continue to work with the Council to minimise dispute between parties.

Planning Conditions

6.3 A list of Planning Conditions will be discussed and agreed with the Local Planning Authority and will be included within the accompanying SoCG.

7.0 CONCLUSION

7.1 The Appellant's case clearly sets out that the Appeal Site is located in a sustainable location in Tenterden, within reasonable walking distance of key local services and facilities, is in accordance with the Local Plan for new development, and will deliver significant and tangible benefits to the new and existing community, including:

- The site is in a highly accessible location, making it suitable for older people housing;
- The location of the development will make a positive and sustainable contribution to the local economy in terms of placing development where it is needed in an accessible location ensuring there is no undue reliance on use of the private car for future occupants;
- The proposals contribute to a serious and significant local need for older people housing and to the Council's housing policy objectives in respect of delivery of private retirement housing;
- The Appeal proposal would assist in releasing and freeing up under-occupied houses elsewhere in the county back into the housing market;
- The development would allow independent living, reducing security worries for older people, reducing loneliness and isolation for older people by creating a community and having someone who can be called upon in an emergency;
- The proposal is a result of comprehensive engagement, pre-application discussions, and an evolving design process. This has resulted in a proposal that provided high-quality design which accords with the character of the area, whilst meeting the needs of the future occupiers;
- The use of the site for a retirement housing development is wholly appropriate at this location and the design of the proposal will make a positive contribution to the street scene which respects and enhances the character

and appearance of the Area of Outstanding Natural Beauty and does not detrimentally effect the setting of nearby listed buildings and the Tenterden Conservation Area.

- 7.2 On the basis of the above, we consider that the proposals accord with national and local planning policy, and in line with the presumption in favour of sustainable development and Paragraph 11 of the Framework, should be approved without delay.

