PLANNING STATEMENT

Land at Roundstone Caravan's Worthing Lane, Southwater, RH13 9JF

Demolition of Existing Buildings and Erection of 36 Retirement Living Apartments & 6 Retirement Living Cottages – including Lodge Manager's Office and Reception, Communal Facilities, Guest Suite, Parking and Landscaping

planningissues
TOWN PLANNING AND ARCHITECTURE

JANUARY 2022

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EXECUTIVE SUMMARY

I. This Planning Statement has been prepared in support of a detailed planning application for a proposed retirement living development on land at Roundstone Caravan Park, Worthing Road, Southwater, RH13 9JF. The application proposes redevelopment of the site to form 36 retirement living apartments, together with access, parking and landscaping and 6 cottages on behalf of Churchill Retirement Living.

II. The UK faces a rapidly growing and ageing population. The Government aims to 'significantly boost the supply of housing'. The PPG *is unequivocal in its message that "the need to provide housing for older people is critical".*

III Horsham District Council is no exception. There is a current shortfall of retirement accommodation in the District. Horsham has an ageing population and a range of housing options are required to meet needs and aspirations. The PPG is clear: *"where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need*." When considering the planning balance, substantial weight should be given to the proposal considering the high levels of specialist housing need identified.

III. The proposal is on a brownfield site. In accordance with the NPPF (para 118c) substantial weight should be given to *the value of using suitable brownfield land within settlements for homes.*

IV. The site is in a sustainable location. It offers opportunities for the future residents to walk to local shops and services and use the bus service if required to access Southwater centre. Substantial weight should be given to delivering development in a sustainable location.

V. The principle of development is considered acceptable. This is a brownfield site within the urban area and the proposal complies with policy 3 of the Horsham District Planning Framework.

VI. The scheme has been designed to reflect the character and scale of the surrounding area whilst making efficient use of this brownfield site. Moderate weight should be afforded to the efficient use of land as required by the NPPF.

VII. The annual delivery of homes in Horsham is falling short of the housing target. The contribution of 42 dwellings to the housing supply should therefore be afforded substantial weight.

VIII. The provision of retirement housing releases under occupied family homes back into the housing market. The shortage of family homes in Southwater is another current need. This should be afforded significant weight in the determination of the application.

IX. There are numerous economic, social and environmental benefits associated with the application. These should respectively be afforded substantial and moderate weight in the determination of the application.

X. The scheme is considered to meet the requirements of the development plan when read as a whole. Paragraph 11c of the NPPF provides that proposal which accord with the development plan should be approved without delay.

Ref:	Southwater	
Rev:	DRAFT	FINAL
Date:	12 January 2022	14 January 2022
Prepared by:	L Matthewson	L. Matthewson
Checked by:	S. Goodwill	S. Goodwill

1. INTRODUCTION

1.1 This Planning Statement has been prepared by Planning Issues Limited, on behalf of Churchill Retirement Living, in support of a detailed planning application for the proposed Retirement Living development on land at Roundstone Caravans, Worthing Road, Southwater, RH13 9JF.

1.2 This planning application seeks permission to redevelop the site for 36 retirement living apartments including communal facilities, access, car parking and landscaping and 6 cottages. The mix for the apartments comprises of 25 no. one bedroom apartments and 11 no. two bedroom apartments. The six cottages each have two bedrooms.

1.3 This planning statement accompanies a detailed planning application. It should be read in conjunction with the following supporting statements which accompany the application:

- Design and Access Statement by Planning Issues
- Transport Statement by Paul Basham Associates
- Flood Risk and Drainage Assessment by Awcock Ward Partnership;
- Water Neutrality Technical Note by Awcock Ward Partnership
- Landscaping Strategy by James Blake Associates
- Tree Protection Plan, Arboricultural Method Statement and Manual for Managing Trees on Development Sites by Barrell Tree Consultancy
- Ecological Impact Assessment by Tyler Grange
- Ground Investigation Report by Crossfield Consultants
- Affordable Housing Viability Assessment by Planning Issues
- Statement of Community Involvement by Dev Comms

1.4 The application includes the following plans:

- 20083SW/PL001 – Site Location Plan
- 20083SW/PL002 – Site Plan
- 20083SW/PL003 – Ground =Floor Plan
- 20083SW/PL004 – First Floor Plan
- 20083SW/PL005 – Cottages Floor Plans
- 20083SW/PL006 – Roof Plan
- 20083SW/PL007 – Elevations
- 20083SW/PL008 – Elevations
- 20083SW/PL009 – Elevations
- 20083SW/PL010 – Cottages Elevations

1.5 This statement briefly details the concept of retirement living; the national and local planning policy; an analysis of the scheme against the policy context and wider material considerations.

2. OLDER PEOPLE HOUSING

2.1 On 26th June 2019 the Government published Guidance[1] on '*Housing for older and disabled people*' to assist Councils' in preparing planning policies on housing for older and disabled people. The Guidance sets out that providing housing for older people is '*critical*'[2].

2.2 People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; by mid-2041 this is projected to double to 3.2 million.

2.3 Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.

The Applicant

2.4 The Applicant is a retirement property housebuilder based in the United Kingdom. They specialise in developments of purpose built apartments for older homeowners and currently has more than 160 retirement developments across the United Kingdom

2.5 The Applicant, Churchill Retirement Living, has specialised in the provision of purpose built apartments for older people since 1998 and has provided development proposals throughout England and Wales.

2.6 The accommodation proposed is specifically designed to meet the needs of independent retired people, and provides self-contained apartments for sale. A key aspect of the design is that the apartments are in a single block. This is essential for control over access, with safety and security being a key concern for individuals as they age. It also provides much greater benefits for social interaction. This is enhanced with the communal space, in particular the owners lounge, coffee bar and garden.

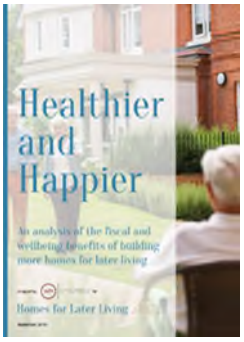
2.7 The type of housing proposed is defined as retirement living or sheltered housing within the PPG. It sets out:

> *"Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager."*

[1] *Planning Practice Guidance - www.gov.uk/guidance/housing-for-older-and-disabled-people*
[2] *Planning Practice Guidance, Paragraph: 001 Reference ID: 63-001-20190626. Available here: https://www.gov.uk/guidance/housing-for-older-and-disabled-people*

Retirement Living Explained

2.8 The Government published Guidance discussing the different types of specialist housing designed to meet the diverse needs of older people and defines '*Retirement living or sheltered housing*' as '*purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager*'[3].



2.9 A recent report by '*Healthier and Happier*' by WPI Strategy for Homes for Later Living sets out that '*housing with support, or Retirement Living – age restricted housing, typically for those aged 60 and above, with communal lounges and other facilities such as a shared laundry and a guest room. Importantly, support is provided by an on-site manager who is dedicated to the running of the development. Schemes are typically between 30 to 60 units in size*'.

2.10 The developments consist of one and two 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 of partner of at least 55, can live in the development.

2.11 Notwithstanding the age restriction, it is found that the average age of purchasers of the apartments are 79 years old and that they are typically occupied by a widow. The decision to purchase this type of development is predominantly needs based with three key drivers (i) current property has become too large to cope with and maintain, (ii) death of a partner or spouse, and (iii) an acceptance or desire to give up use and ownership of a private car

Communal Facilities

2.12 The communal facilities which are included within the developments are as follows:

- A **lodge manager** is employed by the Management Company to provide assistance and security for the owners of the apartments. The manager provides the safety and security necessary for many of the residents as they reach old age and increasing frailty. They would also be in charge of the day to day maintenance of the development and oversee the maintenance of the gardens etc. The manager has their own office near the entrance to the building in order that they can keep survey the coming and goings from the building. The manager is on call during normal working hours, however, at times when the manager is out of the development there is an emergency alarm system fitted in each of the apartments and communal areas for use by the residents in an emergency. This is in the form of a telephone system which can, if necessary, be activated by a button on a pendant which is worn

[3] *Planning Practice Guidance, Paragraph: 010 Reference ID: 63-010-20190626. Available here: https://www.gov.uk/guidance/housing-for-older-and-disabled-people*

around the owners' neck. This alarm system is linked to a national call centre which is manned 24 hours a day, 7 days a week. The response to the call is rapid;

- A **video entry system** which is linked to the owners' televisions in their apartments. This system allows complete security and instant recognition of the person who is calling at the main entrance door;

- An **owners lobby** is provided for use by all residents and their guests within the building;

- A **communal lift is** provided for use by all residents and visitors. The lifts are fitted with an emergency call system and seat. The lifts are wide enough to accommodate a wheelchair if necessary. One lift is provided within this development.

- A **communal landscaped garden area** is provided which is maintained by the Management Company.

- An **Owners Lounge** is provided for use by all residents and visitors. Owners can organise their own group activities, and the Applicants developments up and down the country have a range of gardening clubs, jigsaw, knitting, bridge and chess clubs to name just a few.

- A **guest suite** is provided for use by relatives of owners who wish to stay overnight. The room is fitted with twin beds and has a shower room and tea/coffee making facilities. The room can also be used by residents of other Churchill Retirement Living apartments who may wish to visit friends or family in the nearby area or indeed take a holiday away in an equally safe and secure environment;

- A **communal toilet** is provided for use by relatives and visitors;

- A **communal bin store** is provided for use by residents. This ensures that refuse and recycling does not build up in communal areas and the refuse collector can access and dispose of rubbish easily and quickly. The refuse room is accessible by residents through a set of doors from the inside of the building with both sets of external doors remaining locked shut at all times. The Lodge Manager is responsible for taking the bins to the back edge of pavement for the weekly (1 a week) collection from the development. The Lodge Manager will be responsible for bringing the bins back into the development following emptying. This will be the only time that the refuse room is opened and will remain locked whilst the bins are awaiting collection. The Lodge Manager will be responsible for monitoring the collection of refuse and as such the bins will not be left out for a lengthy period of time following collection;

- A **communal car parking area** is provided whereby spaces are unallocated.

- A **mobility scooter store (buggy store)** safe and covered area for housing and recharging battery buggies is also provided.

2.13 The apartments 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. It is suggested that this is secured by the following planning condition.

Each of the apartments hereby permitted shall be occupied only by:

- *Persons aged 60 or over; or*
- *A spouse/or partner (who is themselves over 55 years old) living as part of a single household with such a person or persons; or*
- *Persons who were living in one of the apartments as part of a single household with a person or persons aged 60 or over who has since died; or*
- *Any other individual expressly agreed in writing by the Local Planning Authority.*

2.14 Notwithstanding the age restriction, the average age of purchasers of the apartments are 79 years old, with the average age of all occupiers being late 80s. Typically 70% of apartments are single occupancy, often occupied by a widow. The decision to purchase this type of development is predominantly needs based, with residents required to move as their existing property is no longer suitable or they can no longer access the shops or services that they need.

2.15 A recent report 'Too Little, Too Late?' sets out that downsizing is key to tackling the national housing crisis. It acknowledges that under occupation is greatest among the elderly population but current housing stock in the UK limits their options. If more family homes are freed up by downsizing, the benefits would be felt across the housing market, with families being able to 'upsize' and smaller homes becoming available for first time buyers. This is further supported by a report 'Chain Reaction' (August 2020) which finds:

- Circa 3 million older people in the UK aged 65+ want to downsize
- If those that wanted to were able to do so, this would free up nearly 2 million spare bedrooms, predominantly in three bedroom homes with gardens, ideally suited for young families with children.
- The chain impact would be a major boost for first time buyers with roughly 2 in every 3 retirement properties built releasing homes suitable for first time buyers.

2.16 A recent report by Knight Frank acknowledges that whilst there is an increase in the number older people's housing units being developed, this rate is still dwarfed by the rapidly ageing population. By 2037, population projections suggest that one in four of us will be over 65. Thus even while delivery of older people's housing may increase, in real terms the numbers of older people housing units per 1,000 individuals is expected to drop. Thus a step change in new delivery is required if the huge imbalance between need and supply is to be addressed.

2.17 In addition, the majority of existing retirement housing is within the social rented sector, thus only available for those in need of affordable housing. A large proportion of older people are owner occupiers, and particularly own without a mortgage. They

are therefore unable to apply for social rented housing, and in many cases wish to retain equity and so would be looking for a property to buy.

Benefits of Retirement Housing

2.18 Older people's housing produces a large number of significant benefits which can help to reduce the demands exerted on Health and Social Services and other care facilities – not only in terms of the fact that many of the residents remain in better health, both physically and mentally, but also doctors, physiotherapists, community nurses, hairdressers and other essential practitioners can all attend to visit several occupiers at once. This leads to a far more efficient and effective use of public resources.

Economic

2.19 The report '*Healthier and Happier*' by WPI Strategy for Homes for Later Living explored the significant savings that Government and individuals could expect to make if more older people in the UK could access this type of housing. The research also looked at maximising independence and increasing social interaction – homes for later living can significantly improve the wellbeing of older people. The analysis showed that:

- *'Each person living in a home for later living enjoys a reduced risk of health challenges, contributing to fiscal savings to the NHS and social care services of approximately £3,500 per year.*
- *Building 30,000 more retirement housing dwellings every year for the next 10 years would generate fiscal savings across the NHS and social services of £2.1bn per year.*
- *On a selection of national well-being criteria such as happiness and life satisfaction, an average person aged 80 feels as good as someone 10 years younger after moving from mainstream housing to housing specially designed for later living.'*

2.20 Each person living in a home for later living enjoys a reduced risk of health challenges, contributing fiscal savings to the NHS and social care services of approximately £3,500 per year *(Homes for Later Living September 2019).* More detail on these financial savings is set out within the report.

2.21 With 42 units proposed, at a ratio of 1.3 people per apartment, there will be around 55 occupants. At a saving of £3,500 each per year, this equates to a saving of £192,500 per year in local NHS and social care costs, in comparison to mainstream housing. This is a significant economic benefit.

2.22 A recent report entitled *Silver Saviours for the High Street* (February 2021) found that retirement properties create more local economic value and more local jobs than any other type of residential development. For an average 45 unit retirement scheme, the residents generate £550,000 of spending a year, £347,000 of which is spent on the high street, directly contributing to keeping local shops open.

2.23 Retirement housing releases under-occupied family housing and plays a very important role in recycling of housing stock in general. There is a 'knock-on' effect in terms of the whole housing chain enabling more effective use of existing housing. In the absence of choice, older people will stay put in properties that are often unsuitable for them until such a time as they need expensive residential care.

2.24 An average retirement scheme will support the following new jobs:

- 85 construction jobs
- 1 permanent job in repairs and renovations
- 2.3 permanent jobs in management and care
- 3.2 permanent jobs on the local high street (residents are basket shoppers and will do their shopping locally)

2.25 Older peoples housing also helps to address a common and growing problem experienced by many local authorities by releasing housing onto the general market which is currently under-occupied; help to maximize urban previously developed land which helps to reduce pressure for development on more sensitive sites in greenfield locations; help to discourage the use of private vehicles by being located within highly sustainable locations in relation to town centres and public transport routes; and introduce a neighbourly use of the sites, which as a result can add to the vitality and vibrancy of district/town centres.

Social

2.26 *Retirement housing gives rise to many social benefits:*

- *Specifically designed housing for older people offers significant opportunities to enable residents to be as independent as possible in a safe and warm environment. Older homes are typically in a poorer state of repair, are often colder, damper, have more risk of fire and fall hazards. They lack in adaptions such as handrails, wider internal doors, stair lifts and walk in showers. Without these simple features everyday tasks can become harder and harder*

- *Retirement housing helps to reduce anxieties and worries experienced by many older people living in housing which does not best suit their needs by providing safety, security and reducing management and maintenance concerns.*

- *Churchill developments offer a formal coffee morning as well as a number of informal coffee gatherings. Residents often organise bridge clubs, gardening clubs and weekly film nights in the communal lounge. There are also group trips into the town centre for coffee and shopping. Churchill also organise a number of events each year such as summer garden parties, cheese and wine nights, musical nights with tribute acts.*

- *The Housing for Later Living Report (2019) shows that on a selection of wellbeing criteria such as happiness and life satisfaction, an average person aged 80 feels as good as someone 10 years younger after moving from mainstream housing into housing specifically designed for later living.*

2.27 *The requirement of the Framework at paragraph 92 to achieve healthy, safe and inclusive places are a fundamental part of the scheme proposed. These are key*

benefits that residents are looking for when they seek to move to a Churchill Retirement Living scheme.

Environmental

2.28 *The proposal provides a number of key environmental benefits by:*

- *Making more efficient use of land thereby reducing the need to use limited land resources for housing.*
- *Providing housing in close proximity to services and shops which can be easily accessed on foot thereby reducing the need for travel by means which consume energy and create emissions.*
- *Providing shared facilities for a large number of residents in a single building which makes more efficient use of material and energy resources.*
- *The proposal includes renewable technology through the use of solar panels to assist in the reduction of CO_2 emissions.*
- *All areas of the building will be lit using low energy lighting and where applicable utilise daylight and movement sensor controls.*

2.29 It is therefore considered that there are significant benefits that arise from a retirement housing development that will benefit the local community.

3. THE SITE AND PLANNING HISTORY

The Existing Site

3.1 The site is located in Southwater in a largely suburban location to the north of the Village Centre. The site itself comprises of the former sales and servicing area which was associated with Roundstone Caravans which have recently gone into administration and have vacated the site. There is an existing building which was the former shop which is set back within the site. The remainder of the site was used for caravan sales and is now cleared.

3.2 The site has an existing vehicular access which dissects the site in two, providing a vehicular access through to the Park Homes site which lies to the immediate east of the east. The vast majority of

3.3 The site measures 0.56 ha and is bound to the west by Worthing Road. To the immediate east of the site lies the park homes site. To the north and south are the rear gardens of residential dwellings.

Planning History

3.4 There is no relevant planning history which is associated with the site.

3.5 A pre-application submission was made to the Council in October, which due to current resourcing and priorities a response has not been received.

Proposed Development

3.6 This Planning application has been prepared in support of a detailed planning application for a proposed Retirement Living development on land at Roundstone Caravans to the east of Worthing Road. The application proposes redevelopment of the site to form 36 Retirement Living apartments, together with access, parking and landscaping and 6 retirement cottages on behalf of Churchill Retirement Living.

3.7 The proposed development will include a high-quality landscaped amenity space which surrounds the apartment building, and includes a communal garden seating area to the north east of the proposed building. These areas will be maintained in perpetuity by the management company, Millstream Management.

3.8 Vehicular access into the development is proposed to be off Worthing Road, whereby the existing route through the site to the existing Park Homes site to the immediate east is retained and shall be upgraded and resurfaced. In terms of the proposed layout, the apartments lie to the north of the access and the cottages to the south.

3.9 Further details of the proposed development can be found in the Design and Access Statement submitted in support of this planning application.

4. PLANNING POLICY FRAMEWORK

4.1 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 indicates otherwise.

4.2 The development plan for Horsham consists of the Horsham District Planning Framework (excluding South Downs National Park) November 2015. Southwater also has a 'made' Neighbourhood Plan.

4.3 Material considerations include the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).

National Planning Policy Framework (July 2021)

4.4 The overriding message in the NPPF is one of sustainable development. The revised National Planning Policy Framework was updated on 20th July 2021 and sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, and later revised in July 2018 and February 2019.

4.5 Paragraph 8 of the revised Framework highlights three dimensions to sustainable development being economic, social and environmental objectives.

4.6 The revised Framework at paragraph 11 states that for plans and decisions should apply a presumption in favour of sustainable development which for decision making this means:

> *"c) Approving development proposals that accord with an up-to-date development plan without delay; or*
>
> *d) Where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
>
> *I. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
>
> *ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework*

4.7 Paragraph 47 identifies that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as

quickly as possible, and within statuary timescales unless longer period has been agreed by the applicant in writing.

4.8 The Government's policy, as set out in the revised Framework, is to boost significantly, the supply of housing. Paragraph 60 reads:

> *"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed,* ***that the needs of groups with specific housing requirements are addressed*** *and that land with permission is developed without unnecessary delay."*

4.9 The revised Framework looks at delivering a sufficient supply of homes, Paragraph 62 identifies within this context, the size, and type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies including older people.

4.10 Paragraph 69 of the revised Framework acknowledges that small and medium sized sites and make an important contribution to meeting housing requirement of an area and are often built-out relatively quickly. To promote the development of good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions giving great weight to the benefits of using suitable sites within existing settlements for homes.

4.11 The revised Framework identifies at Paragraph 120(c) that substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.

4.12 The Government recognises at Paragraph 124 that planning policies and decisions should support development that makes efficient use of land, taking into account:

'a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

b) local market conditions and viability;

c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

e) the importance of securing well-designed, attractive and healthy places.

4.13 The overriding message in the Framework is one of sustainable development.

Planning Practice Guidance

4.14 The Planning Practice Guidance (PPG) is a material consideration when taking decisions on planning applications. The PPG provides guidance on how policies in the Framework should be implemented.

4.15 In June 2019 the PPG was updated to include a section on Housing for Older and Disabled People, recognising its importance. Paragraph 001[4] states:

*"**The need to provide housing for older people is critical**. People are living longer lives and the proportion of older people in the population is increasing. In mid-2016 there were 1.6 million people aged 85 and over; **by mid-2041 this is projected to double to 3.2 million**. Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking"* (emphasis added).

4.16 Paragraph 003[5] recognises that *"the health and lifestyles of older people will differ greatly, as will their housing needs, which can range from accessible and adaptable general needs housing to specialist housing with high levels of care and support."* Thus a range of provision needs to be planned for.

4.17 Paragraph 006[6] sets out "*plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require.*" Therefore, recognising that housing for older people has its own requirements and cannot be successfully considered against criteria for general family housing.

4.18 Paragraph: 016[7] sets out that "*Decision makers should consider the location and viability of a development when assessing planning applications for specialist housing for older people*". It goes on to clearly state: "***Where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need"*** *(emphasis added).*

Local Need

4.19 The Market Housing Mix Report (November 2016) covering Crawley Borough Council and Horsham District Council confirms Household Change by Age in Horsham which indicates very significant projected increases in more elderly age groups with 52% of the total household growth occurring in the 60+ years age groups.

4.20 Local demographics shows population growth from 2011 – 2031 in the 60-74 age group is projected in Horsham to grow by 8,589 people, 38.4%. The 75+ Age group population is projected to grow from 12,597 in 2011 to 23,499 by 2031, which is a 86.5% increase.

[4] *Planning Practice Guidance, Paragraph: 001 Reference ID: 63-001-20190626. Available here: https://www.gov.uk/guidance/housing-for-older-and-disabled-people*

[5] *Planning Practice Guidance, Paragraph: 001 Reference ID: 63-003-20190626. Available here: https://www.gov.uk/guidance/housing-for-older-and-disabled-people*

[6] *Planning Practice Guidance, Paragraph: 001 Reference ID: 63-006-20190626. Available here: https://www.gov.uk/guidance/housing-for-older-and-disabled-people*

[7] *Planning Practice Guidance, Paragraph: 001 Reference ID: 63-016-20190626. Available here: https://www.gov.uk/guidance/housing-for-older-and-disabled-people*

4.21 The 2014-based Subnational Population Projections identifies that England's population will grow by 4,427,000 in people aged 60 and above between 2014 and 2030, this equates to a 35.56% increase in population.

4.22 The 2011 Census identifies that there is a mean age of 42.1 and a median range of 44 years within the District.

4.23 The 2011 Census data identifies that 5,489 homes within are owned or shared ownership that are aged 65 and over which is the biggest tenure category for the over 65's, with Social Rented as 1,306 and private rented or living rent free at 567.

4.24 To assess the scale and type of housing available for older people in the area, we have examined the database produced by the Elderly Accommodation Counsel (EAC), a national charitable organisation which has an extensive data base of all public and private sector elderly accommodation for all local authority areas.

Date 2011

Geography Horsham

	value
All usual residents	131,301
Age 0 to 4	7,151
Age 5 to 7	4,379
Age 8 to 9	2,872
Age 10 to 14	8,469
Age 15	1,672
Age 16 to 17	3,551
Age 18 to 19	2,653
Age 20 to 24	5,660
Age 25 to 29	5,858
Age 30 to 44	25,242
Age 45 to 59	29,115
Age 60 to 64	9,109
Age 65 to 74	13,130
Age 75 to 84	8,717
Age 85 to 89	2,356
Age 90 and over	1,367
Mean Age	42.1
Median Age	44.0

Figure 8 - 2011 Census Data - Age Structure of Horsham District.

4.25 The EAC identifies there is just one age exclusive/retirement apartment available in Southwater. This property is however not for private sale and is within the social rent/ shared ownership sector.

4.26 Para 69 of the NPPF acknowledges the benefits in terms of delivery offered by small and medium sized sites and encourages authorities to give **great weight to the benefits of using suitable sites within settlements for homes**.

4.27 **The proposed development of older people housing, which will be delivered within the next five years, will significantly assist the Council in meeting its housing targets and should be given substantial weight when considering the planning balance.**

Older People Housing Need

4.28 It is well documented that the UK faces an ageing population. Life expectancy is greater than it used to be and as set out above by 2032 the number of people in the UK aged over 80 is set to increase from 3.2 million to five million (ONS mid 2018 population estimates).

4.29 The Homes for Later Living Report notes the need to deliver 30,000 retirement and extra care houses a year in the UK to keep pace with demand (September 2019).

4.30 Currently in the UK, we build around 8,000 retirement properties a year. This is despite the PPG setting out that the need to provide housing for older people is 'critical'. This is distinctly below the level of demand and need.

4.31 The PPG is clear: ***"where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need.***" From all of the above it can be concluded that there is a need for retirement living apartments in Horsham. The proposed development would provide these much needed older people homes.

4.32 Paragraph 001 of the PPG on Housing for older and disabled people is unequivocal in its message that *"**the need to provide housing for older people is critical**"*. In this context, **the benefits of this scheme in delivering older people's housing against the identified needs must be given substantial weight in the determination of this application.**

4.33 In Horsham Council, whilst documentation refers to the need for elderly person housing, there is no specific policy within the Horsham Development Plan to allocate any specific sites for this type of housing which is much needed. It is acknowledged that the Southwater Neighbourhood Plan proposes a requirement for C2 Use as part of the proposed Urban extension to the West of Southwater, however this will meet a different need for the elderly and provide an alterative option for those of greater need and care, and there are no proposed sites allocation for retirement schemes such as that proposed by this development.

The Development Plan

4.34 The development plan for Horsham District Council consists of the Horsham District Planning Framework (excluding South Downs National Park) (HDPF) November 2015. The relevant policies comprise:

Policy 1: Sustainable Development

Policy 3: Development Hierarchy

Policy 15: Housing Provision

Policy 16: Meeting Local Housing Needs

Policy 18: Retirement Housing and Specialist Care

Policy 32: The Quality of New Development

Policy 33: Development Principles

Policy 35: Climate Change

Policy 37: Sustainable Design and Construction

Policy 41: Parking

4.35 The Southwater Neighbourhood Plan was formally 'made' at Full Council on 23Rd June 2021 at Full Council. This follows the referendum held on 6th May 2021. Policy SP11 Specialist Accommodation and Care is of some relevance. Other relevant Neighbourhood Plan policies include:

SNP1 – Core Principles

SNP2: Proposals for Residential Development

SNP4: Keeping Our roads Moving

SNP9: Home Standards

4.36 The site falls within the settlement boundary of Southwater which is defined as a 'Small Town or Large Village' in Policy 3 (Development Hierarchy) where there are a range of shops and services and development will be permitted.

4.37 In the Emerging Regulation 18 Draft Plan 2019 – 2036 the site to the immediate west on the opposite side of Worthing Road is identified as Potential Housing Allocation' (Policy Inset Map 21).

5. PLANNING CONSIDERATIONS

Principle of Development

5.1 The site comprises a brownfield site within the development limits of the plan. Policy 1: Sustainable Development confirms that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

5.2 In terms of land use the site is currently vacant and was previously the retail/ sales element which was associated with Roundstone Caravans. The building was occupied and served as a local store selling camping equipment. The premises went into liquidation during the later part of 2021. The site was not allocated for any employment use or designation in the adopted Plan. The site is surrounded to the north and north, south and east by residential development. To the west of the site, whilst undeveloped at the moment, the land opposite the side (to the west of Worthing Road) may come forward in the future for residential development as part of a future housing allocation. To the east of the side is the caravan park homes site, whereby the only access is through the site itself, and therefore an appropriate land use is required to ensure that this can be retained to enable the residents to access their properties by vehicle and as a pedestrian/ other means. The main retail function of Southwater is located approximately 700m to the south of the site.

5.3 The site is located within the Southwater Built up Area Boundary where development covered by Policy 3 whereby development will generally be permitted whereby it is of an appropriate nature and scale to maintain characteristics and function of the settlement hierarchy. Within the hierarchy Southwater is defined within the Small Towns and Larger Villages category, where it is confirmed there is a good range of services and facilities, strong community networks and local employment provision, together with reasonable rail or bus services. In the case of Southwater, the site is located approximately 700m to the north of the centre of Southwater, and there is a bus stop immediately outside of the site.

5.4 There is a pressing need for older persons housing as identified in all stages of policy, at a national level and specific within Horsham itself where Policy 18 concentrates on Retirement and Specialist Housing whereby this sets out that:

> *'Proposals for development which provide retirement housing and specialist care housing will be encouraged and supported where it is accessible by foot or public transport to local shops, services, community facilities and the wider public network……'*

5.5 The accompanying text to this policy outlines the ageing population in the District which is expected to continue to rise, resulting in a continuing need to provide a range of appropriate retirement accommodation in suitable locations.

5.6 The application comprises purpose built development for the elderly in an appropriate location in a sustainable location as demonstrated within Section 2 of this Planning Statement. The Design and Access Statement also outlines this in further detail.

Increasing Housing Delivery

5.7 There is a significant national drive to increase housing delivery. Para 60 of the NPPF is clear, the Government intends to **significantly boost the supply of new homes,** including to address the needs of specific groups. There is an intention to deliver 300,000 new homes a year. The Government has made planning reform a priority, to speed up and plan for the homes we need.

5.8 The planning system has a clear role in ensuring it delivers homes where they are most needed. As set out in para 117 of the NPPF this means **making as much use as possible of previously developed land**. The Government is championing the take up of brownfield land by encouraging the remediation of degraded or contaminated spaces, promoting the development of under-utilised land and opening up opportunities to build upward.

5.9 Following the publication of the 2021 NPPF the Council published their 'Authority Monitoring Report' covering the period 1st April 2020 – 31st March 2021 which is dated 31st December 2021 and provides the Five Year Housing Land Supply Position.

5.10 The Statement sets out that the Council at December 2020 had a target of 897 dwellings per annum, and with a 5% buffer this equates to 942 dwellings. The Council can currently only demonstrate an 80% (4 year) Five Year Housing Supply against this requirement. For the monitoring period (2020/21) a total of 769 dwelling (net) were completed.

5.11 The Housing Supply position of the Council has been tested recently within three Planning Appeals in the months prior to the publication of the Monitoring Report :

- New House Farm, Horsham – decision 30 July 2021 - a 4.3 year supply was confirmed
- Rascals Farm, Southwater – decision 2 August 2021 – a 4.2 year supply was confirmed
- Sandy Lane, Henfield – Decision 19th August 2021 confirmed a 4.4 year supply.

5.12 Southwater Neighbourhood Plan identifies that whilst Southwater has expanded in recent years, and despite this there is a housing shortage. The Plan confirms that the Southwater Housing Needs Assessment identifies considerable need for homes that are suitable for young families and for the elderly.

5.13 Given the lack of a demonstrable five year supply, the proposal should be considered in light of paragraph 11 of the NPPF. Paragraph 11 states that housing applications should be considered in the context of the presumption in favour of sustainable development.

Design Considerations

5.14 Policy L32 sets out a range of criteria in the consideration of applications for development in the Borough. The accompanying Design & Access Statement considers design in detail, however key policy aspects are considered below and in the following overview of the technical considerations contained in the policy which seeks a high quality and inclusive design for all development based on a clear understanding of the local, physical, social, economic, environmental and policy context for development, those of relevance include:

1) Provide an attractive, functional, accessible, safe and adaptable environment
2) Complement locally distinctive characters and heritage of the District
3) Contribute a sense of place both in buildings and spaces themselves and in the way they integrate with their surroundings
4) Optimise the potential of the site to accommodate development and contribute to the support for suitable complementary facilities and uses.

5.15 The site layout, massing, scale and design of the building has been strongly influenced by the position and orientation of the site and existing buildings directly adjoining, together with the requirement for the retention of the vehicular access through to the adjacent Park Homes site to the immediate east.

5.16 The building has been developed to reinforce the street edge and urban gain in addressing Worthing Road.



Proposed site Plan

5.17 As shown on the landscaping plan there will be planting and trees to all boundaries. Further information on landscaping in provided in section below under technical considerations.

Enables convenient use for people with limited mobility:

5.18 The scheme has been specifically designed to allow for this. There is level access throughout, as well as specially designed doors and windows to ease use for those with limited mobility. The design of the development, specifically for older people, means that all units have a much higher level of accessibility than standard non-age restricted housing.

5.19 Paragraph 130 of the NPPF requires that developments function well and add to the overall quality of the area; are visually attractive; are sympathetic to the local character and history; establish or maintain a strong sense of place; optimise the potential of the site; and create places which are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users. It is considered that the proposal balances all these needs and will positively contribute to the character and appearance of the area.

5.20 All apartments in the proposed development have been designed to Comply with M4(2) of the Building Regulations – Accessible and adaptable dwellings. This policy therefore ensures compliance with Policy SNP9 'Home Standards' of the Made Southwater Neighbourhood Plan.

Technical Considerations

5.21 The technical considerations have been considered from a desk based assessment, pre application discussions and site visit/s. The technical considerations identified can be broken down to the following heading:

- Amenity and Landscaping;
- Access and Parking;
- Refuse
- Flood Risk and Drainage
- Water Neutrality
- Ecology;
- Site Investigation; and
- Affordable Housing

5.22 A series of technical reports have been produced in support of this planning application to assess each technical consideration and determines the suitability of the site. A summary of the findings and discussion is set out below.

Amenity Space and Landscaping

5.23 The applicant has considerable experience in delivering retirement developments nationwide. This has given a clear understanding of the use of and need for amenity space.

5.24 The quality of amenity space is important to prospective residents. Churchill Retirement Living have won awards for excellence for their landscaped gardens.



Figure 1
Tregolls Court, Truro
Award winning landscaping.

5.25 Typical purchasers are 79 year old widows. The move into retirement living accommodation is typically a needs based move, with the main drivers being the death of a partner, companionship, downsizing as the family property is too large to manage or not suited to mobility needs, and to be closer to shops and services.

5.26 The experience of the applicant is that high quality amenity space is far more important than quantity. Residents wish to have a pleasant outlook, with high quality planting, and value this far more than large areas of green space. Residents use the space in a passive way. Active use of external amenity space tends to be relatively limited and mainly involves sitting out for those few residents who occasionally choose to do so, and perhaps tending a few small flower pots immediately outside of ground floor apartments where access is provided to individual apartments. Large grassed areas of external amenity space are just not required.

5.27 A Landscape Strategy prepared by James Blake Associates is submitted in support of this application which shows the landscaping and planting that will be provided on the site. Native species will be used to enhance biodiversity. Elements of herbaceous planting is proposed throughout for seasonal interest.

5.28 In addition there is the internal communal owner's lounge and coffee bar. This is a highly valued space, where residents often meet for coffee or to play card games and is useable all year round. Film nights, book clubs, wine and cheese evenings as well as summer parties are also organised. Residents value this amenity space far more than large grassed areas and is usable all year round.

5.29 The upper floor includes a number of Juliet balconies. However, experience has shown that older people derive considerable pleasure and enjoyment from interacting with others as a community in the communal lounges and terraces. This is not everyone's preference, but is something residents chose to buy into when they purchase a property.

5.30 The nature of a communal garden associated with apartments is that it is overlooked, so that residents can enjoy views of the landscaped gardens. Residents only tend to sit on the terrace within the garden if they want to be sociable, and chat to friends.

5.31 The experience of Churchill is that the vast majority of apartments are occupied by a single person, with many choosing to move in after the death of a partner. The apartments themselves therefore provide a lot of private space. However residents highly value the communal lounge and terraces as places to spend time with friends.

5.32 In this development much of the external amenity space in this instance is predominantly to the rear of the site, with the sitting out area to the North East of the building, and access from a footway off the owner's lounge. This area is screened from the road frontage by the building and will create an attractive private space. The landscaping along the northern boundary will also help to enhance the privacy of the space. Ground floor apartments have their own private patios which are often used for a few pots.

5.33 The proposed six retirement cottages each have their own enclosed private garden space to the rear of the property. The private gardens here are either east of south facing.

5.34 Overall, given the balance of achieving efficient use of land as set out in para 126 of the NPPF combined with a clear understand of the needs of the residents and the emphasis on high quality landscaping, it is strongly considered that the proposed amenity space will meet the needs of the residents.

Access and Parking

5.35 The site is considered to be in a very accessible location, approximately 700 metres to the north of Southwater Village centre where there are a range of shops and local community facilities including doctors, pharmacy, post office, co-op food store and others shops and restaurants. The site is located on vacant land to the west of Worthing Road. It is immediately opposite a bus stop where buses head North into Horsham Town Centre providing easy access.

5.36 Vehicular access to the site is proposed from Worthing Road, using the existing access which will be resurfaced.

5.37 The proposed development provides a total of 22 car parking spaces, including 16 for the retirement living development, one space for each of the 6 cottages. A separate secure area is provided for mobility scooter parking and charging. This provision is in excess of what the demand is identified to be.

5.38 As set out in the Transport Statement by Paul Basham Associates, the experience of Churchill is that 0.3 spaces per apartment meets the required demand. Parking surveys show a demand for 0.28 spaces per unit (these are attached to the Transport Statement). However provision in excess of this is provided, at a level of 0.4 spaces with the provision of 16 for the apartments.

5.39 In terms of the cottages, it is accepted these may require a higher provision of parking and whilst occupants of these properties are still required to comply with the age restrictions of the development, therefore one space per cottage is provided for these dwellings.

5.40 Residents often move into a retirement development so they are closer to local services and facilities and so can give up reliance on their cars. The typical pattern is that residents move in and then may give up their car within 6 months as they no longer need it. Many no longer wish to drive and others find the cost of taxing, insuring and maintaining it unnecessary for the occasional trip, especially given public transport is available.

5.41 The NPPF promotes sustainable transport and developers should not be expected to provide more parking than required unless there are clear and compelling justifications, taking into consideration the accessibility, type, mix and use of the development.

5.42 From a sales perspective, Churchill would not want to provide a development with insufficient parking as it would upset residents and deter future purchasers. As such a thorough understanding has been obtained from existing schemes to ensure the appropriate number of spaces are provided.

5.43 The NPPF is clear 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.

Refuse

5.44 The development proposal has a communal refuse store which can be accessed internally. Double doors are provided to prevent odour.

5.45 Within the refuse room small bags of household waste and recycling material from each individual flat can be decanted into larger shared wheeled bins, clearly designated for specific waste storage. Further details on this is contained within the Design and Access Statement and Highway report and the position of the store indicated on the Ground Floor and Site Plans, which the refuse to be collected from the within the site.

5.46 The refuse store is located within 10m of the highway and so it is anticipated that on street collection would be appropriate. The doors will be unlocked on collection day by the lodge manager.

5.47 Churchill have developed a detailed understanding of the typical waste requirements based on experience of their existing lodges. The majority of flats are single occupancy and the owners are daily basket shoppers with a low carbon footprint who generate small amounts of waste. The proposed refuse roof is therefore suitable to meet the required needs.

Flood Risk and Drainage

5.48 The site is entirely within Flood Zone 1 with a low risk of flooding. A flood risk and drainage note has been prepared by AWP in support of the application.

5.49 It is proposed the development will discharge surface water at a suitably restricted rate to the existing public surface water sewer system.

5.50 Foul drainage will be discharged via a new private network with a new connection to Southern Water's existing foul network beneath Worthing Road where capacity has been confirmed with Southern Water.

Water Neutrality

5.51 A position statement is currently in place which has been published by Horsham District Council that requires planning applications to provide evidence to demonstrate 'water neutrality' in order for the Council to comply with its legal duties.

5.52 Whilst this position may be resolved in the coming period and the provision of a water supply is not technically considered to be a planning matter, it was considered prudent to assess the current site regarding water neutrality. In this regard, a Water Neutrality Technical Note has been provided by AWP to support the application. This is a standalone document separate from the drainage and technical note.

5.53 The note demonstrates that the proposed development is 'water neutral'. This is based upon assessing previous water usage through the use of the site, together with proposed water usage, which is based upon examples of similar Churchill developments. Therefore there is no reason to hold up the determination of the planning application on this matter.

Ecology

5.54 An Ecological Impact Assessment of the site has been undertaken by Tyler Grange Ltd. This report concludes that no ecological features of any significant ecological importance has been identified within the site.

5.55 The site has moderate suitability for bats. A bat survey is recommended to be undertaken to the existing buildings on the site, however Tyler Grange identify that even if present they can be accommodated within the site with bat boxes, which could be conditioned.

5.56 An accompanying Bio-diversity Metric to calculate the pre-development and predicted post development biodiversity value of the site based on the proposed development. This indicates a bio-diversity gain of 21.47% in habitat area which will be generated as part of the proposed development.

Geotechnical - review

5.57 A Site Investigation Report has been undertaken by Crossfield Consulting.

5.58 Ground conditions on the site are expected to comprise of a limited thickness of Made Ground which is associated with the construction of the existing and former site structures. beneath this, weathered sandstone and sandstone of the Horsham Stone member are anticipated at shallow depth. Groundwater may therefore be present a relatively shallow depths.

5.59 Given the relatively deep made ground and underlying low permeability strata means that the use of soakaway drainage was not considered feasible. This informed the drainage note from AWP in terms of surface water drainage.

Affordable Housing

5.60 Policy 16 of the Horsham Adopted Plan identifies the affordable housing targets for the area. The proposed is for over 15 dwellings and therefore 35% affordable housing will be sought. The policy recognises the importance of considering viability, which is set out in separate guidance which has been reviewed.

5.61 A report on Affordable Housing and viability accompanies the application. There are additional costs associated with delivering retirement housing as opposed to standard open market housing. Around 25% of floor space is for communal facilities such as the owner's lounge and guest accommodation. This is unsaleable floor area which therefore reduces income.

5.62 In addition, retirement accommodation has a reduced sales rate, due to the smaller section of the market that is eligible, increasing borrowing and empty property costs. Further detail is set out in the viability report accompanying the application.

Sustainable Development

5.63 In accordance with the NPPF and Policy 1, the scheme will make important contributions to the delivery of sustainable development:

Economic Benefits

- Retirement Housing can help reduce the demands exerted on Health and Social Services and other care facilities. Residents generally remain in better health, both physically and mentally, in comparison to being in unsuitable accommodation and for many being isolated. Doctors, nurses, and care workers can visit several occupiers at once. A report has found that:

  Each person living in a home for later living enjoys a reduced risk of health challenges, contributing fiscal savings to the NHS and social care services of approximately £3,500 per year (Homes for Later Living September 2019). More detail on these financial savings is set out within the report.

  With 42 RL units proposed, at a ratio of 1.3 people per apartment, there will be around 55 occupants. At a saving of £3,500 each per year, this equates to a saving of £192,500 per year in local NHS and social care costs, in comparison to mainstream housing. This is a significant economic benefit.

- There is a benefit to local shops and services. Through downsizing, residents have new disposable income, which is mainly spent in local shops and services. Residents are largely basket shoppers and have more time to use local facilities.

  Recent evidence suggests an average scheme of 45 retirement units generate around £550,000 of spending a year, £347,000 of which is spent on the high street and directly contributes to keeping local shops open.

- Retirement housing releases under-occupied family housing and plays a very important role in recycling of housing stock in general. There is a 'knock-on' effect in terms of the whole housing chain enabling more effective use of existing housing. In the absence of choice, older people will stay put in properties that are often unsuitable for them until such a time as they need expensive residential care.

- An average retirement scheme will support the following new jobs:

  - 85 construction jobs
  - 1 permanent job in repairs and renovations
  - 2.3 permanent jobs in management and care
  - 3.2 permanent jobs on the local high street (residents are basket shoppers and will do their shopping locally)

5.64 **Substantial weight should be afforded to these economic benefits.**

Social Benefits

5.65 Retirement housing gives rise to many social benefits:

- Specifically designed housing for older people offers significant opportunities to enable residents to be as independent as possible in a safe and warm environment. Older homes are typically in a poorer state of repair, are often colder, damper, have more risk of fire and fall hazards. They lack in adaptions such as handrails, wider internal doors, stair lifts and walk in showers. Without these simple features everyday tasks can become harder and harder.

    - Retirement housing helps to reduce anxieties and worries experienced by many older people living in housing which does not best suit their needs by providing safety, security and reducing management and maintenance concerns.

    - There are huge benefits from new found friends and companions. Loneliness is linked with damaging health impacts such as heart disease, strokes, depression and Alzheimer's. Loneliness and isolation have become even more apparent in older generations through the lockdowns faced during the COVID 19 pandemic. However residents within existing Churchill Retirement Living schemes have expressed huge praise for their Lodge Managers in looking after them and helping with food shopping.

    - Prior to the pandemic, and hopefully in the not too distant future, Churchill developments offer a formal coffee morning as well as a number of informal coffee gatherings. Residents often organise bridge clubs and weekly film nights in the communal lounge. There are also group trips into the town centre for coffee and shopping. Even just saying hello to neighbours in the corridor or a quick conversation with the Lodge Manager can significantly help. Churchill also organise a number of events each year such as summer parties, cheese and wine nights, musical nights with tribute acts.

    - The Housing for Later Living Report (2019) shows that on a selection of wellbeing criteria such as happiness and life satisfaction, an average person aged 80 feels as good as someone 10 years younger after moving from mainstream housing into housing specifically designed for later living.

5.66 The requirement of the NPPF at paragraph 91 to achieve healthy, safe and inclusive places are a fundamental part of the scheme proposed. These are key benefits that residents are looking for when they seek to move to a Churchill Retirement Living scheme.

5.67 **Substantial weight should be afforded to these social benefits**

Environmental Benefits

5.68 The proposal provides a number of key environmental benefits by:

- Making more efficient use of brownfield land thereby reducing the need to use limited land resources for housing.

- Providing housing in close proximity to services and shops which can be easily accessed on foot thereby reducing the need for travel by means which consume energy and create emissions.

- Providing shared facilities for a large number of residents in a single building which makes more efficient use of material and energy resources.

- The proposal includes renewable technology through the use of solar panels to assist in the reduction of CO_2 emissions.

- All areas of the building will be lit using low energy lighting and where applicable utilise daylight and movement sensor controls.

5.69 **Moderate weight should be afforded to these environmental benefits.**

5.70 Overall there are significant benefits associated with the proposed development. It is considered that the scheme complies with the principles of sustainable development in accordance with the NPPF.

Planning Balance

5.71 The applicants recent appeal decision at Former Fleet Police Station in Fleet[8] identifies the weight to be given to benefits in relation to older people housing (see appendix 1)

5.72 Taking this into account and in summary, the proposal subject of this application is considered as below:

Planning Benefits of current proposal	Weight to be given
Provision of much needed housing for older people	Significant weight
Development of previously developed land	Substantial weight
Development in a sustainable location	Substantial weight
Efficient use of land	Moderate weight
Provision of 42 market dwellings	Substantial weight
Freeing up under occupied local housing stock	Substantial weight
Economic benefits of the proposed scheme	Substantial weight
Social benefits of the proposed scheme	Substantial weight
Environmental benefits of the proposed scheme	Moderate weight

5.73 Overall the scheme is considered to meet the requirements of the development plan when read as a whole. Paragraph 11c of the NPPF provides that proposals which accord with the development plan should be approved without delay. There are numerous and significant benefits associated with the application which should be afforded substantial weight in its determination.

[8] *Appeal Reference APP/N1730/W/20/3261194*

5.74 The NPPF is clear that decision makers should give **substantial weight to the value of using suitable brownfield land within settlements** (para 118c). In addition paragraph 121 sets out that Local Planning Authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help meet identified development needs.

5.75 The site is a brownfield site, in a sustainable location. **Both of these factors should be given substantial weight in the determination of the application.**

6. CONCLUSION

6.1 This full planning application seeks permission for 36 retirement living units and 6 Retirement Cottages along with communal facilities, access, car parking and landscaping. This planning statement demonstrates how the development proposals will deliver a sustainable development in accordance with the Development Plan for Horsham Council and the National Planning Policy Framework.

6.2 This Planning Statement should be read in conjunction with the other supporting documents, plans and reports submitted with this planning application.

6.3 The UK faces a rapidly growing and ageing population. The Government aims to '**significantly boost the supply of housing'**. The PPG *is unequivocal in its message that "**the need to provide housing for older people is critical**".*

Planning Balance

6.4 When considering the above considerations highlighted within this Planning Statement and apply them against the Development Plan and paragraph 11 (d) of the Framework, it can be concluded that:

- The principle of residential development is acceptable.
- The proposed development would bring basket shoppers/footfall to the area which would increase local spending.
- The proposed development is appropriate within the context of the surrounding area
- The proposed development would not result in detriment to highway safety and the site can be safely accessed on foot via a separate pedestrian access;
- The site is located in a sustainable location with good connections to services and facilities;
- The proposal would contribute to economy of the local area through the number of new residents who would use and facilitate existing local services;

6.5 It is evident that there is critical need for the delivery of older people housing in the District and a significant pressing need within the administrative boundary of the Council. This planning application proposal will contribute towards delivering these much needed homes, including older people housing. That contribution can be considered as a significant benefit which weighs strongly in favour of this planning application.

- From the supporting documents, plans and reports of the planning application, it can be concluded unequivocally that the site is appropriate for older peoples housing and in a sustainable and accessible location.

- Planning law requires that applications should be determined in accordance with the development plan unless material considerations indicate otherwise.

The Framework is one such material consideration and confirms that the development plan is an essential component of the plan-led system.

- The development is wholly acceptable in terms of the footprint of the building in relation to the scale of the site and surrounding locality. It is therefore concluded that the development is of a scale, mass, bulk and design that is acceptable and will not harm the character and appearance of the locality whilst providing a high quality development.

- In review of the other technical considerations, it can be concluded from that the planning application proposal complies in all aspects with the relevant Development Plan policies and the Framework.

6.6 There are numerous and significant benefits associated with the application which must be considered within the planning balance.

6.7 Overall the scheme is considered to meet the requirements of the development plan when read as a whole. Paragraph 11c of the NPPF provides that proposal which accord with the development plan should be approved without delay.

APPENDIX A –
Appeal Decision Reference: 3261194 (Churchill Retirement Living)

The Planning Inspectorate

Appeal Decision

Inquiry Held on 16-18 March 2021
Site visit made on 19 March 2021

by Harold Stephens BA MPhil Dip TP MRTPI FRSA

an Inspector appointed by the Secretary of State

Decision date: 14 May 2021

Appeal Ref: APP/N1730/W/20/3261194
Former Fleet Police Station, 13 Crookham Road, Fleet GU51 5QQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
- The appeal is made by Churchill Retirement Living Ltd against Hart District Council.
- The application Ref 19/02659/FUL, is dated 15 November 2019.
- The development proposed is 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.

Decision

1. The appeal is allowed and planning permission is granted for 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 at the former Fleet Police Station, 13 Crookham Road, Fleet GU51 5QQ in accordance with the terms of the application, Ref 19/02659/FUL, dated 15 November 2019, and the plans submitted with it, subject to the conditions set out in the Schedule attached to this decision.

Procedural Matters

2. The appeal was lodged against the non-determination of the planning application. The application was reported to the Council's Planning Committee on 11 November 2020 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. The Planning Committee resolved that it would have refused the application for the following three reasons which are contained in the Planning Statement of Common Ground (SoCG).[1] In summary these are: (i) the proposed development would not provide an adequate level of affordable housing; (ii) the proposed development would not achieve a high-quality design or positively contribute to the overall appearance of the area; and (iii) 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.

3. The application was supported by a number of plans, reports, and technical information. A full list of the plans on which the appeal is to be determined is

[1] Paragraph 2.9

set out at paragraph 2.11 of the Planning SoCG which was agreed by the main parties. The application was also submitted with supporting statements and information which is set out at paragraph 2.12 of the Planning SoCG. The proposal was supported by a Design and Access Statement (DAS), a Planning Statement, information on Greenfield Runoff Rates, a Transport Statement, an Ecological Desk Study, a Shadow Habitats Regulation Assessment, a Ground Investigation Report, an Affordable Housing Viability Statement, a Statement of Community Involvement, a Thames Basin Heath Statement, a Sustainability and Energy Statement and a Planning Statement Addendum.

4. I held a Case Management Conference (CMC) on 11 January 2021. At the CMC the main issues were identified, how the evidence would be dealt with at the Inquiry and timings. In the weeks following the CMC both main parties continued discussions on the appeal to ensure that matters of dispute were clear and that all matters of agreement (non-disputed matters) were documented in either Statements of Common Ground or in draft Planning Conditions such that time on these matters was minimised at the Inquiry. It follows that there are two Statements of Common Ground in this case:

- Planning Statement of Common Ground – 26/01/21
- Viability Statement of Common Ground - 26/01/21.

5. At the Inquiry a Planning Obligation was submitted. The Planning Obligation is made by an Agreement between the Appellant, HSBC UK Bank Plc and Hart District Council under s106 of the TCPA 1990. The Planning Obligation secures the following: (i) an off-site financial contribution in lieu of on-site affordable housing provision of £500,000; (ii) provision of SANG[2] land at Queen Elizabeth Barracks, Sandy Lane, Church Crookham and provision of a SAMM[3] payment of £14,585. The s106 Agreement is signed and dated 10 May 2021 and is a material consideration in this case. A Community Infrastructure Levy (CIL) Compliance Statement was also submitted in support of the Planning Obligation. I return to the Planning Obligation later in this decision.

6. In relation to putative RfR1 (affordable housing), it is clear that agreement has now been reached in relation to an off-site financial contribution towards affordable housing that is secured through a s106 Agreement. Therefore, it is agreed that having regard to development viability, the appeal proposal would provide an adequate level of affordable housing provision. This matter is no longer in dispute and did not form part of the Council's or the Appellant's evidence.

Main Issues

7. In the light of the above I consider the main issues are:

(i) The effect of the design of the proposed development on the character and appearance of the area; and

(ii) The effect of the proposed development on the Thames Basin Heaths Special Protection Area.

[2] Suitable Alternative Natural Greenspace
[3] Strategic Access Management and Monitoring

Reasons

The Appeal Site

8. The appeal site is an L shaped plot of land of approximately 0.29ha. The site slopes down from Crookham Road to the back of the site. The site is currently vacant being formerly a police station. The police station building (now demolished) was constructed in red brick and was located centrally within the site. On the south boundary is a single storey garage block. A tarmac surfaced car park associated with the police station use occupies the north west 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 was two storeys in height with a part pitched and part flat roof. An underground fuel tank is recorded on site.

9. To the south west of the site is Walton Close which incorporates three residential properties, separating the site from Walton Close is a brick wall. To the north 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 east is St James Road and on the opposite side are residential properties which were built in approximately 2010. To the south east is the access road to the Fleet Bowls Club clubhouse and residential dwellings to the rear. The properties in the immediate 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.

Description of Development

10. The description of development of the appeal is:

> *"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."*

11. The proposed apartments would consist of 19 x one-bedroom apartments and 12 x two-bedroom apartments. These would be supported by communal facilities including a one bedroom guest suite, lobby, residents' lounge, and rear garden. The proposal would fall within Use Class C3 (Dwelling Houses).

12. The submitted Planning Statement (para. 2.10) states:

> *"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."*

13. The development would have a lodge manager who would be on call during normal working hours and would have an office. There is no warden living on site and no specialist medical support would be provided.

14. The scheme would consist of a single three storey building fronting Crookham Road. The main entrance to the building would be to the west and would also provide access to a car park for 20 vehicles. Vehicular access would be from Crookham Road as per the arrangement for the former police station.

Planning Policy

15. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the appeal must be determined in accordance with the development plan unless material considerations indicate otherwise. The parties are agreed that the statutory development plan includes the following documents: (i) The South East Plan (SEP) Saved Policy NRM6; the Hart Local Plan (Replacement) 1996-2006 Saved Policies (HLP06); (iii) the Hart Local Plan (Strategy and Sites) 2032 (HLP32) and the Fleet Neighbourhood Plan (FNP) 2019. The parties are agreed that the policies relevant to this appeal are in these documents and they are listed at paragraphs 3.5-3.8 on page 11 of the Planning SoCG.

16. The development plan identifies the appeal site to be within the Fleet Settlement boundary and approximately 50m south west of the Fleet Town Centre boundary. For the purposes of FNP Policy 10A, the appeal site is identified as being within the Fleet Town Centre Character Area.

17. It is common ground in this case that the development plan is up-to-date. The relevant policies are also agreed and are set out in the Planning SoCG. I shall assess which policies are supportive, neutral or in conflict with the proposed development and the weighting that can be attached to various policies. Then I shall assess taking the plan as a whole, whether or not the appeal scheme complies with the development plan. Then in the light of compliance or breach whether there are material considerations which would outweigh that determination in accordance with the development plan.

18. Both parties are agreed that relevant policy and guidance is contained in the following documents:

- Building for a Healthy Life (2020)
- Government's Technical Housing Standards - Nationally Described Space Standard (2015)
- Hart, Rushmoor and Surrey Heath Strategic Housing Market Assessment 2014 -2032 (2016)
- Hart District Council Urban Characterisation and Density Study (2010)
- Hart District Council Parking Provision Interim Guidance (2008)
- Hart District Council Five Year Housing Land Supply from 1 April 2020 (September 2020)
- Thames Basin Heaths Special Protection Area Delivery Framework (2009)
- Hart Council Community Infrastructure Policy (August 2014)
- Whole Plan and CIL Viability Study December (2016)

19. There is no dispute that the proposal complies with the vision and objectives of the plan in that it gives priority to the redevelopment of previously developed land and that it provides more accommodation for the elderly.[4] There is also agreement that the proposal complies with the following key policies. Firstly, it is agreed that Policy SD1, which deals with sustainable development, is not breached by the proposal. Policy SD1 is the overarching policy in the plan and must be given significant weight.

[4] HLP32 page 32

20. Secondly, there is no dispute that Policy SS1, which sets out the spatial strategy and the distribution of growth, is supportive of the development. The appeal scheme is located in the most sustainable settlement in Hart and is on previously developed land. I note that in meeting the housing requirement of the District, criteria (b) identifies permitting further development within the defined settlement boundaries where this proposal is located. Compliance with Policy SS1 must therefore be given significant weight.

21. Thirdly, both sides accept that Policy H1 (a-c) supports the proposal. The appeal scheme would provide an appropriate mix of dwelling types and sizes having regard to the evidence in the SHMA about housing needs and the size, location and characteristics of the surroundings; it would also provide homes that are accessible and adaptable and it would provide homes that would be made for specialist accommodation having regard to the SHMA.[5] Collectively the proposal complies with Policy H1 and should be given significant weight.

22. Fourthly, Policy H2 is met by the s106 contributions. There is an accepted significant need for further affordable housing in Hart[6] and the policy compliance should be given significant weight. Fifthly, Policy H4 is also supportive of the proposal seeking the provision of specialist accommodation for older persons on sites within settlement boundaries.[7] Significant weight should be given to this policy. Sixthly, the parties agree that the proposal complies with Policy H6 in meeting nationally described internal space standards. Again, significant weight should be given to this policy compliance.

First Issue - the effect of the design of the proposed development on the character and appearance of the area

23. The appeal scheme 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.

24. The Council maintains that the proposed development would result in a poor design response through its failure to integrate and interact successfully with Crookham Road and St James Close; that the proposed elevations lack detail and quality; and that the scheme fails to respond positively to urban design policies and guidance. It is argued that the proposal would not meet the requirements of Policy NBE9 of HLP32, Policy GEN1 of HLP06 or Policy 10 or 10A of the FNP. It is contended that these design policies are highly significant and sufficient in themselves to justify dismissing the appeal. Reference is

[5] Paragraphs 128-131 of HLP32
[6] Paragraph 137 of HLP32
[7] Paragraph 156 of HLP32

made to the Government's increasing emphasis on the need for high quality design and placemaking which is evident from the NPPF, the Planning Practice Guidance, the National Design Guide and Building for a Healthy Life.

25. There was some discussion at the Inquiry about the status of the site and whether it is located within Fleet Town Centre. From the documents that are before me, I consider that the appeal site is not within the Fleet Town Centre for the purposes of the HLP32.[8] However, it is within the Fleet Town Centre Neighbourhood Area for the purposes of the FNP and to which the Urban Characterisation and Density Study (UCDS) and Townscape Analysis Map apply. Although both the HLP32 and the FNP form part of the statutory development plan any conflict in policy must be resolved in favour of the policy which is contained in the last document to become part of the development plan.[9]

26. Both sides agree that the UCDS is a material consideration and it 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 identifies a number of characteristics that apply. Policy 10A of the FNP makes clear that proposals will be supported where they have appropriate regard to the design characteristics for the relevant land use in that character area.

27. Although the Council opened its case on the basis that the massing and appearance of the proposed development was in dispute between the parties, no material evidence was led by the Council on that point. The Council confirmed that the points of particular concern in relation to the design of the scheme were the lack of active frontages and local character.

28. As a preliminary point, I note that the site has been vacant for about six years but nowhere has the Council sought to impose a site specific design solution through the development plan nor has it set down a list of requirements for this site or the general area. Instead the Council relies on alleged conflict with Policies NBE9 of HLP32, GEN1 of HLP06 and Policies 10 and 10A of the FNP all of which are generic in nature.

29. With regard to Policy NBE9 of HLP32 the proposal is alleged to conflict with criteria (b) and (g) because of the lack of active elevation. However, there are 10 criteria in the policy and only two are said to be breached. Therefore, even on the Council's case 8 of the criteria are effectively complied with so that overall, the policy is complied with taking the policy as a whole. Secondly, neither criteria (b) or (g) expressly mention active frontage. The Council accepted that neither criteria in the policy mentioned active elevation.

[8] Inset Map 10.1
[9] Section 38(5) of the PCPA 2004 refers. The HLP32 was the last document to become part of the development plan being adopted in April 2020

30. The Council argued that the aims of Policy NBE9 (b) and (g) cannot be met without active elevation. However, I consider the language in HLP32 is clear where the Council considers active frontages are necessary, such as in Policy ED5 and in the area in the Fleet Town Centre in Inset Map 10.1. I cannot accept that criteria (b) and (g) do actually deal with active frontages. Criteria (b) relates to the contribution of the building to public spaces and also access routes and public rights of way. It cannot be inferred that active frontages are implicit in that and the NPPF[10] states that policies must be clearly written and unambiguous. Exactly the same points can be made about criteria (g). This is all about crime and preventing anti-social behaviour. It cannot be inferred that active frontages are implicit here.

31. With regard to Policy GEN1 of HLP06, criteria (i), the Council accepted that this policy is generic in nature and has no express requirement for active elevation here. Moreover, there are numerous criteria in this policy and only one is alleged to be breached. With regard to Policies 10 and 10A of the FNP, I note that this policy was described by the examiner in 2019 as a generic design policy.[11] Furthermore, the Council accepted that the relevant UCDS's guidance[12] for new developments in Area D of the Fleet Town Centre was limited to developments being of two or three storeys and that there were various opportunities for public realm and traffic management opportunities.

32. Overall, it is clear to me that there is no express requirement for active frontages in any of these policies. The development plan simply does not require active frontages on the appeal site.

33. Additionally, the importance of active frontages is overstated by the Council. None of the documents cited in support of the pre-eminence of active frontages affords active frontages the weight given to them by Dr Kruczkowski.[13] Where the NPPF, the National Design Guide and Building for a Healthy Life do mention active frontages, they do so as ways of integrating buildings into their surroundings. This is recognised in the guidance that Dr Kruczkowski, cited at paragraph 2.3 of the Rebuttal PoE: the purpose of an active frontage is to add interest, life, and vitality to the public realm. In my view the proposed design does this, and the proposed development would be fully occupied on a full time basis by 31 occupants at least who would be resident and using the high street on a daily basis. There are no requirements or grading standards in the NPPF or otherwise for appropriate or inappropriate active frontages and, as I saw on my site visit, the activity afforded by the other frontages in the area is limited.

34. Turning to the alleged impact of the proposed development, I note that the proposed building would be set back about 5m from Crookham Road and about 1m below the level of Crookham Road. The Council's principal criticism

[10] Paragraph 16
[11] Mr Moorhouse Appendix 1
[12] Appendix 1, page 12
[13] Dr Kruczkowski's POE paragraph 2.53-2.54

with the proposed development is that its principal façade does not face Crookham Road because the front door does not face Crookham Road, meaning that the frontage to the building could only ever achieve a "Grade D" standard for active frontages. I disagree.

35. It is wrong to say the principal elevation in the building would not be on Crookham Road. The principal elevation is defined by the massing of the proposed development and the location of the main road, which means that the development's principal façade would be the elevation facing Crookham Road. As Mr Jackson confirmed the building would be easily legible and understood by anyone coming to the site and there would be no harm in having the main entrance to the side of the building.

36. The appeal scheme would offer a high degree of social interaction between residents of the development and those walking by it. Some 39 openings face Crookham Road over a frontage of 54 metres. The openings on the building increase the interface of the building with the public realm given that five of the ground floor flats have doors, leading onto patios, which would be used by residents. A further six of the first and second floor flats have Juliette balconies with fully opening doors. The Council's approach highlights a lack of understanding of how to design a scheme which works for the provision of accommodation for older persons. The design which the Council appears to want would not be architecturally workable given the need for a level access to the building and level access internally.

37. In addition, the suggestion that the building could be level with Crookham Road is impractical because of the need for a platform lift and this would decrease the level of interaction with the public realm, as ground floor residents would be level with a busy road so less likely to use or sit on the six patios at the front of the building. Dr Kruczkowski's evidence in chief was that "an active frontage is not made active by having doors". The level of usage by a front door on Crookham Road would be limited in any event. The location of the car park at the rear means that even if there were a front door on the Crookham Road elevation of the building, it would not be regularly used. This is illustrated by the properties in St James' Close. In my view there would be no material harm arising from the design of the appeal scheme.

38. I now turn to the alleged harm to local character. It was very difficult to discern from the Council's evidence what the actual current character of the locality is. There is the guidance in the UCDS's Area D: Fleet Road of the Fleet Town Centre Neighbourhood Area and the locally distinctive character of the site which the Council identified as coming from the Townscape Analysis Map. However, it is clear that not all of the characteristics that apply to the Area D character area are relevant to the appeal site.[14] Indeed, almost none of the characteristics of this area can be seen from the site or are relevant to the immediate surroundings. There is no retail adjacent, there is no Edwardian

[14] UCDS Appendix 1 page 10 Area D: Fleet Road

character, there are no locally listed buildings within view, there is no common building line and there is no view of a 1960's shopping centre. The only points of relevance are that buildings are two-three storeys and that there is a negative building on the proposed site where sensitive development would be welcomed.

39. In my view the local character is highly varied and different with no dominant style, typology, massing, building line, footprint, scale, use or material. The scale and height of the site context is two to three storeys. The site context is mixed and includes detached houses, terraced houses, semi-detached houses, bungalows, and large flatted developments as well as commercial properties. It is obviously wrong to look at character based on a plan alone, which should actually be determined by the context of the site. The appearance of buildings and building materials used in the site context is also mixed. Plainly the site is in a location where the urban transitions into the suburban. In the context of the site, the scheme proposed by the Appellant offers high quality design, which is cohesive with Crookham Road and its surroundings. I cannot agree with the Council that the measured, polite, and benign elevations of this building would be so materially harmful to the existing character as to justify refusal on design grounds.

40. Where Dr Kruczkowski did identify buildings, which made 'positive contributions', that is all he did. He did not identify any characteristics which make them positive, for example in his description of Royal Parade. Dr Kruczkowski failed to identify any local characteristics from the Townscape Analysis Map which the proposal does not comply with save for that the character is about relationships with the street. That is, effectively, a repeat of the Council's case on active frontages which I have already dealt with above.

41. The proposed design would enliven the Crookham Road street scene. The proposed amenity space would be set down and back from the road which would allow some privacy and separation from traffic but would also allow some interaction between the public realm and residents. The boundary treatment is set at a height to allow passing pedestrians visual connection with residents at the front of the building. The setting down of the building is key to dealing with the sloping site levels of about 2m across the site, making the building accessible to all at a single level. The most appropriate location for practical entry to the building is at the south west elevation as designed, where it could be seen from both Crookham Road and the car park and can provide level access to the building.

42. The appeal scheme provides a high quality design. The context analysis within the DAS has identified this site as a transition site between the more urban grain development to the north and the suburban development to the south. The building would be set down into the site, to both create a level access to all points and reduce the height of the building to neighbouring dwellings. The proposal has similar eaves heights to St James Close. The roof would be stepped to break down into elements thereby reducing the overall mass.

Dormers would further visually break up the roof mass. The height, scale and mass are all appropriate for this site and its context. Gables with limited articulation are a feature of the immediate context. The DAS covers a detailed analysis of the materials and features of buildings in the local context. The proposed design therefore positively responds to all aspects of paragraph 127 of the NPPF and is high quality.

43. Drawing all of these threads together I conclude on the first issue that the proposed development is a high quality design which would positively contribute to the overall character and appearance of the area. The proposal would accord with aforementioned development plan policies NBE9 of HLP 32, GEN1 of HLP 06 and Policy 10 and 10A of FNP and with other relevant policy and guidance including that contained in the NPPF.

Second Issue - Effect on Thames Basin Heaths SPA

Assessment of likely significant effects

44. The appeal site is located in proximity to the Thames Basin Heaths Special Protection Area (TBHSPA). It is within the 5 kms SPA Buffer Zone but outside of the 400m `inner exclusion' zone identified within SEP Policy NRM6, HLP32 Policies NBE3 and NBE4 and FNP Policy 17. The TBHSPA is a network of heathland sites which are designated for their ability to provide a habitat for the internationally important bird species of woodlark, nightjar, and Dartford warbler. The area is protected in the UK under the provisions set out in the Conservation of Habitats and Species Regulations 2017 (as amended) (the 'Habitats Regulations'). These bird species are particularly subject to disturbance from walkers, dog walkers and cat predation because they nest on or near the ground.

45. The conservation objectives for the SPA are to ensure that the integrity of the site is maintained or restored as appropriate, and to ensure that the site contributes to achieving the aims of the Habitats Regulations, by maintaining or restoring the extent and distribution of the habitats of the qualifying features; the structure and function of the habitats of the qualifying features; the supporting processes on which the habitats of the qualifying features rely; the population of each of the qualifying features, and, the distribution of the qualifying features within the site. I have had regard to these objectives in undertaking my duties in accordance with the Habitats Regulations.

46. The characteristics of the proposed development coupled with its proximity to the SPA present an increased risk of disturbance to its qualifying features. Natural England (NE) has indicated that it believes that within 5km of the SPA, additional residential development in combination will have significant effects on the Bourley and Long Valley SSSI, which forms part of the TBHSPA. Thus, without mitigation any such proposal is contrary to Habitats Regulations 63 and 64. Mitigation measures in the form of SANG and SAMM contributions are required to be secured to avoid impacts from residents who may recreate upon the SPA. NE also considers that without appropriate mitigation the

proposed development could have an adverse effect on the integrity of the Basingstoke Canal SSI. In order to mitigate these impacts and make the development acceptable foul drainage must be connected to the public sewer.

47. Collectively, SEP Policy NRM6, HLP32 Policies NBE3 and NBE4 and FNP Policy 17 require adequate measures to avoid or mitigate any potential adverse effects on the SPA. The application proposes 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 the above development plan policies are required. The Habitats Regulations require the Competent Authority to consider the potential impact that a development may have on a European Protected Site (TBHSPA).

48. The Thames Basin Heaths Joint Strategic Partnership has agreed a 'Thames Basin Heaths Special Protection Area Delivery Framework'[15] to enable the delivery of housing in the vicinity of the TBHSPA without development having a significant effect on the TBHSPA as a whole. The delivery framework is based on avoidance measures and the policy indicates that these measures can take the form of areas of open space (SANG). The delivery framework also states developments can provide SANG or that Local Authorities collect developer contributions towards mitigation measures. This includes the provision of SANG land and joint contributions to the funding of SAMM of the effects of mitigation measures across the TBHSPA.

49. At the application stage, NE originally objected to the proposed development[16] but, following the submission of a Shadow Habitats Regulations Assessment,[17] advised that as long as the Applicant was complying with the requirements of Hart's Avoidance and Mitigation Strategy for the TBHSPA (through a legal agreement securing SANG and SAMM), NE had no objection on the grounds of the impact of the development on the TBHSPA.[18] No such legal agreement was in place at the time the appeal was submitted. As a consequence, the Inspector is now the Competent Authority for the appeal scheme, and it is necessary for me to undertake an Appropriate Assessment (AA).

Appropriate Assessment

50. This AA is necessary to comply with Regulation 63 (1) of the Conservation of Habitats and Species Regulations 2017. It is accepted by the parties that the characteristics of the proposed development coupled with the proximity to the SPA present a likely significant effect in-combination to its qualifying features. The parties also agree that an appropriate Avoidance Strategy which involves the provision of SANG and a financial contribution towards the SPA wide SAMM project would be necessary and sufficient to address the impacts from the proposed development.

[15] CD3.6
[16] Mr Moorhouse's Appendix 4
[17] D 2.7
[18] Mr Moorhouse's Appendix 5

51. Following submission of the appeal, the Appellant has provided a s106 Agreement, with a Deed of Covenant appended, relating to the acquisition of SANG land from a third party[19] at Queen Elizabeth Barracks, Sandy Lane, Church Crookham (Naishes Wood SANG). The s106 Agreement secures the appropriate amount of SANG land as mitigation for the appeal scheme and it also secures a financial contribution to the Council for SAMM. The assumed contribution for the SANG land is £186,600 plus VAT based on an assumed 0.43 ha of SANG Land and 31 units. The s106 Agreement also secures a SAMM contribution of £14,585 to be paid by the owner.

52. I consider that the proposed SANG and SAMM mitigation is likely to be effective as the SANG land was specifically designed to persuade visitors away from the SPA. It is reasonable to conclude that SANG is effective as mitigation and dwellings consented within 5kms of the Thames Basin Heaths SPA with accompanying SANG are not likely to result in an increased number of visitors to the SPA. I also consider the amount of SANG proposed in this case is more than adequate to mitigate for the expected contribution of the proposal to the combined visitor pressure impact on the integrity of the SPA and the SAMM contributions are appropriate to secure management and maintenance of the land in perpetuity.

53. The parties are agreed that the Inspector as Competent Authority can and should in this case find that development proposals would accord with the Habitats Regulations on the basis that the Appellant has secured access to the Naishes Wood SANG by entering into a Deed of Covenant with a third party[20] as set out in the s106 Agreement and by making the SAMM payment.[21] The Council considers that at 17 March 2021 there exists sufficient capacity at Naishes Wood SANG to mitigate any harm from the appeal proposals. In this case I found that the appeal scheme is otherwise acceptable by reference to other issues and therefore it is appropriate to consult NE accordingly.

54. On 29 March 2021 a consultation with NE was undertaken in accordance with the Habitats Regulations. The response from NE confirms its opinion that the proposed SAMM mitigation secured by the s106 Agreement is acceptable. NE also confirms that the amount of SANG land proposed and secured by the s106 Agreement and the Deed of Covenant, is acceptable to address the anticipated effects of the development. This response is consistent with NE's earlier consultation response provided for the appeal, in which it is stated that its objection would be removed if a SANG solution was found. Moreover, the SANG in question has already been opened to the public and is operational. I consider this provides absolute certainty that the SANG mitigation would be secured long before occupation.

55. Having had regard to the views of NE and taking into account that I have found all other matters to be acceptable I am content that with the necessary and sufficient measures secured the proposed development would not adversely affect the integrity of the European Site and its relevant features.

[19] Taylor Wimpey Developments Limited
[20] Ibid
[21] Document 4

56. I am also satisfied on the following matters. Firstly, there is an identified and, prepared SANG at Naishes Wood where access for mitigation purposes will be permitted if permission is to be granted by the Inspector. Secondly, there are no technical impediments to the use of the SANG land. Thirdly, the Council has signed the s106 Agreement. Fourthly, the Appellant is able and willing to pay the amount that is required under the SAMM and SANG arrangements. Finally, there is no evidence to suggest that the capacity which exists at Naishes Wood, is likely to vanish before the transaction is completed and therefore the SANG provision would ensure that the proposal would not give rise to adverse effects to the integrity of the SPA.

57. The Appellant has also confirmed that foul drainage would be connected to the main sewer and has agreed to a condition to ensure that wastewater capacity will be provided to accommodate the additional flows from the development.

58. For all of these reasons therefore I am satisfied that the mitigation described above would be appropriately secured and that it would be sufficient to prevent harmful effects on the integrity and interest features of the TBHSPA so there would be no conflict with the Habitats Regulations. Moreover, there would be no conflict with SEP Policy NRM6, HLP32 Policies NBE3 and NBE4 and FNP Policy 17. On the second issue I conclude there would be no justification to withhold permission.

Other Matters

59. Both parties accept that the proposed development would not result in a material loss of amenity to neighbouring residential occupiers and would meet the requirements of Policy GEN1(ii) of HLP06 and the NPPF paragraph 127(f) in this regard. The quantum of the proposed parking provision at a ratio of 0.65 is appropriate in this instance and would accord with HLP32 Policy INF3d) and FNP Policy 19. Matters relating to ecology and surface drainage can be secured by conditions. There was one objection from a neighbouring occupier on the grounds of noise and disturbance through construction and questioning the need for specialised accommodation for older persons. With regard to noise and disturbance this is a matter that can be dealt with by a planning condition. I have already dealt with the identified need for specialised accommodation for older persons earlier in this decision.

Planning Obligation

60. At the Inquiry, a s106 Planning Obligation was submitted by way of Agreement. The Planning Obligation is made by an Agreement between the Appellant, HSBC Bank PLC, and Hart District Council. A CIL Compliance Statement was submitted with the Planning Obligation. I have considered the Planning Obligation in the light of the CIL Regulations 2010, as amended, the advice in the NPPF and the PPG.

61. Local Planning Authorities should only consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.[22] Regulation 122 of the CIL Regulations, as amended by the 2011 and 2019 Regulations, and paragraph 56 of the NPPF

[22] NPPF paragraph 54

make clear that Planning Obligations should only be sought where they meet all of the following three tests: (i) necessary to make the development acceptable in planning terms; (ii) directly related to the development; and (iii) fairly and reasonably related in scale and kind to the development.

62. The s106 Agreement secures a financial contribution of £500,000 to be paid by the owners towards the provision of off-site affordable housing. Securing a financial contribution towards off-site affordable housing is necessary to meet the requirements of HLP32 Policy H2. It is directly related to the development and fairly and reasonably related in scale and kind. The financial contribution has been calculated based on the application site, development proposed and viability. The s106 Agreement requires the total affordable housing contribution to be used towards the provision of off-site affordable housing.

63. The s106 Agreement secures a SAMM contribution of £14,585 to be paid by the owners. The owner also confirms that the requisite amount of SANG on the SANG land has been secured by entering into a SANG Agreement. SEP Saved Policy NRM6, HLP32 Policies NBE3 and NBE4 and FNP Policy 17 require adequate measures to avoid or mitigate any potential adverse effects on the TBHSPA. The Conservation of Habitats and Species Regulations 2017 (as amended) require the 'Competent Authority' to consider the potential impact that a development may have on the TBHSPA. Mitigation of the likely significant effect of the development on the TBHSPA is therefore necessary and directly related to the development of 31 Class C3 residential units.

64. The SAMM contribution is fairly and reasonably related in scale and kind to the development. It is based on the tariffs published by NE and agreed by the Hart District Council Cabinet on 01.10.2020 relating to dwelling size and occupancy. The Appellant has secured SANG from a third party and the associated SANG Agreement is appended to the s106 Agreement. The assumed contribution for the SANG land is £186,600 plus VAT. The SANG is fairly and reasonably related in scale and kind to the development. It secures an area of SANG (0.43 hectares) based on occupancy rates of the scheme.

65. In my view, all of the obligations in the Planning Obligation are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Therefore, they all meet the tests within Regulation 122 of the CIL Regulations and should be taken into account in the decision.

Planning Balance

66. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the development plan unless material planning considerations indicate otherwise. I have identified the relevant policies in this case which are listed at paragraphs 3.5-3.8 of the Planning SoCG. There is no dispute between the parties that the development plan is up-to-date.

67. In all the circumstances of this case I find there is no conflict with any of the development plan policies. I conclude that the appeal proposal accords with the development plan when read as a whole. Paragraph 11c of the NPPF

provides that proposals which accord with an up-to-date development plan should be approved without delay. There is clear evidence before me with regard to the suitability of the site. All the material considerations weigh in favour of the grant of permission.

68. The appeal site is located within the Fleet Settlement boundary. There is no dispute that the proposal complies with the vison and objectives of the plan in that it gives priority to the redevelopment of previously developed land and that it promotes more accommodation for the elderly. It is agreed that the proposal complies with 6 of the key policies in the development plan: HLP32: Policy SD1, Policy SS1, Policy H1 (a-c), Policy H2, Policy H4 and Policy H6. In my view, compliance with these policies can be given very significant weight. The proposal accords with other relevant development plan policies which can be given additional weight. The only conflict which the Council identified with the development plan policies is in respect of design and in particular HLP32: Policy NBE9, HLP06: GEN1 and FNP: Policy 10 and 10A. I have concluded that there would be no breach of any of these policies. The proposed development is a high quality design and accords with the design expectations of the development plan and paragraph 130 of the NPPF which makes clear that design should not be a reason for rejecting the development. There would be no harm arising from the Council's criticism about the frontage of the proposed development or the alleged harm to local character.

69. Moreover, there would be a number of benefits of the appeal scheme which were put forward by the Appellant. These benefits were not undermined to any degree during the Inquiry. I deal with each of these below explaining the weight that I attribute to each shown in the brackets.

70. The following benefits would arise: (i) much needed housing for older people. The Council suggests that the weight to this benefit should be tempered because the residents of the scheme would not be restricted to being aged 85 or over. However, given the needs identified in the SHMA[23] and the average age of residents of the Appellant's development being 79-80, the scheme meets the needs of the Council and significant weight should be given to this benefit. (ii) the development is of previously developed land (substantial weight); (iii) the development would be in a sustainable location (substantial weight); (iv) the development would make optimum use of the site (moderate weight); (v) the development would provide 31 market dwellings and is a clear benefit (substantial weight); (vi) the provision of the Appellant's payment of £500,000 to the delivery of affordable housing would be a significant benefit (substantial weight); (vii) there is a benefit releasing under-occupied housing stock[24] (substantial weight); (viii) the site would provide economic benefits by generating jobs, in the construction and operational phases of the development and by residents spending locally[25] (substantial weight); (ix) there would be social benefits in specialised age friendly housing[26] (substantial weight); (x) the environmental benefits of the scheme are a clear benefit (moderate weight). Cumulatively, these 10 benefits weigh heavily in favour of the appeal scheme especially given the critical need for housing for older people as identified at national level in the NPPF and NPPG and at local level in HLP32.

[23] Figures 14.8 and 14.10 page 212
[24] NPPF paragraph 118(d) and paragraph 131 of HLP32
[25] NPPF paragraph 80
[26] Appeal Decision APP/G5180/W/16/3155059 POE Mr Shellum Appendix 4 paragraph 25

71. Therefore, even if I had reached a contrary conclusion in terms of this appeal and found that there was a conflict with the development plan, any harm which might be identified as arising from the appeal proposal comes nowhere near significantly and demonstrably outweighing the many and varied benefits of the appeal proposal. There is no reason to withhold planning permission in this case and I conclude that the appeal should be allowed.

Planning Conditions

72. A list of suggested conditions was submitted by the Council at the end of the Inquiry (Doc3). I have considered these draft conditions in the light of the advice in paragraphs 54 and 55 of the NPPF and the Government's PPG on the Use of Planning Conditions. The Appellant has agreed to all of the suggested conditions except for Condition 13 which relates to Car Park Management. The Appellant has also agreed in writing to Pre-commencement Condition 3.

73. Condition 1 is the standard timescale condition. Condition 2 is necessary to ensure that the development is carried out in accordance with the approved plans. Condition 3 is required to protect the amenity of nearby residents. Condition 4 is necessary to ensure appropriate surface water drainage provision. Condition 5 is necessary to ensure safe living conditions for future residents. Condition 6 and Condition 7 are required to ensure that the external appearance of the building is satisfactory. Condition 8 is necessary to ensure that adequate refuse storage is provided. Condition 9 is required to reduce the emission of greenhouse gases.

74. Condition 10 is necessary to deliver a net gain in biodiversity. Condition 11 and Condition 12 are required to prevent on-site and off-site flood risk from increasing from the proposed drainage system. Suggested Condition 13 on Car Park Management is not agreed. In my view Condition 13 is unnecessary and unenforceable. It would also introduce no flexibility in the use of the parking spaces for the development which is unsustainable and counter intuitive to the reason the Council has given for the condition. I have deleted this suggested condition.

75. Condition 14 is required to ensure that the development is carried out in accordance with the application and delivers age restricted housing. Condition 15 is required to ensure that the external appearance of the building is satisfactory. Condition 16 is necessary to ensure that the development is provided with adequate parking to prevent the likelihood of on-street car parking. Condition 17 is necessary to ensure that all new homes within the development meet the water efficiency standard of 110 litres/person/day. Condition 18 is required to protect the amenity of nearby residents.

Conclusion

76. Having considered these and all other matters raised I find nothing of sufficient materiality to lead me to a different conclusion. The appeal is therefore allowed subject to the conditions set out in the attached Schedule.

Harold Stephens

INSPECTOR

SCHEDULE OF PLANNING CONDITIONS (1-17)

Standard Conditions

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Approved Drawings

2) The development hereby approved shall be carried out in accordance with the following plans:

Location Plan 10103FL PA00
Proposed Site Plan 10103FL PA01 Rev A
Proposed Ground Floor Plan 10103FL PA02
Proposed First Floor Plan 10103FL PA03
Proposed Second Floor Plan 10103FL PA04
Proposed Roof Plan 10103FL PA05 Rev A
Proposed Elevation A - Crookham Rd Elevation 10103FL PA06
Proposed Elevation B - Walton Cl 10103FL PA07
Proposed Elevation C - St James Rd 10103FL PA08
Proposed Elevation D - St James Cl 10103FL PA09
Indicative PV Layout C526-Fleet-Mech
Soft Landscape Strategy 12773_TG_P01 Rev B
Preliminary Drainage Layout PDL-101 Rev A
Proposed Lighting Plan 10103FL- SK001
Parking Swept Path Analysis ATR-101 Rev A

Pre-commencement Conditions

Demolition and Construction Management Plan

3) No development shall commence until a demolition and construction management plan has been submitted to, and approved in writing by, the Local Planning Authority. The Plan shall include details of:

1. A programme of demolition and construction works;
2. Methods and phasing for demolition and construction works;
3. Locations of temporary site buildings, compounds, construction material and plant storage areas;
4. Parking of vehicles of site operatives and visitors;
5. Loading and unloading of plant and materials;
6. Demolition and construction traffic management;
7. Wheel washing facilities;
8. Measures to control the emission of dust and dirt during construction; and
9. A scheme for recycling/disposing of waste resulting from demolition and construction works.

The development shall take place in accordance with the approved demolition and construction management plan.

Detailed Surface Water Drainage Strategy

4) Excluding demolition, no development shall take place until a detailed surface water drainage strategy based on the principles within drawing no. Preliminary Drainage Layout PDL-101 Rev A has been submitted to, and approved in writing by, the Local Planning Authority. The strategy shall include:

1. A technical summary highlighting any changes to the design from that within the approved preliminary drainage layout;
2. Detailed drainage layout drawings at an identified scale indicating catchment areas, referenced drainage features, manhole cover and invert levels and pipe diameters, lengths and gradients;
3. Detailed hydraulic calculations for all rainfall events, including those listed below. The hydraulic calculations should take into account the connectivity of the entire drainage features including discharge location. The results should include design and simulation criteria, network design and results tables, manholes schedules tables and summary of critical results by maximum level during the 1 in 1, 1 in 30, 1 in 100 (plus an allowance for climate change) rainfall events. The drainage features should have the same reference as the submitted drainage layout;
4. Evidence that urban creep has been considered in the application and that a 10% increase in impermeable area has been used in calculations to account for this.
5. Exceedance plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria.

The development shall take place and retained in accordance with the approved detailed surface water drainage strategy.

Contamination Strategy

5) Excluding demolition, no development shall take place until a detailed decontamination strategy in relation to the underground fuel tank on the site has been submitted to, and approved in writing by, the Local Planning Authority. The development shall take place in accordance with the approved detailed decontamination strategy.

Pre-above Ground Works Conditions

Materials

6) No above ground construction shall take place until details and samples of all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Hard Landscaping

7) No above ground works shall take place until full details of hard landscaping have been submitted to, and approved in writing by, the Local Planning Authority.

Hard landscaping details shall include, as appropriate, proposed finished levels and/or contours, means of enclosure, hard surfacing materials, and lighting features. The approved hard landscaping details shall be implemented prior to occupation of any of the dwellings hereby permitted and retained thereafter.

Refuse Storage and Management

8) No above ground works shall take place until full details of refuse storage and management have been submitted to, and approved in writing, by the Local Planning Authority. Refuse details shall include bin store locations, design details, provision for 4 x 1,100 litre bins for waste and recycling and route(s) to and from the properties for collections. The development shall take place in accordance with the approved refuse storage and management details and retained thereafter.

Photovoltaic Panels

9) No above ground works shall take place until full details of the proposed photovoltaic panels have been submitted to, and approved in writing, by the Local Planning Authority. The development shall take place in accordance with the approved photovoltaic panel details and retained thereafter.

Ecology (Swift Bricks)

10) No above ground works shall take place until details of the quantity and location of swift bricks has been submitted to, and approved in writing by, the Local Planning Authority. The development shall take place in accordance with the approved swift brick details and retained thereafter.

Pre-occupation Conditions

Surface Water Drainage System Maintenance

11) No dwellings shall be occupied until details for the maintenance of the surface water drainage system has been submitted to, and approved in writing by, the Local Planning Authority. The details shall include:

1. Maintenance schedules for each drainage feature type and ownership; and
2. Details of protection measures.

The development shall take place in accordance with the approved surface water drainage system maintenance details and retained thereafter.

Wastewater

12) No dwellings shall be occupied until one of the following has been submitted to, and approved in writing by, the Local Planning Authority:

1. Confirmation that wastewater capacity exists off site to serve the development; or
2. A housing and infrastructure phasing plan agreed with Thames Water; or
3. All wastewater network upgrades required to accommodate the additional flows from the development have been completed.

The development shall take place in accordance with the approved details and retained thereafter.

Compliance Conditions

Age Restriction

13) The age restricted dwellings hereby permitted shall be occupied only by:

1. Persons of 60 years or over.
2. Persons of 55 years or over living as part of a single household who is a spouse or partner of a persons of 60 years or over.

Soft Landscaping

14) Soft landscape shall take place in accordance with drawing no. Soft Landscape Strategy 12773_TG_P01 Rev B. Any such vegetation removed without the Local Planning Authority's consent, or which die or become, in the Authority's opinion, seriously damaged or otherwise defective during a period of five years following occupation shall be replaced and/or shall receive remedial action as required by the authority. Such works shall be implemented as soon as is reasonably practicable and, in any case, replacement planting shall be implemented by not later than the end of the following planting season, with planting of such size and species and in such number and positions as may be agreed with the Authority in writing.

Parking Provision and Retention

15) The development shall not be occupied until the approved parking for mobility scooters, cycles and vehicles has been provided in accordance with drawing no. Proposed Site Plan 10103FL PA01 Rev A. The parking shall be maintained at all times to allow them to be used as such.

Sustainable Water Use

16) All new homes within the development must meet the water efficiency standard of 110 litres/person/day and retained thereafter.

Construction Hours

17) No development, working on the site or delivery of materials shall take place at the site except between 0730 hours to 1800 hours weekdays or 0800 to 1300 hours Saturdays. No development, working on the site or delivery of materials shall take place on Sundays, Bank Holidays or Public Holidays.

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Ms Saira Kabir Sheikh QC	Instructed by Hart DC

She called:

Dr. Stefan Kruczkowski BA (Hons) DipTP, PhD, RPUD, FHEA	Director, Urban Design Doctor Ltd
Mr Rob Moorhouse BSc, MSc, MRTPI	Principal Planning Officer, Hart DC

FOR THE APPELLANT:

Mr Sasha White QC Ms Evie Barden of Counsel	Both instructed by Stuart Goodwill, Planning Issues Ltd

They called

Robert Jackson BArch, MArch, RIBA	Design Director, Planning Issues Ltd
Matthew Shellum BA (Hons), Dip TP	Head of Appeals, Planning Issues Ltd

DOCUMENTS SUBMITTED AT THE INQUIRY:

1. Opening Statement on behalf of the Appellant
2. Opening Statement on behalf of the Council
3. Draft Planning Conditions as at 17.03.2021 submitted by the Council
4. Executed Section 106 Planning Obligation dated 10 May 2021
5. Hart DC Community Infrastructure Levy Compliance Statement
6. Appellant's note confirming acceptance of Pre-commencement Condition 3 submitted by Mr Shellum
7. Closing submissions on behalf of the Council
8. Closing submissions on behalf of the Appellant