
PLANNING STATEMENT

Orchard Lodge, The Pippin, Calne, SN11 8RN.

*Change of use of Retail Unit 1 (Class E) to 1no. residential apartment (Class C3) and
associated works.*

planning*issues*
TOWN PLANNING AND ARCHITECTURE

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EXECUTIVE SUMMARY

- I. This Planning Statement has been prepared in support of a planning application for the Change of use of Retail Unit 1 (Class E) to 1no. residential apartment (Class C3) and associated works at Orchard Lodge, The Pippin in Calne. The application seeks planning permission for the change of use of retail unit 1 to residential accommodation.
- II. The proposal seeks a long-term viable use for a site within a highly sustainable location, within close proximity to local shops and services in Calne. Subsequently promoting local high street expenditure and use of sustainable modes of transport. In accordance with the NPPF (para 110), substantial weight should be given to delivering development in a highly sustainable location.
- III. 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*”. The Ministerial Statement by Rt Hon Michael Gove MP (December 2023) explicitly states that the Government will encourage the delivery of older people’s housing, including retirement housing¹.
- IV. The former Housing Minister, Rachel Maclean, previously stated “*Making sure older people can access the right homes that meet their needs in later life is a government priority. And by unlocking more housing for older people, we can also have a hugely beneficial impact on their health and wellbeing.*”²
- V. The Government published the revised National Planning Policy Framework (NPPF) on 12th December 2024 which was introduced with the accompanying written ministerial statement on the same day by the Minister of State for Housing and Planning. The written ministerial statement is important as it sets the context for the revisions made to the NPPF by the government. The written ministerial statement commences by identifying the ‘*acute and entrenched housing crisis*’ the government has inherited and its goals for increasing house building that has led to the changes made in the NPPF. The main focus of the government’s planning policy revisions is to accelerate the planning process so that 1.5 million homes can be built over the next five years.
- VI. The Census data shows that on Census Day in 2021, there were more people than ever aged 65 years and over in England. In Wiltshire there has been an increase of 21.8% in people aged 65 years and over. Wiltshire was one of only three local authorities in the South West whose 65+ population grew by more than 30% between 2011 and 2021.
- VII. In Wiltshire, there is a current shortfall of retirement accommodation in the Council. 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.

¹ Written Statements – Written questions, answers and statements – UK Parliament

² [Government unveils taskforce chair to boost older people's housing](https://www.gov.uk/government/news/government-unveils-taskforce-chair-to-boost-older-people-s-housing) – GOV.UK (www.gov.uk)

- VIII. The site is in a highly sustainable location, within walking distance to the town centre. The NPPF is clear that substantial weight should be given to the value of using suitable brownfield land within settlements for homes (paragraph 125(c)) and the policy strengthened stating that proposals for which should be approved unless substantial harm would be caused. Significant weight should be given to the benefits of delivering as many homes as possible on brownfield land.
- IX. The unit is empty and has been continuously marketed since August 2023. Paragraph 125(c) is clear that substantial weight should be given to the value of using suitable brownfield land within settlements for homes and supports under-utilised land and buildings, proposals for which should be approved unless substantial harm would be caused. Paragraph 129 supports development that makes efficient use of land having regard to the identified need for different types of housing and the availability of land suitable for accommodating it.
- X. The delivery of an additional dwelling will contribute towards the Council's 5 year housing land supply shortfall of 2.42 years supply. The contribution of 1 dwelling towards the housing supply should be afforded substantial weight.
- XI. Overall, the proposal will provide much needed housing for older people, providing social and economic benefits and freeing up family housing elsewhere in the market.
- XII. The scheme is considered to accord with the development plan and in accordance with paragraph 11d of the NPPF engaged and should be approved without delay.

1. INTRODUCTION

- 1.1 This Planning Statement has been prepared by Planning Issues Limited, on behalf of Churchill Living, in support of a planning application for the change of use of retail unit 1 (Use Class E) into 1 residential apartment (Use Class C3) with associated works.
- 1.2 The planning application seeks permission for the change of use of retail unit 1 (Use Class E) into 1 residential apartment (Use Class C3) with associated works at Orchard Lodge, The pippin, Calne.
- 1.3 This planning statement accompanies a change of use planning application. It should be read in conjunction with the following supporting statements which accompany the application:
- Planning Statement produced by Planning Issues Limited.
 - Transport Statement by Paul Basham Associates.
 - Marketing Report/Statement by Huw Thomas (Loveday).
- 1.4 The application includes the following plans:
- 10100CN - PA300 - Site Location Plan
 - 10100CN – PA308 – Elevations 2
 - 10100CN – PA310 – Elevations 4
 - 10100CN – PA303 – Ground Floor Plan
- 1.5 This Planning Statement includes an analysis of the scheme against the policy context and wider material considerations.

2. OLDER PERSONS HOUSING

- 2.1 On 26th June 2019 the Government published Guidance³ 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*'⁴.
- 2.2 It is well documented that the UK faces an ageing population. The recently released Census data shows that on Census Day in 2021 there were more people than ever aged 65 years and over in England.
- 2.3 Between 2014 and 2039 over 70% of projected household growth will be made up of households with someone aged 60 or over. The 2018 sub national population projections predict that the number of people aged 65 and over will increase from 10.8 million to 13.8 million by 2035. This means around one in five of the total population will be aged 65 and over in 10 years' time, which will become one in four by 2050⁵.
- 2.4 Despite 18.6% of the population currently being aged 65 and over, retirement housing, including extra care housing, accounts for only around 2.6% of the homes across the UK⁶.
- 2.5 The recent Ministerial Statement by Rt Hon Michael Gove MP (December 2023) explicitly states that the Government will encourage the delivery of older people's housing, including retirement housing⁷. The House of Lords Built Environment Committee Report sets out that the ageing population must be reflected in the types of new homes built, particularly as there will be an increase in older people living alone (January 2022). The Adult Social Reform White Paper published in December 2021 seeks provision of a greater range of specialist housing for older people with the aim of increasing choice and allowing people to live independently while having better access to care and support.
- 2.6 Recognising the issues being faced, the Government has recently set up a task force to help improve the housing options for older people. The task force will work across housing, health and care sectors with the aim of driving an increase in the volume and range of housing options for older people. The Government has recently updated the NPPF, explicitly setting out at paragraph 63 that Local Authorities should identify and plan for the needs of older people, including those who require retirement housing.
- 2.7 The former Housing Minister, Rachel Maclean, stated "Making sure older people can access the right homes that meet their needs in later life is a government priority. And by unlocking more housing for older people, we can also have a hugely beneficial impact on their health and wellbeing⁸.
- 2.8 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.

³ Planning Practice Guidance - www.gov.uk/guidance/housing-for-older-and-disabled-people

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 Housing our ageing population | Local Government Association

⁶ Housing our ageing population | Local Government Association

⁷ Written Statements – Written questions, answers and statements – UK Parliament

⁸ Government unveils taskforce chair to boost older people's housing – GOV.UK (www.gov.uk)

- 2.9 The UK has the oldest housing stock in Europe, meaning many people are living in non-decent and inappropriate homes. With steps or high maintenance requirements, these homes are not suitable for some older people⁹. Not everybody needs specialist retirement accommodation, but it is about offering choice in the market, enabling people to make decisions about their future.
- 2.10 The Applicant has specialised in the provision of purpose-built apartments for older people since 1998 and has delivered over 200 Schemes throughout England and Wales.
- 2.11 The accommodation proposed is specifically designed to meet the needs of independent, retired people and provides self-contained apartments for sale. This is essential for control over access, with safety and security being a key concern for individuals as they age.
- 2.12 Without a range of housing options for older people, they are left with no choice but to stay in their own home, which can be unsuitable as people age. This puts additional pressure on social care services to deliver additional care at home before people move into high dependency care homes.
- 2.13 Providing opportunities for people to downsize to suitable and adaptable accommodation with support on hand should they need it, meets the Government's agenda of encouraging much greater independence in old age and reduces the pressure on social care services.
- 2.14 The owners of the apartments have access to the communal facilities which are provided as:
- A lodge manager to provide assistance and security for the owners of the apartments;
 - Video entry system;
 - An owners' lounge is provided for use by all residents and their guests within the building;
 - Communal lifts are provided or use by residents and visitors;
 - A communal toilet for use by residents and visits;
 - A communal landscaped garden area;
 - A guest suite for use of relatives of property owners who wish to stay overnight;
 - A communal car parking area for use by residents who have a car (unallocated);
 - An area for mobility scooters to be stored and charged; and
 - A communal refuse store
- 2.15 The apartments are sold by the Applicant with a lease containing an age restriction which ensures that only people of 60 years and over with a spouse or partners of at least 55, can live in the development. It is suggested that this is secured by the following condition:
- "Each of the dwellings hereby permitted shall be occupied only by:*
- Persons aged 60 or over; or
 - A spouse / or partner (who is themselves over 55 years or older) living as part of a single household with such a person or persons; or

⁹ *Voices of our ageing population – Office for National Statistics (ons.gov.uk).*

- Persons who were living in one of the apartments as part of a single household with a person or persons aged 55 or over has since died; or
- Any other individual expressly agreed in writing by the Local Planning Authority”

2.16 Notwithstanding the age restriction, the average age of a purchaser of an apartment is 81 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 property is predominately needs based, with residents forced to move as their existing property is no longer suitable or they can no longer access the shops or services they need.

2.17 The 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 ‘upsized’ 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, predominately in three-bedroom homes with gardens, ideally suited for young families with children

2.18 A report by Knight Frank acknowledges that whilst there is an increase in the number of 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’s housing units per 1,000 individuals is expected to drop. This a step change in new delivery is required if the imbalance between need and supply is to be addressed.

2.19 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.

2.20 On 26th November 2024, the Older Persons Housing Task Force published their most up-to-date findings, looking at options for the provision of greater choice, quality and security of housing for older people. The taskforce was launched in May 2023, headed by Julianne Meyers, and accompanied by a host of industry specialists.

2.21 The report ‘Our Future Homes: Housing that promotes wellbeing and community for an ageing population’ (published 26th November 2024) identifies 9 core recommendations, with a final overarching recommendation that the government establish a new delivery capability to carry this transformative work forward. Each recommendation has been set out below:

Recommendation 1	Standardise definitions of Older Persons Housing/ Later Living Homes - To enable partnership working across the private and public sectors and to build public understanding of what’s available, we need to be speaking the same language.
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Recommendation 2	Incentivise a wide range of Older Persons Housing/ Later Living Homes options - Senior citizens in the UK are not a homogeneous group. They are highly diverse in their needs, wishes, backgrounds and identities. Meaningful choice must be available and accessible to all.
Recommendation 3	Ensuring more housing is designed for later life - We have a growing ageing population and housing stock that does not meet their needs. We need to optimise all forms of OPH/LLH including mainstream housing, community-led housing, service-led housing (supported living and assisted living) and though not the focus of this report, care homes.
Recommendation 4	Create age-friendly, dementia-inclusive, faith and culture-sensitive communities - Because the community beyond the front door - the built environment, local infrastructure, communities and mutual support - enables people to live independently and well, whatever housing they choose to live in.
Recommendation 5	Expand Older Persons Housing /Later Living Homes at scale and ensure it is affordable to live in, and viable to finance, build and operate - To increase supply, we need to create greater incentives for inward investment, including private and public sector capital support; thereby enabling a greater mix of housing that is affordable to those in the 'lower to middle-affluence market'.
Recommendation 6	Strengthen planning policies - National and local planning policy and practice can incentivise and accelerate the development of new forms of OHP/LLH; and help shape mainstream housing and the built environment to be more age-friendly, dementia-inclusive, faith and culture-sensitive.
Recommendation 7	Establish a national information platform and local hubs - For people to take up options they must first understand what they offer, what would best meet their needs and how to take them up. Accurate and trusted sources are vital.
Recommendation 8	Build consumer confidence - To increase demand, we need to build consumer trust and confidence in a range of different types of housing; and to increase supply we need to provide regulatory clarity for providers and potential investors.
Recommendation 9	Enhance innovation, research and professional development - There are gaps in our knowledge of senior citizens' needs and what works to meet them. A strategic approach is essential to generate and embed the greatest value from private and publicly funded research, with an increase in funding for the latter.
Recommendation 10	Create collective leadership to drive change - To achieve a step change, we need to inspire and empower ambitious action, from the top of government and outwards to communities and families. We need to fully integrate housing health and care at all levels of the system.

- 2.22 The 'Our Future Homes' report clearly identifies "There are gaps in our knowledge of senior citizens' needs and what works to meet them. A strategic approach is essential to generate and embed the greatest value from private and publicly funded research, with an increase in funding for the latter."
- 2.23 The report further sets out a number of key statistics which promote the necessity for suitable housing for the ageing population, these include:
- 2.24 By 2066, there will be an additional 8.3 million (26%) projected UK residents aged 65 years – broadly equivalent to the size of the population of London today.
- 2.25 91% of over 65's currently lives in mainstream housing. In 2020-21, only 12% of senior citizens had level access to the entrance of their building, as well as more than half of all households live in homes with an Energy Efficiency Rating of D or below.
- 2.26 Nearly 9 in 10 people aged 65-79 live in under occupied homes, with over 50% living in homes with two or more excess bedrooms. Coupled with the fact that 52% of senior citizens live alone, with lower wellbeing compared with those who live with others and higher rates of loneliness.
- 2.27 At present, an average of circa 5-7,000 later living homes are built annually, out of a total circa 200,000 newly built homes. This is in sharp contrast to the 30-50,000 new homes a year estimated to be needed to meet the ageing population. This presents a radical departure from present housing policy which focuses on first-time buyers.
- 2.28 Only 6% over 65s live in service-led housing with support (supported living) and 0.6% live in assisted living, which is almost 10 times less than in more mature markets such as the USA and Australia, where over 5% of over 65s live in service-led housing with care.
- 2.29 Chapter 6 (Strengthening Planning Policies) clearly stipulates that Local Planning Authorities must ensure sufficient land is made available to support the volumes of new supply needed, as well as actively raising the profile and priority given to Older Persons Housing/Later Living Homes in local plans. This would inevitably bring confidence to providers and help overcome the "*social reluctance to plan for old age*".

3. THE SITE AND PLANNING HISTORY

- 3.1 The site is located in Orchard Lodge in Calne which comprises of a mixed use development of 40 older persons residential units and 3 retail units. In November 2024 an appeal was allowed and planning permission was granted for change of use of commercial unit 4 (use class E) to residential (Use Class C). The site subject to this planning application is unit 1, a retail unit located at ground level that has been vacant since August 2023.
- 3.2 Of the 3 retail units, only 1 is occupied currently in use as a sales office for the retirement development that forms the rest of the development.
- 3.3 The site area itself is located within the northern part of the host development and is currently accessed externally via its own private access straight onto the side road off The Pippin. The site area of unit measures 59.9sqm.
- 3.4 Orchard Lodge (the host building) is located between The Pippin to the east and the rear gardens of the properties fronting Hight Street to the west. The main pedestrian thoroughfare is located between Sainsburys, on the opposite side of The Pippin, and the main shopping area, is Phelps Parade just north of Orchard Lodge.
- 3.5 The site lies within the Calne Conservation Area and there are a number of listed buildings adjacent to the site including the Zion Chapel.

Planning History

- 3.6 Orchard Lodge was granted planning permission by appeal on 11th March 2021 (APP/Y3940/W/20/3246442) for 39 No apartments for older people (sixty years of age and/or partner over fifty five years of age), guest apartment, communal facilities, access, car parking, landscaping and 4 No retail units. Subsequent to the consent the Applicant submitted a variation of plan list condition application (PL/2022/00405) for minor elevational changes which was approved in 2022.
- 3.7 In October 2023, the client Churchill Living applied for permission for the change of use of commercial unit 4 to residential accommodation given there was limited interest in the retail units. The Council refused the application on 26th January 2024 on the grounds that the proposed change of use from retail use to residential use would adversely impact the vitality and viability of the town centre, and on insufficient information and detail had been provided regarding the proposed parking provision.
- 3.8 Churchill Living appealed the decision and on 13th November 2024 the application was granted on appeal (Appeal Ref: APP/Y3940/W/24/3347261) for the change of use of commercial unit 4 (Use Class E) to residential accommodation (Use Class C3). The appeal decision can be found in Appendix F.
- 3.9 The inspector found that the proposed development would not harm the vitality and viability of the town centre. The appeal decision can be found in Appendix F.

Proposed Development

- 3.10 This Planning application has been prepared in support of a Change of Use planning application at Orchard Lodge in Calne. The application proposes the change of use of retail unit 1 (Use Class E) to residential use (Use Class C3) with associated works.

- 3.11 The proposed residential unit is for older persons and will have full access to all communal areas and gardens within Orchard Lodge, the landscape amenity gardens which will be maintained by the management company, Churchill Estates Management.
- 3.12 Vehicular access into the hosting development is in the form of a shared vehicle and pedestrian access and is provided from The Pippin at the southern end of the site.

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 indicate otherwise.
- 4.2 Other material considerations include the National Planning Policy Framework (NPPF) (2024) and the Planning Practice Guidance (PPG).

The Development Plan

- 4.3 The Development Plan comprises of the adopted Wiltshire Core Strategy (2015) adopted in January 2015, which includes the saved North Wiltshire Local Plan policies (2006), the Wiltshire Housing Site Allocations Plan (2020) and the Calne Community Neighbourhood Plan 2 (2023-38) adopted in March 2025.
- 4.4 The Calne Community Neighbourhood Plan 2 was made in March 2025. The emerging Wiltshire Local Plan was submitted for examination in November 2024 and several hearing sessions have taken place. The Inspectors concluded on 27th June 2025 that following consideration of the Duty to Co-operate, the plan can progress to stage 2 to consider the soundness of the remaining matters of legal compliance of the plan. Hearings have been scheduled from October 2025 to March 2026. Following the release of the revised National Planning Policy Framework, the draft plan policies will need to be in line with newly adopted national planning policy framework and will also need to fall in line with the policies of the new Local Plan, the policies may need to be revised as a result of its adoption.
- 4.5 Other Material considerations include the National Planning Policy Framework (NPPF) and the Planning Practice Guidance (PPG).
- 4.6 The site is located within the settlement boundary.
- 4.7 There are no specific designations on the site in the adopted Wiltshire Core Strategy (2015).
- 4.8 The site is located within the secondary shopping frontage in the Calne Existing Town Centre Boundary, Policy R2 of the saved policies of the North Wiltshire Local Plan refers to town centre secondary frontages and is silent on residential uses on the secondary frontage areas.
- 4.9 The site is identified within the Primary Shopping Area of Calne in the emerging Wiltshire Local Plan Calne Proposed Town Centre Boundary.
- 4.10 The policies of the Wiltshire Core Strategy considered of relevance and for the consideration of this Planning Application are as follows:
- WCS Core Policy 1: Settlement Strategy
 - WCS Core Policy 2: Delivery Strategy
 - WCS Core Policy 8: Spatial Strategy: Calne Community Area
 - WCS Core Policy 35: Existing Employment Sites
 - WCS Core Policy 36: Economic Regeneration
 - WCS Core Policy 45: Meeting Wiltshire's Housing Needs
 - WCS Core Policy 46: Meeting the Needs of Wiltshire's Vulnerable and Older People
 - WCS Core Policy 57: Ensuring High Quality Design

- WCS Core Policy 58: Conservation of the Historic Environment
- WCS Core Policy 60: Sustainable Transport
- WCS Core Policy 61: Transport and Development

4.11 The policies of the North Wiltshire Local Plan 2011 (Saved Policies 2006) considered of relevance and for the consideration of this Planning Application are as follows:

- North Wiltshire Local Plan Saved Policy R2: Town centre secondary frontage areas

4.12 The policies in the adopted Calne Community Neighbourhood plan 2 (2023 – 2038) are as follows:

- Policy C1: High Quality, Sustainable Development in the Calne Community Plan Area
- Policy BE2: Heritage Assets
- Policy WS4: Calne Town Centre
- Policy WS5: Local, Neighbourhood Centres in Calne and Derry Hill
- Policy H1: Housing within settlement boundaries
- Policy H4: Housing to meet the needs of Older People and those Living with Disabilities
- Policy H5: Adaptable and Accessible Housing

4.13 The draft policies of the emerging Wiltshire Local Plan are as follows:

- Draft Policy 1: Settlement Strategy
- Draft Policy 2: Delivery Strategy
- Draft Policy 4: Addressing Climate change
- Draft Policy 9: Calne Market town
- Draft Policy 65: Existing Employment land
- Draft Policy 68: Managing Town centres
- Draft Policy 71: Transport and new development
- Draft Policy 78: Meeting Wiltshire's housing needs
- Draft Policy 99: Ensuring the conservation and enhancement of the historic environment

Other Material Considerations

National Planning Policy Framework (December 2024)

4.14 The overriding message in the NPPF is one of sustainable development.

- 4.15 Paragraph 10 of the NPPF states that at the heart of the NPPF is a presumption in favour of sustainable development. There are three dimensions to sustainable development: economic, social and environmental and to achieve sustainable gains these should be sought jointly and simultaneously through the planning system.
- 4.16 Paragraph 8 of the revised Framework highlights three dimensions to sustainable development being economic, social and environmental objectives.
- 4.17 On 12th December 2024, the NPPF was amended. Paragraph 11(d) now states that in relation to decision taking and the presumption in favour of sustainable development, schemes should be granted permission unless policies in the framework provide a “strong” reason for refusal- whereas it previously stated “clear”. Furthermore, the criteria for where planning permission should be granted when a development plan is considered out of date has been enhanced to state:
- “Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”*
- 4.18 The new version of the NPPF (2024) adds explicit reference to the need to consider key policies. These are listed as those for directing development to include sustainable locations, making effective use of land and securing well designed places. The addition to 11(d) has put emphasis on the re-use of brownfield sites in sustainable locations. Moreover, the new NPPF contains a significant emphasis on the efficient use of land and specifically brownfield sites.
- 4.19 **Paragraph 61 sets out the Government’s objective to significantly boost the supply of housing.** Alongside the revised NPPF, the revised Standard Method has been published, which defines the local housing need for all local authorities in England and aggregates to a national total of 371,451 per annum.
- 4.20 Paragraph 63 has been amended to explicitly state that plan makers need to plan for housing for older people, including those who require retirement housing. In relation to the proposed development, the emphasis on meeting the housing needs of older people is retained at Paragraph 63 with the wording continuing to identify older people as a group that needs to be reflected within this context of establishing need, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies. These groups should include (but are not limited to) those who require affordable housing; families with children; older people (including those who require retirement housing, housing with care and care homes).
- 4.21 Paragraph 78 of the revised NPPF has reinstated the housing land supply requirement to a five-year supply with a five per cent buffer. **Wiltshire is unable to demonstrate a current five-year supply, the Council published the Wiltshire’s Housing Land Supply Statement Briefing Note No. 25 -24 on 18th June 2025 which sets out the current position at 2.42 year supply.**
- 4.22 The Councils Local Plan is over 5 years old and unable to demonstrate a five-year supply of housing land against the relevant number of homes required, the NPPF states that “*policies that are most important for determining the application*” should be considered to be out of date and given little weight in decision making. This means the presumption in favour of sustainable development applies and paragraph 11d of the NPPF is engaged.

- 4.23 Paragraph 90 (f) sets out that planning policies should recognise that residential development often plays an important role in ensuring the vitality of centres and encourage residential development on appropriate sites.
- 4.24 Paragraph 96 advises that planning should promote healthy, safe and inclusive places, which promote social interaction, are safe and accessible and enable and support healthy lifestyles.
- 4.25 Paragraph 116 (formerly paragraph 115) has been amended in relation to highways impact and refusal grounds. The new paragraph now reads *“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, following mitigation, would be severe, taking into account all reasonable future scenarios.”*
- 4.26 Chapter 11 ‘Making Effective Use of Land’ starts at Paragraph 124 (formerly 123) and remains unchanged requiring planning policies and decisions to promote effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.
- 4.27 Paragraph 125 (formerly 124) has been enhanced in relation to brownfield sites. At point (c) new wording has been added stating: *“Planning Policies and decisions should....give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land.”*
- At point (d) it states *“...promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively”.*
- 4.28 The government’s objective of Paragraph 129 requires planning decisions to support development that makes efficient use of land taking into account the identified need for different types of housing and the availability of land suitable for accommodating it.
- 4.29 It is clear for the amendments that have been made through the revised NPPF on 12th December 2024 that the government is pushing for significant changes to the planning system to boost housing delivery.
- 4.30 The application site located in the town centre of Calne, it is considered the unit is capable of being occupied for specialist accommodation for older persons rather than lie vacant and dormant as it currently stands. Permission should be allowed to the use of vacant unit within the Calne settlement for much needed older persons accommodation and where paragraph 125(c) of the NPPF advises that proposals for which should be approved unless substantial harm would be caused.

Planning Practice Guidance

- 4.31 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.
- 4.32 In June 2019 the PPG was updated to include a section on Housing for Older and Disabled People, recognising its importance. Paragraph 001¹⁰ states:

¹⁰Planning Practice Guidance, Paragraph: 001 Reference ID: 63-001-20190626. Available here: <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

*“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)

- 4.33 Paragraph 003¹¹ 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.
- 4.34 Paragraph 001¹² recognises that ‘a wide range of complementary uses can, if suitably located, help to support the vitality of town centres, including residential’ and that ‘local authorities may wish to consider locating specialist housing for different groups including older people within town centres or edge of centre locations.’
- 4.35 Paragraph 006¹³ 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.
- 4.36 Paragraph: 016¹⁴ 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).

¹¹ Planning Practice Guidance, Paragraph: 001 Reference ID: 63-003-20190626. Available here: <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

¹² Planning Practice Guidance, Paragraph 001 Reference ID: 2b-001-20190722. Available here: <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

¹³ Planning Practice Guidance, Paragraph: 001 Reference ID: 63-006-20190626. Available here: <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

¹⁴ Planning Practice Guidance, Paragraph: 001 Reference ID: 63-016-20190626. Available here: <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

5. PLANNING CONSIDERATIONS

Principle of Development

- 5.1 The application is sought to change the use from a retail unit (Use Class E) to a residential dwelling for older persons (Use Class 3). The unit is in a sustainable location within Calne. The principle of a Retirement Living development would be considered appropriate in this location given the hosting sites current use (C3) residential.
- 5.2 Core Policy 1: Settlement Strategy and Draft Policy 1 states Market Towns have the potential for significant development that will increase the jobs and homes in each town, Calne is identified as a Market Town.
- 5.3 Core Policy 2 (Delivery Strategy) sets out that over the Plan Period, at least 42,000 homes are required. Draft Policy 2: Delivery Strategy states the Delivery Strategy seeks to deliver development in Wiltshire between 2020 and 2038 in the most sustainable manner by making provision 36,740 homes.
- 5.4 Core Policy 45 addresses meeting the housing needs of Wiltshire and the amplified text to the policy at Paragraph 6.51 advises that it's fundamental to the strategy that the right types of homes are delivered. The policy requires well designed houses to address local housing need incorporating a range of different types, tenures and sizes of home to create mixed and balanced communities.
- 5.5 Draft Policy 9 (Calne Market Town) sets out that the development at Calne will *'provide a balanced approach to housing growth, that allows the wide-ranging housing needs of Calne to be met whilst conserving the special market town feel, including its heritage.'*
- 5.6 Core Policy 46 of the Wiltshire Core Strategy supports Older Persons Specialist Housing in suitable locations where they contribute towards meeting the needs of vulnerable and older people and where there is an identified need. Core Strategy supporting 6.55 states *'Wiltshire has an ageing population profile and research also suggests that many older people across Wiltshire continue to live at home'*, The supporting text to the policy at Paragraph 6.53 & 6.54 states; *'This Strategy plans for the care of the elderly within their local communities, so people can continue to enjoy life in their own homes for as long as possible. If and when this is no longer possible, there is a need to ensure there are alternative facilities where people can continue to enjoy living in their local area with the level of care they require provided'*.
- 5.7 Residential development must ensure that layout, form and orientation consider adaptability to change as an integral part of design at the outset, in a way that integrates all households into the community. Core Policy 46 seeks to address the issue of an ageing population, which is particularly important in Wiltshire, by ensuring that there is adequate provision of specialist accommodation, such as 'extra-care housing.' Emerging Policy 78 also supports the delivery of older persons housing and in addition, The Calne Community Neighbourhood Plan 2 (2023 -2038) Policy H4 supports housing to meet the needs of Older People.
- 5.8 This application seeks to change the use of a vacant retail unit and offers 1 retirement unit which would be purpose built in a sustainable location and contribute towards the identified needs of older persons accommodation, the provision of housing designed for the aging population and therefore complies with Policy 46.
- 5.9 The site is located within a secondary shopping frontage, in respect to Policy R2 of the saved policies of the North Wiltshire Local Plan. The Local Plan is of some vintage having been adopted in 2006 and policies saved in 2009 and needs to be read in conjunction with the NPPF.

Policy R2 on town centre secondary frontages starts '*Proposals for shops, financial and professional services...etc.*' the application proposal is not for one of the listed uses so it is considered that the policy does not apply to the proposed scheme. It is at best silent on residential uses on secondary frontage areas and as such there is no breach of this policy.

- 5.10 Neighbourhood Plan Policy W25 sets out that support will be given to development proposals for change of use or alteration to frontages, that protect or strengthen the role, character and vitality of local neighbourhood and village centre in Calne and supports residential floor space above ground floor frontage units for residential, therefore Policy W25 supports the principle of residential in the village centre. In addition, Paragraph 90 (f) of the NPPF recognises that residential development often plays an important role in ensuring the vitality of centres and encourages residential development on appropriate site.
- 5.11 The site is identified within the Primary Shopping Area of Calne in the emerging Wiltshire Local Plan Calne Proposed Town Centre Boundary, Draft Policy 68 (Managing Town Centres) sets out the Town centre hierarchy where Calne is identified as a Market town and states '*proposals for the conversion of ground floor uses falling within Class E to residential development within town centre boundaries will not be supported unless identified by other policies of the Development Plan*'. The policy goes on to say primary shopping areas are the priority locations for new and existing shopping facilities and other active ground floor uses. Given the status of the emerging local particularly where there are still outstanding objections to it and where Policy 68 also contains the caveat of exception points referring to other policies of the emerging Local Plan '*unless identified by other policies of the Development Plan*' which also have outstanding objections, Policy 68 of the emerging Local Plan can only be afforded limited weight.
- 5.12 A Marketing Statement produced by local agent Huw Thomas at Loveday who have been marketing the units since August 2023 has been submitted in support of this planning application. The Commercial unit 1 has been marketed for over 2 years, the report found that although there was limited interest in the unit, where 13 enquiries were made, not one of these enquiries proceeded with a second viewing and no offers were made to the applicant. The report finds that issues were raised as to why the potential tenants were not interested, these mainly related to the units location and its lacking of passing footfall, the reports sets out '*The frontage of Unit 1 while visible from a distance, is effectively fronting a vehicular roadway to a service yard for one side of the Phelps Parade shopping centre. The majority of passing traffic are delivery vehicles entering and exiting the service yard while delivering to occupiers including Iceland, Boots and Morrison Local. It does not therefore have any notable pedestrian footfall passing the shopfront.*' Other issues related to the lack of car parking spaces offered and market uncertainty. The marketing report found that during the marketing period, there have been at least 12 retail lettings in Calne town centre, mainly in Phelps Parade and the High Street that are well established retail locations with a good level of pedestrian footfall.
- 5.13 Policy CP38 which relates to retail does not apply to the application site given the nature, location and size of the site does not meet the policies criteria.
- 5.14 The planning history of the property is recognised and an important material planning consideration, noting that the application (reference PL/2023/09367) which has resulted in the loss of retail unit 4 was found acceptable by the Planning Inspectorate through the granting of planning application PL/2023/09367 which approves the change of use of commercial unit 4 (use class E) to residential accommodation (Use Class C3) where the inspector found that the proposed development would not harm the vitality and viability of the town centre and considered this to be an appropriate site for residential development. The inspector states '*I also find that the scheme would accord with the National Planning Policy Framework which*

seeks to ensure the vitality of town centres and recognises that residential development often plays a role in ensuring this”.

- 5.15 There is a pressing need for older persons housing as identified in all stages of policy, at a national level and specifically within Wiltshire Council and Calne itself.
- 5.16 Section 7 of the NPPF and specifically Para 90 is supportive of residential uses in town centres and the PPG positively encourages local planning authorities to think about locating specialist accommodation for older persons within town centres. The proposal is not in breach of any relevant adopted development plan policies.
- 5.17 The proposals are in accordance with the adopted Local Plan, the additional dwelling will contribute towards the Councils housing requirement and therefore paragraph 11c of the NPPF is engaged meaning the development proposals should be approved without delay.

Suitable Brownfield Site

- 5.18 The planning system has a clear role in ensuring it delivers homes where they are most needed. As set out in paragraph 124 of the NPPF, this means making as much use as possible of previously developed land.
- 5.19 It is considered the buildings on this application site should be assessed as previously developed (brownfield), the remainder as a residential garden is regarded as greenfield land. The NPPF is clear that substantial weight should be given to the value of using suitable brownfield land (paragraph 125 c). This is accompanied by the need to promote and support the development of under-utilised land and buildings (paragraph 125 d).
- 5.20 The Government is championing the take up of brownfield land by encouraging the remediation of degraded or contaminated spaces and promoting the development of under-utilised land. In accordance with this and the approach set out in Local Plan Policy SS1 making the best use of previously developed land, the proposal will bring a vacant site back into use.
- 5.21 This is a highly suitable and sustainable brownfield site accessible to the town centre of Calne. Its redevelopment will reduce the need for development on greenfield sites.

Sustainable Location

- 5.22 The site is located in the town centre of Calne, in a sustainable, predominately residential location where there are a range of services and amenities within walking distance.
- 5.23 Core Policy 46 supports Older Persons Specialist Housing in sustainable locations where there is an identified need, within Principle Settlements and Market Towns. The benefit of delivering housing on land in a highly sustainable location should be given substantial weight in the planning balance.

Increasing Housing Delivery

- 5.24 The Government published the revised NPPF on the 12th December 2024 which was introduced with the accompanying written ministerial statement on the same day by the Minister of State for Housing and Planning. The ministerial statement is important as it sets the context for the revisions made to the NPPF by the Government. It commences by identifying the ‘acute and entrenched housing crisis’ the Government has inherited and its goals for increasing house building that has led to the changes made in this iteration of the NPPF. The Government’s action in the publication of the revised NPPF is identified as a response ‘with the urgency this (acute housing shortage) demands. There is a significant national drive to increase housing

delivery. The main focus of the government's planning policy revisions, is to accelerate the planning process so that 1.5m homes can be built over the next five years.

- 5.25 Under the heading of 'Building in the Right Places' the ministerial statement emphasises that developers look to brownfield land such as the application site first as it is essential to protect our most valuable countryside and agricultural land. The better more efficient use of sustainable brownfield sites, such as the application site means the less pressure on greenfield sites or green belt release.
- 5.26 Paragraph 73 has been amended to emphasise that small and medium sized sites, such as the application hosting site 'are essential for small and medium enterprise housebuilders to deliver new homes'. Criteria 73(d) of the policy remains unchanged advising that 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'.
- 5.27 The proposed change of use to residential will be converted immediately. Overall, it is considered that increasing housing delivery should be given substantial weight in the planning balance.
- 5.28 The system has a clear role in ensuring it delivers homes where they are most needed. As set out in paragraph 124 of the NPPF this means making as much use as possible of previously developed land.

Older peoples Housing Need

- 5.29 It is well documented that the UK faces an ageing population. The Homes for Later Living Report, Happy and Healthier (September 2019) notes the need to deliver 30,000 retirement and extra care houses a year in the UK to keep pace with demand. 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 need and demand.
- 5.30 The Government reform of the Health and Adult Social Care is underpinned by the principle of increasing independence in old age. Without choice and diversity in the housing market to allow this, many older people are faced with limited options but to remain in often large and unsuitable accommodation.
- 5.31 Core Policy 45 requires a mix of types of housing which provides solutions that contribute to meeting Wiltshire's housing needs. New residential development should maintain, provide or contribute to a mix of housing size and type, including house and flats to reflect the need of the community using appropriate evidence.
- 5.32 According to the 2021 Census, Wiltshire's number of people over the age of 65 grow substantially with over 40,000 more people aged 65+ in Wiltshire in 2021 compared to 2001. Wiltshire's 65+ population grew by 30.5% between 2011 and 2021, compared to the national average increase of 20.1% in England there has been an increase of 30.5%.
- 5.33 The Wiltshire – Local Housing Needs update (2023) confirmed that population growth is projected to be concentrated in older age groups (those aged 65 and over). The vast majority of growth is associated with the older population, with over 65s projected to increase by 48,015. This is a particularly important consideration when establishing the types of housing required and the need for housing specifically for older people.
- 5.34 Key findings for the projected period include:

- There is projected to be a drop in households aged 35-64 years, but a very significant increase in older households.
- Single person households are 14% of the overall household growth: an increase of 3,200, with all of the growth in the over 75 years category;
- Couples aged under 65 without dependent children are projected to fall by almost 12,000 households, but with an increase of over 16,700 households with a household representative aged over 65.
- The population projections underlying the Local Housing Need figure for Wiltshire show a substantial increase in the older population during the period 2021-2038. The population aged 75+ is likely to increase by around 32,920 persons based on providing the number of homes needed to meet the local housing need.
- There is already a shortfall in the provision of housing for elderly people. The current population of 51,991 people aged 75+ requires 13,049 specialist homes whilst data shows that just 5,741 exist, resulting in an unmet need of nearly 7,308 homes already in the area.

5.35 The graph below shows age group and the percentage change between 2011 and 2021 for Wiltshire. The share of residents aged between 65 and 74 years increased by 1.9 percentage points between 2011 and 2021.

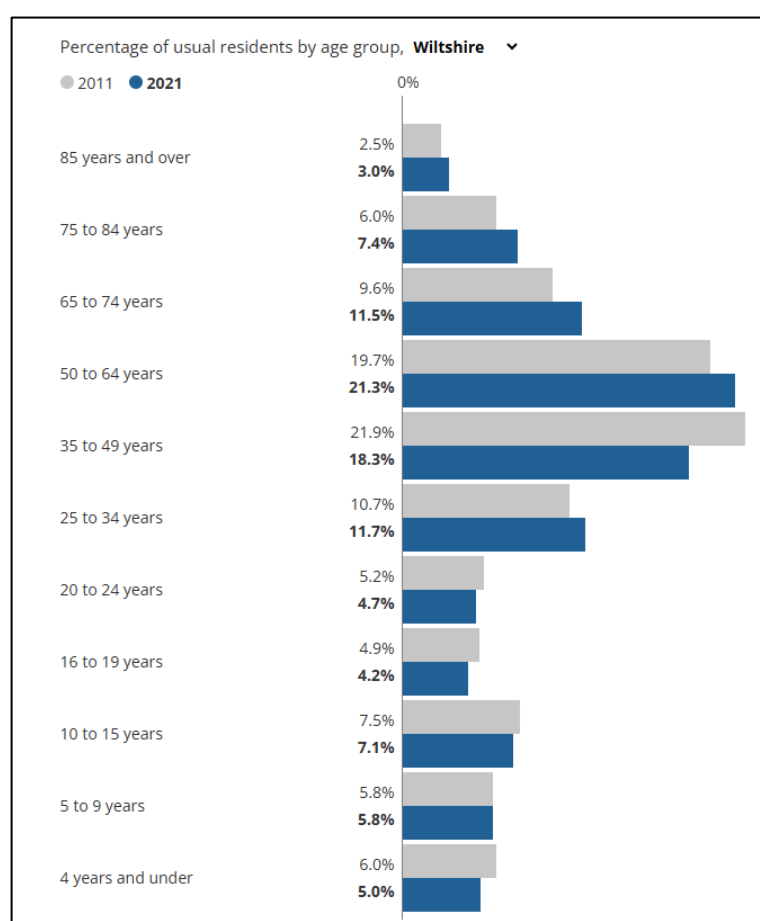


Figure 1: Percentage of residents by age group in Wiltshire obtained from ONS 2021

5.36 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.

- 5.37 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.”
- 5.38 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 the scheme in delivering older people’s housing against the identified needs must be given significant weight in the determination of this application as per the recent appeal decision (Appendix E) relating to the Churchill Living scheme, significant weight is afforded to contributing to an unmet need, the inspector quotes:

‘The appeal is a housing proposal which would provide 45 units, delivered in the short term within an authority area where it is agreed that there is no 5-year housing land supply. This attracts significant weight. Furthermore, it would also provide an early and specific contribution to the existing unmet and critical need for older persons accommodation. This also attracts significant weight.’

Impact on Health and social Care

- 5.39 There is a growing amount of evidence showing that providing purpose-built retirement accommodation reduces the impact on the NHS, as purpose-built retirement homes are more suitable for their occupiers than general open market housing. The Happier and Healthier Report (2019) prepared by WPI Strategy sets out that this type of retirement living accommodation will save the NHS on average £3,500 per person per annum compared to mainstream housing.
- 5.40 Specifically designed housing for older people enables residents to be as independent as possible in a safe and warm environment. There is level access throughout, significantly reducing the risk of trips and falls, which is one of the greatest costs to the NHS. Older homes are typically in a poorer state of repair, are often colder, damper, have more risk of fire and fall hazards. On an average five falls experienced by people aged over 80 result in hospital visits, according to data from [Projecting Older People Population Information \(POPPI\)](#). For people aged over 70, one in ten falls result in a hospital visit. This places even greater emphasis on the importance of suitable accommodation.
- 5.41 Evidence from Churchill Retirement Living’s existing schemes is that at least 50% of residents come from a 5-mile radius around the site. They are often in larger 3 or 4 bed properties on the outskirts of the town and want to relocate to more suitable properties in close proximity to the town centre. These residents will already be within the local health service and will not place any increased pressure on the local facilities.

Release of Under Occupied Housing Stock

- 5.42 The Government has acknowledged that downsizing is key to tackling the national housing crisis. Older persons are more likely than average to under-occupy their property and have multiple spare bedrooms. The English Housing Survey Findings 2022-2023 show under-occupation in England has increased to 40% with around 9.8 million households living in under-occupied homes (i.e. with 2 or more spare bedrooms). This has increased from 9.1 million in 2020-2021. Many older households remain under-occupying large family houses due to the lack of choice in the housing market. A report ‘[Chain Reaction](#)’ (August 2020) finds there are around 3 million older people in the UK aged 65+ that want to downsize but there is no suitable housing.
- 5.43 Speaking to the House of Lords Built Environment Committee in November 2021, the then Housing Minister, Christopher Pincher said he wants to encourage older people in large homes

to downsize and make way for first time buyers. He stated that four in ten homes were too big for their owners and that the Communities Secretary was looking at ways to “identify and remove the barriers to development of the later living sector”. He reiterated the 3 million people that can’t downsize due to the lack of suitable housing. He noted that in the early 1990s something like 31% of properties were under-occupied, now that percentage is 39%.

5.44 Residents typically move in from large 3 or 4 bedroomed properties in the suburbs. These are then available for growing families, which in turn releases smaller 1 and 2 bed properties for first time buyers. Benefits are therefore felt throughout the whole housing market.

5.45 Given the national housing crisis, it is important that the existing housing stock is best utilised to meet local housing needs. The proposal will not just meet the housing needs of older people but will provide opportunities throughout the whole housing market.

5.46 Within the recent appeal decision (Appendix E), the inspector quotes

“The appeal is a housing proposal which would provide 45 units, delivered in the short term within an authority area where it is agreed that there is no 5-year housing land supply. This attracts significant weight. Furthermore, it would also provide an early and specific contribution to the existing unmet and critical need for older persons accommodation. This also attracts significant weight. There is a degree of logic and expectation that the scheme would enable the release of potentially under-occupied housing into the wider market. In this case the evidence from the Strategic Housing Market Area Assessment is that some 81.8% of homes within the sub-urban area of York are under-occupied. Whilst it is acknowledged that there is no guarantee that upon release the homes would be more fully occupied, in my view, any opportunity to enable more efficient use and effective occupation level of the overall housing stock should be supported and therefore attracts significant weight. “

5.47 **Significant weight should therefore be given to the benefit of releasing under occupied housing stock.**

Accessibility

5.48 All the proposed dwellings will meet M4(2) standards. There will be level access throughout. The applicant is experienced in providing and managing dwellings for older people, there will be detailed design features to ensure the apartments are easy to live in and support independence in later life, such as easy opening handles, windows and light switches. This complies with Draft Local Plan 78 which states ‘*New housing both market and affordable on developments should meet the Nationally Described Space Standard (NDSS) and be built to building regulations M4(2) standard;*’.

Design Considerations

5.49 The design frontage will change minimally to accord the rest of the housing building.

Siting and Layout

5.50 The layout of the unit will be internally adapted to create a 1bed apartment which is most suitable for the site in terms of its size.

Appearance and Materials

5.51 The proposal has been designed to ensure the building integrates successfully into the pattern of the hosting building using the same materials and fenestration detailing.

Heritage

- 5.52 The site lies within the Calne Conservation Area and there a number of listed buildings adjacent to the site including the Grade II Zion Baptist Chapel.
- 5.53 The Proposed elevational changes causes no harm to the Calne Conservation Area or the Zion Chapel. It is noted that the change of use application approved at appeal for unit 4 was not refused on any grounds in relation to the physical change causing any harm to the Conservation Area.

Amenity Space

- 5.54 The applicant has considerable experience in delivering retirement developments nationwide and as such, this has provided a clear understanding of the use and need of amenity space.
- 5.55 The quality of amenity space is important to prospective residents. Typical purchases are 80-year-old widows and it is considered high quality amenity space is far more important than quantity. Residents wish to have a pleasant outlook, often with activity and with high quality planting.
- 5.56 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.
- 5.57 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 flowerpots.



Figure 2: Landscaped garden area at Orchard Lodge, Calne

- 5.58 The resident/residents will be able to access the Churchill Living 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.

- 5.59 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.

Access and Parking

- 5.60 This application is supported by a Transport Note undertaken by Paul Basham Associates Ltd.
- 5.61 It is worth noting that as part of the Inspector's Decision (under reference: APP/Y3940/W/24/3347261), which was allowed in November 2024 the inspector stated:

'One of the Council's reasons for refusal was that insufficient information detail had been provided about parking provision and how it related to the nature of the proposed occupation. The appellant has since confirmed it would agree to a condition restricting occupancy to older people which the Council has accepted would likely result in lower car ownership. On this basis, the Council no longer intends to defend this reason for refusal. I have proceeded on this basis'.

- 5.62 The applicant will again agree to a condition restricting the occupancy of the apartment to older people.
- 5.63 It is considered that the increase of 1 Retirement Living Unit will not have a material impact upon the level of parking provision and the ratio of car parking provision is in accordance with the Churchill Independent research report completed in January 2024 referred to in the Transport Note, with the site providing 20 car parking spaces for 41 Retirement Living Units, at a ratio of 0.48 spaces per apartment. This provision as per the consented scheme (and the written reps appeal of the additional RL unit) is above the average parking demand of 0.28 spaces per unit, and is in excess of the average parking provision of 0.42 spaces per unit.
- 5.64 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.
- 5.65 The NPPF is clear at paragraph 116 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.

Economic Benefits

- 5.66 The NPPF identifies the planning system as having a key role in building a strong and competitive economy. The site is a vacant disused site which currently provides no economic benefit to the town.
- 5.67 Research by the Local Government Association has found that the value derived from sheltered housing can be found in benefits to the individual, to the community and to the taxpayer.

- 5.68 Research for the National Housing Federation¹⁵ identified clear financial benefits that are delivered by sheltered housing to local authorities across health and social care, particularly in increasing independence and reducing or delaying the need for older people to enter residential care. The Happier and Healthier Report has identified each person living in a home for later living contributes fiscal savings to the NHS and social care service of approximately £3,500 per year (Homes for Later Living September 2019). Residents generally remain in better health, both physically and mentally, in comparison to being in traditional, often unsuitable, accommodation and for many being isolated. Doctors, nurses, and care workers can visit several occupiers at once. This is significant economic benefit.
- 5.69 Recent evidence within a report 'Silver Saviours of the High Street' (February 2021) has shown the significant economic benefits that retirement living developments can have on local high streets. The residents are 'basket shoppers', often walking into town on a daily basis to get the shopping they need. They will also utilise the high street during the week, when it's typically at its quietest. Through downsizing residents often have more disposable income and more time to use local facilities.
- 5.70 **Substantial weight should be afforded to these economic benefits.**

Social Considerations

- 5.71 As Specifically designed housing for older people enables 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 adaptations 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 help 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.
- 5.72 Social isolation has been identified as an age-related illness. As shown as Figure 3, Wiltshire identified as an area of medium risk of loneliness. Depression remains the most common mental health need for older people. There is clear evidence that retirement living accommodation significantly reduced loneliness and social isolation. Residents live in accommodation with like-minded individuals. There are social gatherings in the communal lounge, ranging from coffee mornings to fish and chip suppers, to Bridge clubs. There are film nights and formal garden parties. In addition, there are daily informal interactions and residents chat to neighbours in the communal areas or the lodge manager on their way in and out of the building.

¹⁵ [Value of Sheltered Housing Report.pdf \(housinglin.org.uk\)](#)

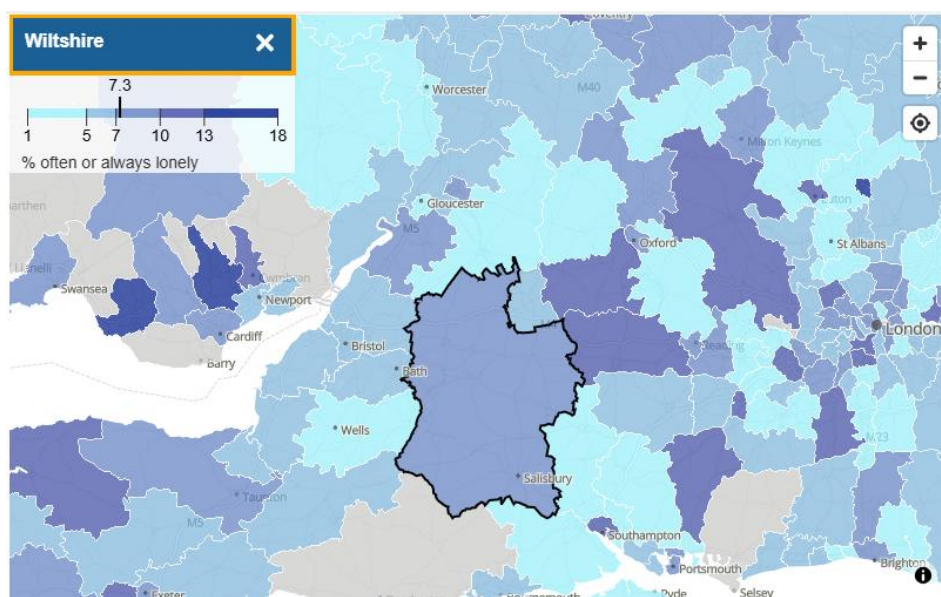


Figure 3: Loneliness Map obtained from Office for National Statistics - Opinions and Lifestyle Survey

- 5.73 Loneliness and depression within the ageing population has been recognised by the World Health Organisation (WHO). The WHO have acknowledged that focusing on improving the wider determinants of health that affect an older person can lead to improvements in mental health and life expectancy. Within this, supportive housing and the provision of security and freedom has been recognised as important factors to help prevent these issues.
- 5.74 There are a huge number of 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 Living schemes have expressed huge praise for their Lodge Managers in looking after them.
- 5.75 As mentioned above, 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 to say 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, and musical nights.
- 5.76 Residents can walk to local shops and services, or use their mobility scooter, giving them independence if they are no longer able or wish to drive. This is important as people age, reducing reliance on formal social care or help from family and friends.
- 5.77 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.
- 5.78 The proposed development will not be creating new residents. Evidence from Churchill Living's existing schemes is that at least 50% of residents come from a 5-mile radius around the site. These residents will already be within the local health service and will not place any increased pressure on local facilities.
- 5.79 The requirement of the NPPF at paragraph 96 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 Living scheme.

5.80 **Overall, it is considered that substantial weight should be afforded to these social benefits.**

Environmental Benefits

5.81 The proposal is on brownfield land. It is an appropriate density scheme ensuring the optimum use of brownfield land as required by the NPPF, thereby reducing the need to use limited land resources for housing.

5.82 The site is in a highly sustainable location. Shops and services can easily be accessed on foot thereby reducing the need for travel by means which consume energy and create emissions.

5.83 The proposal will meet the relevant building regulations requirements and will assist in the reduction of carbon emissions. It will utilise a good thermal envelope to minimise heat loss as well as efficient heating and lighting systems to drive energy efficiency in the building.

5.84 The proposal will utilise electric heating which is in line with the Government's direction of travel for domestic heating and given the continuing decarbonisation of the grid, electricity can be seen as an increasingly low carbon solution.

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

6. PLANNING BALANCE

- 6.1 As set out above, Section 38(6) of the Planning and Compulsory Purchase Act requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise.
- 6.2 It is considered that when taken as a whole, the scheme complies with the development plan. The application should therefore be approved unless material considerations indicate otherwise. It is considered that in this case the material considerations weigh heavily in favour of the grant of permission.
- 6.3 The planning benefits with the weight to be given are set out below:

Planning Benefits of current proposal	Weight to be given
Provision of much needed housing for older people	Significant weight
Development in a sustainable location	Substantial weight
Efficient use of land	Moderate weight
Provision of a new market dwelling	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

- 6.4 There are numerous and significant benefits associated with the application which should be afforded substantial weight in its determination.

Recent Appeal Decisions

- 6.5 The weight to be attached to the planning benefits of specialised accommodation for older persons was considered by an Inspector at an appeal in Fleet, Hampshire for 31 retirement apartments by Churchill Retirement Living (APP/N1730/W/20/3261194) (May 2021).
- 6.6 In weighing up the planning balance the Inspector set out at para 70:

“The following benefits would arise: (i) much needed housing for older people... 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 appellants payment to the delivery of affordable housing would be a significant benefit (substantial weight); (vii) there is a benefit releasing under occupied housing stock (substantial weight); (viii) the site would provide economic benefits by generating jobs, in the construction and operation phases of the development and by residents spending locally (substantial weight); (ix) there would be social benefits in specialised age friendly housing (substantial weight); (x) the environmental benefits of the scheme are a clear benefit (moderate weight). Cumulatively, these 10 benefits weight heavily in favour of the appeal scheme especially given the critical need for housing for older people as identified at nation level in the NPPF and PPG and at a local level.”

6.7 The Inspector goes on to state in para 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 come 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 the appeal should be allowed.”

6.8 A copy of the decision is included at Appendix C.

6.9 An appeal in Basingstoke (ref APP/H1705/W/20/3248204) was allowed for 56 retirement apartments in June 2021. In considering the planning balance, the Inspector sets out:

“The proposal would provide much needed housing for older people. In this respect, I note from evidence that there is a shortfall within the Borough for the provision of this type of accommodation and that there are no specific allocations for such development. Therefore, the Council is reliant on windfalls for their delivery. Such provision of specialist housing also allows for the release of under-occupied housing stock... In light of the advice contained within Para 59 of the Framework to significantly boost the supply of homes, and to meet the needs of groups with specific housing requirements, it is appropriate to give significant weight to these benefits.

The proposal would involve the re-development of previously developed land, which is located within close proximity to the town centre and all the associated services and facilities that this has, thereby making the site sustainable in this respect. It is therefore appropriate to attach substantial weight to these benefits.

The proposal would provide economic benefits through generation of jobs, during both construction, but also once the development has been completed. Further benefits would also be delivered through increased spending by residents locally. Given the scale of the development proposed, it is appropriate to attach substantial weight to these benefits.

Further benefits would also be delivered through the optimum use of the site for new development, along with some environmental improvements through the reduction in hardstanding within the site. It is appropriate to afford these benefits moderate weight.”

6.10 The Inspector goes on to conclude:

“In this instance, there is clear and convincing evidence with regards to the suitability of the proposal. The delivery of specialist housing weighs substantially in favour of the appeal scheme, especially given the critical need identified at national level in both the Framework and the National Planning Practice Guidance (NPPG), along with the identified shortfall in terms of the delivery at local level. As a result, even if I had reached a different conclusion in relation to the heritage issues and found there to be harm to the identified designated heritage assets, any harm would have been clearly outweighed by the significant public benefits of the scheme. Therefore, in this case, I find no reasons to withhold planning permission.”

6.11 A copy of the decision is included in Appendix D.

6.12 At the recent appeal in Calne (July 2023), for 45 retirement living units by the applicant, the Inspector concluded:

- The provision of housing against no 5-year land supply attracted significant weight (paragraph 113).

- The provision of older persons housing to the existing unmet and critical need attracts significant weight (paragraph 113).
- The release of underoccupied housing stock attracts significant weight (paragraph 113).
- The site is in a sustainable location which attracts significant weight (paragraph 114).
- The redevelopment of the brownfield part of the site together with the environmental benefits of more suitable landscaping would also enhance the biodiversity and should attract significant weight (paragraph 114).
- Redevelopment of an underutilised site which attracts moderate weight (paragraph 114).
- The economic benefits attract significant weight (paragraph 115).
- The health and social benefits attract significant weight (paragraph 116).

6.13 The inspector concludes at paragraphs 118 and 199:

“I have found no harm which individually or cumulatively would significantly and demonstrably outweigh the benefits. As such the proposed development benefits from the Framework’s presumption in favour of sustainable development and planning permission should be granted.

Even if I had reached a contrary conclusion in relation to the suggestion of the appeal building being considered as a NDHA [Non Designated Heritage Asset], any harm which might be identified as arising from the appeal proposal would not significantly and demonstrably outweigh the range of benefits that would flow from this proposal.”

6.14 A copy of the appeal decision is included in Appendix E.

6.15 Even though all of these appeals are within different contexts, there is consistency in the clear weight given to these planning benefits.

6.16 The development complies with the development plan when taken as a whole. There are numerous and significant benefits associated with the application which need to be fully weighed within the planning balance.

6.17 Paragraph 11 (d) of the NPPF is engaged in this case because Wiltshire Council do not have an up to date Local Plan and the Council lack of a 5 year housing land supply. no footnote 7 policies are therefore engaged that provide a strong reason for refusal. Therefore, the tilted balance in footnote 11(d)(ii) of the NPPF applies and planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. There are no impacts that significantly and demonstrably outweigh the benefits; the application should therefore be approved

7.CONCLUSION

- 7.1 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”.**
- 7.2 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.” **Substantial weight should be given to the proposal considering the high levels of specialist housing needs.**
- 7.3 The most significant change to national planning policy in respect to this application is the revision to paragraph 125(c) which advises that decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, **proposals for which should be approved unless substantial harm would be caused.** It is considered that the proposal complies with the new NPPF with particular regard to paragraph 125(c) and planning permission should be allowed.
- 7.4 This proposal represents a significant opportunity to redevelop a vacant and underutilised unit in Calne and deliver a much needed residential apartment for older residents.
- 7.5 This full planning application seeks permission for change of use from a commercial unit (Use Class E) to Residential (Use Class C3). This planning statement demonstrates how the development proposals will deliver a sustainable development in accordance with the Development Plan for Wiltshire Council and the National Planning Policy Framework.
- 7.6 This Planning Statement should be read in conjunction with the other supporting documents, plans and reports submitted with this planning application.
- 7.7 It is considered the redevelopment of this site being previously developed land, in a highly sustainable location complies with the aims of the NPPF and the adopted Local Plan.
- 7.8 When considering the above considerations highlighted within this Planning Statement and apply them against the Development Plan and the Framework, the proposals will deliver the following benefits:
- 7.9 **The delivery of 1 home within the next five years.** The NPPF clearly sets out the Government’s intention to significantly boost the supply of new homes. The Built Environment Select Committee Report (January 2022) highlights that too many people are living in unsuitable poor-quality homes and that even the Government’s ambitious target of 300,000 new homes per year may not be enough. The delivery of market housing should be given substantial weight in the planning balance. **The weight to be given to this also needs to be substantial in light of the Council declaring a housing crisis.**
- 7.10 **The provision of much needed housing for older people.** The recent Census results show there are more people than ever aged 65 and over in England. 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. **The delivery of older people’s housing should be given substantial weight in the determination of this application.**
- 7.11 **The redevelopment of previously developed land.** This is on a brownfield site. It will reduce the need for housing development on greenfield sites. The NPPF is clear that decision makers

should give substantial weight to the value of using suitable brownfield land within settlements for homes (para 125(c)). **Substantial weight should therefore be afforded to this benefit.**

- 7.12 **Redevelopment of a site which is in a highly sustainable location.** The site is close to the town centres of Calne, enabling residents and visitors to walk to the local shops and facilities they need. This will reduce the need to travel by car and encourage sustainable modes of transport. **This should be given substantial weight in the planning balance.**
- 7.13 **Making efficient use of land.** The proposals have been carefully designed to protect the character and amenity of the surrounding area whilst ensuring an efficient use of land as an already residential hosting site. **This should be afforded moderate weight in the planning balance.**
- 7.14 **The proposal will assist in freeing up under occupied housing stock.** The provision of retirement housing releases under occupied family homes back into the housing market. This in turn enables moves throughout the whole housing market, benefiting everyone including first time buyers. The development is estimated to free up homes elsewhere in the market. **These wider benefits to the housing market should be afforded substantial weight in the planning balance.**
- 7.15 **The economic benefits of the proposed development** include savings to the NHS of £3,500 per person per annum, increased spending in local shops and services as well as the creation of jobs both during construction but also longer term within the local economy. **These benefits should be afforded substantial weight in the determination of this application.**
- 7.16 **The social benefits** include encouraging independence in later life with suitably designed housing and reducing reliance on residential and nursing care. Providing safety and security and reducing management and maintenance concerns. The development will provide companionship, reducing loneliness and social isolation and the associated health impacts and provide entertaining and social gathering. **They should be afforded substantial weight in the determination of this application.**
- 7.17 **The environmental benefits include efficient use of brownfield land**, reducing the need for greenfield release. provision of solar panels on site; reduced water usage; and high-quality landscaping. The development will encourage walking and reduce car usage. **These environmental benefits should be afforded moderate weight in the determination of this application.**
- 7.18 Paragraph 11 (d) of the NPPF is engaged in this case because the Council cannot demonstrate a 5 year housing land supply and therefore do not have an up to date Local Plan. The proposals fully accord with the development plan and planning permission should be granted without delay.

APPENDIX A

Healthier and Happier, Homes for Later Living (2019)



Healthier and Happier

An analysis of the fiscal and
wellbeing benefits of building
more homes for later living

A report by



STRATEGY for

Homes for Later Living 

September 2019





What are homes for later living?

Homes for later living means specially designed housing suitable for older people who want to maintain the independence and privacy that comes with having a home of their own but may want access to varying degrees of support and care, plus an in-built social community.

Typically built for people who no longer want or need a family-sized house, and often taking the form of apartments or bungalows, homes for later living are designed to help people remain independent, safe, secure and sociable for as long as possible.

One of the key differences between new-build housing for older people and new-build mainstream housing is the provision of extensive communal areas where neighbours can socialise, host visitors and be part of a friendly, like-minded community.

Another key difference is the presence of an on-site manager or team, someone whose role is to look out for people's welfare, be a point of call if help is needed, make sure the communal areas are well-maintained and to be a reassuring, friendly presence.

Homes for later living typically come in two types:

- 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.
- Housing with care, or Extra Care housing – age restricted accommodation, typically for those aged 70 and above. As above but with an increased range of on-site services including care in a style that can respond flexibly to increasing need whilst fostering independence as far as is possible in older age. Developments are typically between 40 to 70 units in size.

Facilities common to both types can include a communal lounge, restaurant with on-site kitchen, function room, laundry, guest suite, well-being centres, hairdressers, and staff rooms.



About the author

Chris Walker is an associate at WPI Strategy and a former government economist, who spent over 12 years as a civil servant in the Treasury, Department for Work and Pensions, and the Department for Communities and Local Government where he was a senior economic adviser. He now works as a research and economic consultant on housing, planning and local economic growth.

Homes for Later Living

Homes for Later Living has been set up to promote greater choice, availability and quality of housing specifically for older people. It is comprised of Churchill Retirement Living, McCarthy & Stone and PegasusLife Group (made up of PegasusLife and Renaissance Retirement) and operates alongside the Retirement Home Builders Group within the Home Builders Federation (HBF).

Homes for Later Living exists to promote all types of housing which are specifically designed, built or adapted for people over the age of 60. These properties are operated in the long-term interest of residents, so that as people grow older and their needs change they can choose to live in a property that works for them.



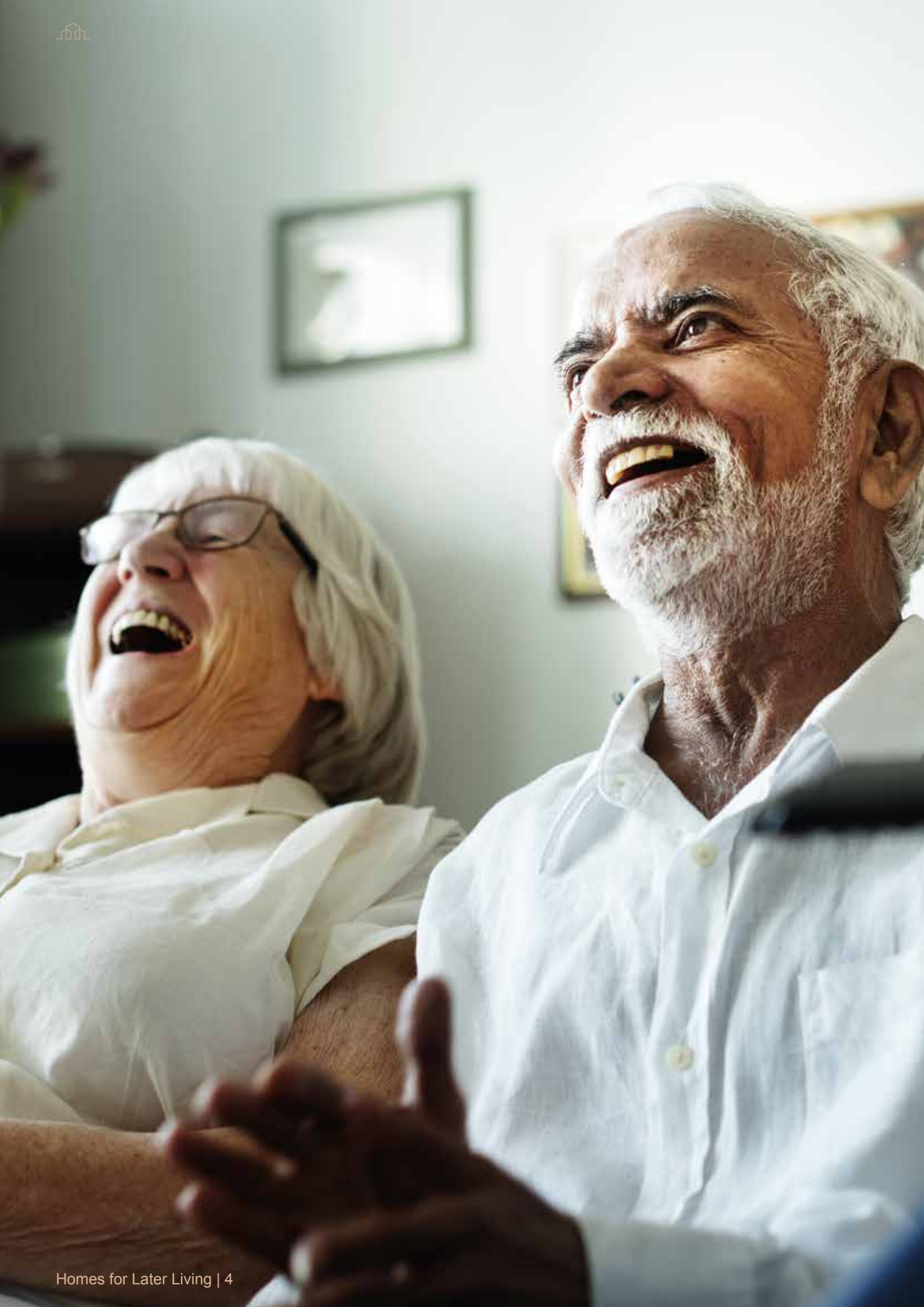
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Foreword

One hundred years ago, the average life expectancy for men and women was 55 and 59 respectively. Thanks to advances in medicine, technology, diet and lifestyle, things look very different today. As a result, the number of older people in England is growing significantly and this rate of growth is projected to speed up over the next 20 years.

This is good news for all of us but it creates a challenge for the NHS and local authorities – long term conditions can kick in as we get older, meaning that we need more health and social care support. According to latest government forecasts, the number of people aged over 80 is set to rise from around 3.2 million today to 5 million in 2032. Meanwhile, the number of people aged 100 or over has increased by 85% over the last 15 years, with 14,430 centenarians living in the UK at the last count.

As the population increases and ages, it is vital that the link between housing and health and social care is recognised. The right kind of housing can help people stay healthy and support them to live independently. As this important report from Homes for Later Living highlights, there is currently a severe shortage of suitable housing for the growing numbers of people entering retirement. The result is that many older people are often living alone in unsafe, unsuitable and unhealthy accommodation, where they are most likely to suffer from falls, loneliness and dementia.

This report shows that moving into specialist retirement housing is proven to reduce incidence of falls and reduce delays in discharge from hospital. Building more homes across all tenures for later living every year would give people more choice and flexibility on how they live their lives. Encouraging this shift in accommodation could save the NHS and local authorities huge sums every year.

And while these fiscal savings are important, what this research shows is that the kind of services and amenities available to people living in specialist retirement living can give older people a new lease of life. When it comes to wellbeing, retirement housing can help people turning 60, 70 or 80 to feel considerably more positive about life. Residents benefit from a safer, more secure place to live, which allows support at varying levels to maximise independence. Communal areas hosting social events and exercise classes help tackle social isolation which often manifests amongst those in later life.

The other benefit of building more homes for later living is the positive impact on younger generations looking to buy a property of their own or to upsize. By giving an ageing population a real choice over where to downsize to, more family homes could be freed up for younger families looking for suitable housing to raise their children.

People shouldn't fear getting older. Turning 80 should be seen as just the next stage in life. Downsizing is not simply the end of an era but an opportunity to shed the cumbersome upkeep of a large property and explore a new way of living in later life.



Rachael Maskell MP

Chair of the All-Party Parliamentary Group for Ageing and Older People

September 2019



Executive summary

As a result of ongoing advances in technology, better healthcare and improved lifestyles, we are living longer and are often healthier. By 2032 there will be five million people over eighty living in the UK.

But as the number of older people in the UK goes up, we are experiencing a shortage of homes specifically designed for later living. This does not just mean that millions of older people are stuck in housing that may no longer suit their needs, but that the shortage of specifically designed housing for older people is unnecessarily drawing resources from elsewhere in the NHS and local authorities.

The answer to this escalating problem is a radical increase in the supply and mix of specialist housing schemes for later living, funded by using existing equity in housing stock.

In this report, we have 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. Our research also looks at how - by maximising independence and increasing social interaction - homes for later living can significantly improve the wellbeing of older people. The analysis shows 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.**

Our analysis comes amid mounting evidence that poor housing is closely linked to poor health, increasing the strain on the social care system and the NHS.

As things stand, many older people find themselves with little option but to stay put in properties that are remote from shops and services, ill- equipped for changing mobility needs, hard to maintain and potentially hazardous to grow old in. The lack of opportunities to access suitable housing in retirement means that, when it finally comes, their next move is to a care or residential home.

In contrast, Homes for Later Living offers varying levels of support and social interaction for those who want to remain independent for as long as possible by living in a safe and sociable environment in later life. All schemes offer residents the opportunity to live independently in their own apartment or bungalow while 'extra care housing' includes many shared services and 24 hour on-site care.

Various social activities combined with the abundance of communal spaces means that, compared to older people in other housing types, Homes for Later Living residents are around half as likely to feel lonely.

“Many older people are living in unsafe, unsuitable and unhealthy accommodation, with little hope of being able to move somewhere better or improve their homes.”

APPG on Ageing and Older People. 2019 inquiry into decent and accessible homes for older people

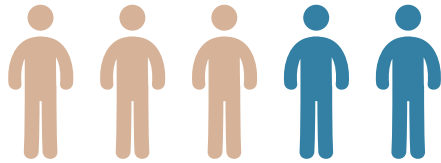
This report is the first of three explorations of the case for building more homes for later living. In future studies, we will investigate the positive impact that more homes for later living would have on the wider housing market and we will assess the significant benefits that local communities receive from building more homes for later living.

We will also be exploring a number of mechanisms to encourage more homes of this nature to be built, and to ensure that those in later life are aware of the options available to them.

It is our contention that all older people should have better access to homes for later living, which offer varying levels of support and social interaction for those who want to stay safe and keep their independence in later life. The personal well-being improvements associated with moving to a home for later living should not be understated – and on a human level are by far the most important.

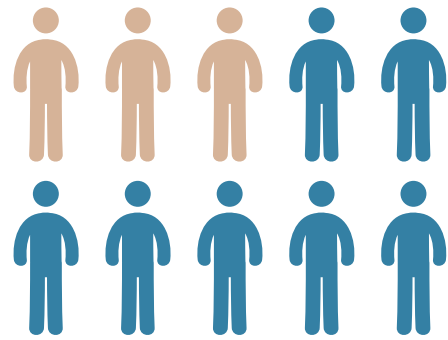
However, it is the significant potential fiscal savings that should make all politicians sit up and take note. Any policy-maker looking to mitigate increasing costs to the state associated with an ageing population cannot afford to ignore these findings.

By 2032, there will be almost 2m more over 80s in the UK



Key: = 1 million over 80s

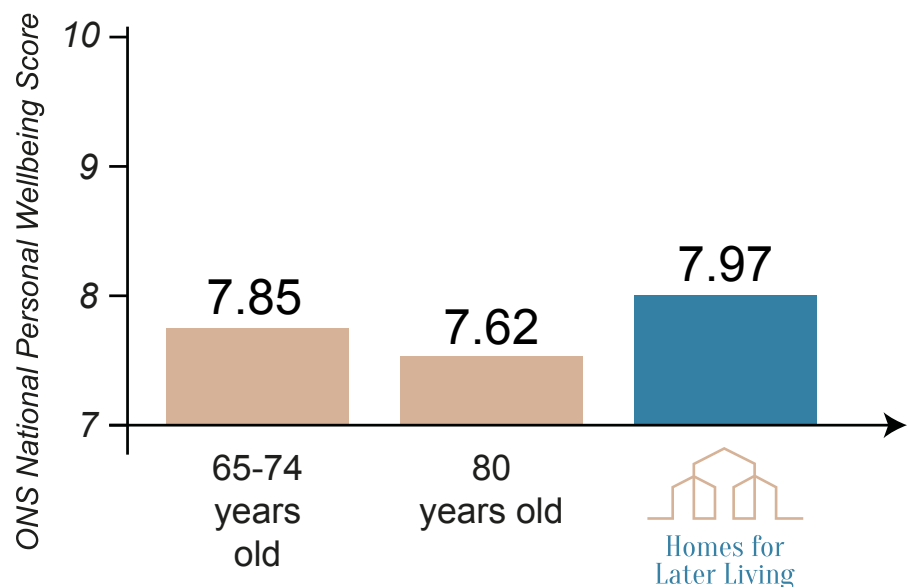
This will increase to 10m by the end of the century



Each person in a home for later living saves c. **£3,500** to the NHS and social services per year

Building more homes for later living could save up to **£2.1bn** to the NHS and social services per year

The average 80-year-old living in a homes for later living property can feel as good as someone 10 years younger





Introduction

A perfect storm has created the conditions whereby many older people have little choice but to remain in a house that may no longer meet their changing needs as they get older. For these people, their housing may be denying them considerably better health and social outcomes later in life.

Not only do more people live in the UK than ever before, it is a well-known fact that we also have an ageing population. Although improvements in life expectancy have recently stalled, people are generally still living longer than they used to and, by 2032, the number of people in the UK aged over 80 is set to rise to five million from 3.2 million today.¹

As the population has been growing and ageing, a housing crisis has been brewing. Politicians have repeatedly insisted that housing is rising to the top of the political agenda and promised to take bold action, but this has mainly targeted helping people onto the housing ladder rather than making sure people are able to move back down the ladder as they get older.

Politicians widely accept there is a significant problem. Time and again we have heard about the 'broken housing market' which can only be fixed by building more homes. Government targets are set at delivering 300,000 homes a year by the middle of the next decade. Yet while house building has risen since the lows reached during the financial crisis of a decade ago, a further significant increase is still needed to achieve this goal.

The toll that the ongoing housing crisis has taken on young people has been well-documented. Nearly a million more 20-34 year olds live at home with mum and dad than 20 years ago, despite no rise in their population.² Homes have become unaffordable for millennials and rents have continued to rise steeply. Over the last ten years, the average age of first-time buyers has risen from 31 to 33 with many people now relying on help from the 'Bank of Mum and Dad'.³ According to the last available figures, 39% of first-time buyers had help from family or friends, while 10% used an inheritance.⁴ As things stand, the plight of many young people struggling to get on the property ladder is only exacerbated by the lack of family-sized homes coming back onto the market.

But it is not just the under 30s affected by the housing crisis. While much of the media focus has been on first time buyers and the plight of young renters, a housing shortfall has been steadily developing at the older end of the housing market. As people in the UK get older, there is a severe shortage of housing being built specifically for people in later life. The result is that many older people are living in accommodation that becomes potentially unsafe, unsuitable and unhealthy for them given their changing needs, with limited options as to how they can either adapt their homes or move somewhere specially designed for their needs.





A housing headache – old homes versus care homes

Just like any other age group, older people are highly diverse. They may be rich, poor, or somewhere in between. Their health needs and their housing situations vary, greatly dependent upon their tenure, geographical location, income and equity. Their personal situations — links with family, friends and neighbours, their interests, lifestyles and aspirations — are also diverse.

For those who do not have pressing care needs and are keen to remain independent, it may not seem necessary or frankly appealing to leave the family home. But the result of this is that many older people remain in a house which is not able to sustain their changing needs as they get older.

The UK has the oldest housing stock in the EU with 38% of our homes dating from before 1946 and 21% from before 1919.⁵ Older homes are often in a poorer state of repair and have more dangers, including cold, damp, fire risk and general fall hazards. They also tend to be lacking basic adaptations such as handrails in the shower and on the stairs, as well as more substantial elements such as wider internal doors, stair lifts and walk-in showers. For less mobile older people, these adaptations mean that everyday essential tasks like getting out of bed, going to the bathroom or getting dressed are safer and more manageable, helping to support their independence.

Even for those not struggling with day-to-day tasks, a downside to staying at home in old age is the lack of companionship and increased risk of loneliness. Some 3.8 million individuals over the age of 65 live alone in the UK, 58% of whom are over 75.⁶ Half of the over-80s live alone. While their physical health may be holding up, older people who remain in the family home may suffer from having no close friends or relatives nearby. Their house might also have poor public transport links and not be within easy reach of local services and amenities. If this is the case then even the most active and outgoing older people can find themselves at risk of social isolation, with an increasing sense of loneliness and vulnerability.

For many people, the eventual move often occurs at a situation very late in life when options are limited and the change in residential needs can be drastic. When older people require high levels of care, a care home is often seen as the natural next step in their housing journey. Around 421,000 older people in the UK are thought to be in this type of accommodation,⁷ where a number of older people live, usually in single rooms with access to on-site care services. But there is a high level of reluctance

around taking this step. Previous polling commissioned by the Alzheimer's Society found that seven in ten Britons are scared of going into a care home.⁸

Despite the variable quality, care homes can eat up public and private funds at an alarming rate. For the 41% of care home residents who pay privately, costs can range from £27,000 to £39,000 per year. If nursing is required, the cost can be as high as £55,000 per year.⁹

Within local authorities, over a third of budgets are now spent on adult social care, which also includes the huge sums spent on council-funded home care.¹⁰ The cost is such that almost half of councils have seen the closure of domestic home care providers in their area in the past year and a third have seen residential care homes close, collectively affecting more than 8,000 clients and residents.¹¹

The former deputy prime minister Damian Green MP is one of a number of politicians to have raised the alarm over the social care crisis and the impact on care homes. In July 2019, Green suggested that local authorities are increasingly reluctant to allow care homes and retirement homes to be built in their areas because they can't afford the social care costs associated with that demographic. "We need to face up to these unpalatable truths," he said. "The current system isn't sustainable financially or politically... Local authorities don't want to become attractive places for retired people."

Caroline Caunter MBE

Current Homes for Later Living resident

After being diagnosed with a brain tumour, Caroline was forced to move out of her three-bedroom house and into a nursing home for six months. Whilst she needed a higher level of care, Caroline explained how she came to find a happy balance between independence and care:

“I’m very independent and lived on my own for 30 years since my husband died, so I felt too well to be spending my time sitting in a care home, but wanted the security of being somewhere surrounded by people and with an emergency care system.”



Since moving to her homes for later living property, Caroline now has a 24-hour Careline system in case of emergency which ensures a quicker response to limit any medical difficulties which can impact on elderly people living alone. She has support with daily tasks such as maintaining her garden, and an apartment built with frailer residents in mind to prevent the majority of accidents which could occur.



Health problems in old age

While many column inches have been dedicated to the problems faced by young people struggling to get on the housing ladder, the plight of the many older people stuck in unsuitable housing has received significantly less media attention. And yet the evidence that poor housing can lead to health problems in old age is already well-established, with enormous resultant costs to the NHS and social care.

A lack of suitable accommodation amongst elderly patients is often the cause of delayed discharge from NHS hospitals at an enormous cost of £500 a minute and furthermore risks comprising a full recovery.¹³ It stands to reason that if more elderly people lived in homes which were properly designed and equipped for their needs the rate of delayed discharge would be considerably reduced.

Falls

While anyone can have a fall, older people are especially vulnerable. Public Health England statistics show that in 2017/18 falls accounted for 335,000 hospital admissions in England of people aged 65 and over. Around one in three adults over 65 who live at home will have at least one fall a year,¹⁴ and around half of people aged 80 and over fall at least once a year.¹⁵

A fall can be caused by poor vision, balance problems, muscle weakness or other long-term health conditions. It is most likely to happen as a result of poor housing conditions. These could include dim lighting, rugs or carpets not properly secured and storage areas that are difficult to access.

Falls can result in a range of injuries including head injuries and hip fractures. The human cost of a fall can include distress, pain, injury, loss of confidence, loss of independence and mortality. For health services, they are both high volume and costly. The NHS itself has described falls and fractures in older people as “a costly and often preventable health issue.”¹⁶

Cold and keeping warm

Millions of older people in the UK are living in homes that are too cold. According to one expert, by remaining in a larger house which is difficult and costly to keep consistently warm over a long period of time, some “asset-rich but cash-poor” older people face a choice of “heat or eat.”¹⁷

A cold home can cause chronic and acute illnesses and lead to reduced mobility, falls and depression. In 2018, the House of Commons Housing, Communities and

Local Government Committee heard that there was a well-evidenced link between cold homes and chronic diseases, such as respiratory and cardiovascular diseases and rheumatoid arthritis, and poor mental health. The committee also heard that cold homes were connected to acute cases, namely heart attacks, strokes and falls.¹⁸

Social isolation

Many older people live far away from relatives in homes that are not within easy reach of local services, amenities and public transport links. These factors all contribute towards social isolation, which can lead to loneliness and depression.



Around 1.5 million people aged 50 and over are always or often lonely, researchers have calculated.¹⁹ Projections from Age UK suggest that this could rise to two million people within the next 10 years.²⁰ Loneliness makes it harder for people to regulate behaviours such as drinking, smoking, and over-eating, which in turn have their own significant negative outcomes.

Research has suggested that the impact of loneliness and isolation on mortality is equivalent to smoking 15 cigarettes a day.²¹ There are also much wider negative results to note, including that older people who are lonely are more than three times more likely to suffer depression,²² and 1.9 times more likely to develop dementia in the following 15 years.²³

Studies have also shown that social isolation increases the risk of being diagnosed with chronic illnesses. Indeed, there is a vast amount of research on social isolation and health suggesting that people who participate in social activities have been found to have a lower risk of suffering from multiple chronic diseases.



Benefits of homes for later living

These days, many people in later life are as active as ever.²⁴ Indeed, amongst the over 80s there are some 53,000 people who are still in employment. Others are increasingly enjoying action-packed retirements.

For the increasing number of active older people, care provision is not the only consideration in play when it comes to choosing where to live in their later years. Companionship and a sense of control are also important, as is access to a variety of support services.

In short, retirees of today expect far more choice and greater quality. Specialist housing schemes for later living respond to this by offering varying levels of support and social interaction for those who want to stay safe and keep their independence in later life. All schemes offer residents the opportunity to live independently in their own space, usually a one or two-bedroomed apartment or bungalow.

Schemes often classified as 'retirement living' provide a dedicated manager and communal spaces for regular social events, which can range from bridge nights to wine tasting events. While all accommodation will be equipped with emergency alarm systems, 'extra care housing' means domestic and personal care tailored to the level of support needed by the residents - from maintaining their apartment to daily care visits.

Significant shared services will also be provided, such as a residents' lounge, restaurant with on-site kitchen, function room, laundry, guest suite, well-being centres, hairdressers and staff rooms.

By maximising independence and increasing social interaction, all of these housing environments can improve the well-being and health of older people and so enhance their overall quality of life.

Given the majority of developments for later living are located on or close to a high street, there are also significant community benefits. Businesses situated nearby can expect to feel the effects of the 'grey pound' as residents of homes for later living regularly use shops and local facilities. At the same time, organisations which rely on volunteers such as libraries, charity shops and community centres also benefit from having more people with free time to get involved living close to the high street.

Indeed, research by McCarthy & Stone in 2014 found that more than three-quarters (78%) of their residents used local shops at least once a week; and around 90% used local shops and/or supermarkets more than once a month.²⁵ Other local services were also used regularly by owners, with around a quarter using services such as local taxis, hairdressers, pubs, cafes and restaurants more than once a week.

Geoff Oxlee in Seaford

Current Homes for Later Living resident

“Many of the owners have lost their partners, and the friendship and care shown by the hosts plus the companionship shared both in the lounge and the gardens helps alleviate loneliness. This is of course fundamental to the concept of a caring and comfortable retirement living. I feel we are part of a good community and living here is indeed a pleasure. We are seen as and quite properly called “owners” not just residents.”

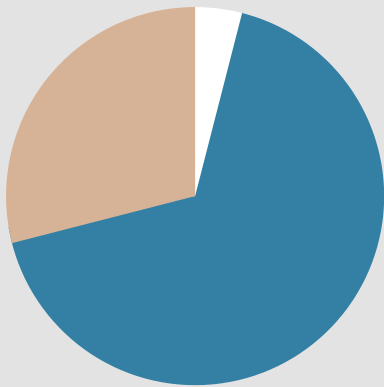


A survey of Homes for Later Living residents

Residents of schemes run by Churchill Retirement Living, McCarthy & Stone and Pegasus Life Group were surveyed in 2019.

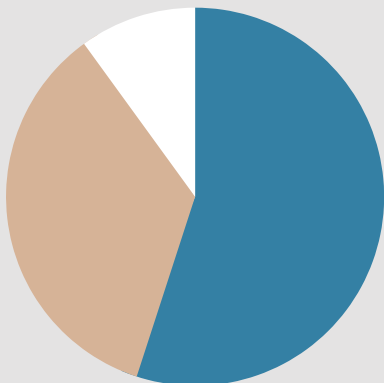
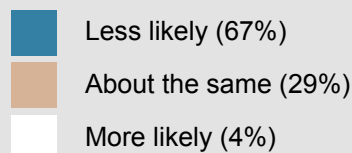
Questions were answered by more than 1,400 residents and the survey results showed that:

- Two thirds (67%) of residents feel they are less likely to move into a residential care home since moving into their current home.
- Over half (55%) of residents have a greater sense of community since moving into a Homes for Later Living property.
- Three quarters (76%) of residents feel communal areas are important for well-being and ability to socialise.

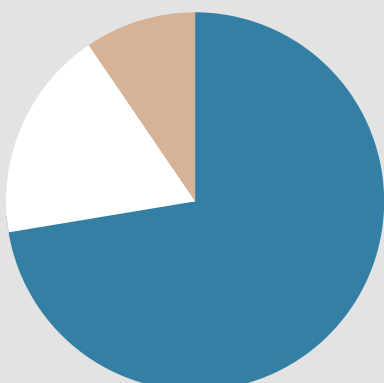
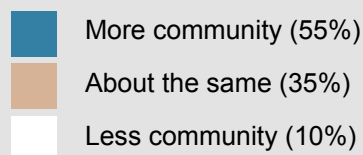


Breakdown of questions and responses:

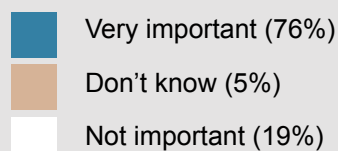
Do you feel your new home means you're more likely, or less likely, to move into a residential care home?



Since you moved into your retirement property do you feel more, or less, of a sense of community where you live?



How important are the communal areas in your development to your general well-being and ability to socialise?





Oomph! exercise classes

Oomph! is partly funded by Sport England and is the UK's leading wellbeing business for older adults. It partnered with McCarthy & Stone earlier this year, training staff members to deliver specifically tailored exercise classes for Homes for Later Living residents. The regular classes provide the opportunity to exercise for all levels of physical ability and are a fun way of socialising with other homeowners.

Residents have said Oomph! makes them happy, makes them laugh and creates stronger muscles. "It's the best thing I have ever done coming to this class each week. I am 92 and it keeps me going," says Joyce, who attends classes in Plymouth.



Dedicated on-site help and support

A dedicated on-site manager is the point of call for all residents, responsible for the effective and smooth running of developments. Also known as hosts or concierges, they oversee all communal areas and activities, offering support for residents where necessary and providing a sense of stability and security.

Ann Clare, lodge manager at De Clare Lodge in Cowbridge, Wales, says that getting to know a range of people is the most gratifying part of the role.

"I'm a real people person so that's the aspect of the job I love," she says. "I've enjoyed getting to know all my new owners, supporting them with their move and helping to sort out any little problems that they might have. Looking out for the health and wellbeing of my owners will be a key part of making sure they enjoy their new lifestyle here and make the most of it."

The lack of good quality homes for later living

As previously suggested by the think tank Demos, over half of over-60s – around eight million people currently living in seven million homes – are interested in moving and one third specifically wanting to down-size.²⁶ More recently, Legal & General found that of all the households with homeowners aged 55 and over with at least two unoccupied rooms, more than half would consider downsizing.²⁷ The 2017/18 English Housing Survey found that 67% of home owners aged 65 or over live in an under-occupied property, equivalent to 3.6 million households in England.²⁸



Freeing up this stock could make a huge contribution to easing the housing crisis, releasing many more family homes close to schools onto the market. But in the absence of enough local choice and incentive to consider moving home, many older people stay put in properties that are unsuitable and even unsafe to grow old in.

“Quite simply, older people who would like to move will be deterred from doing so if they cannot find a property that they would like to live in.”

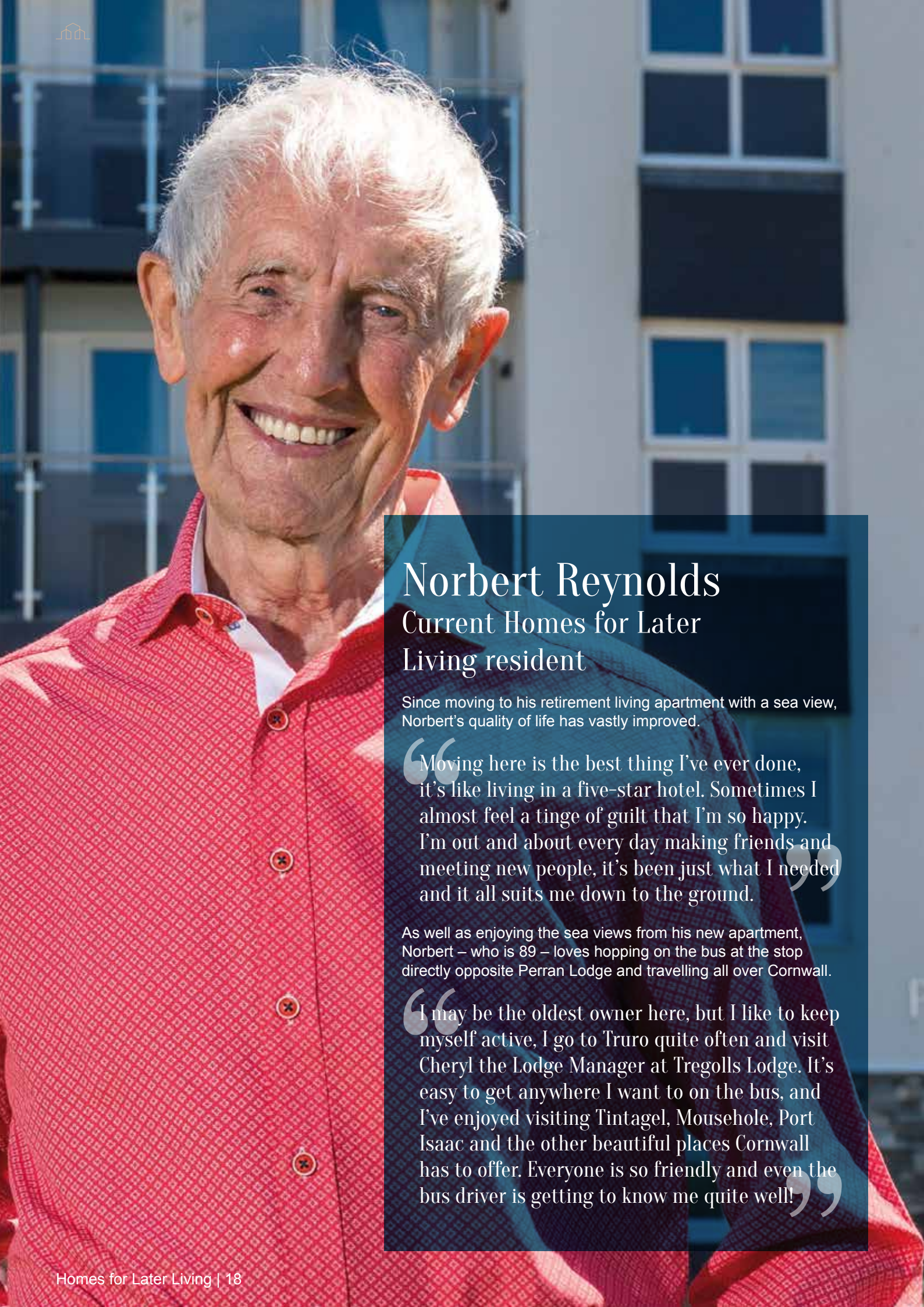
Housing, Communities and Local Government Committee, 2018

Of course, the practical and emotional upheaval of moving from the family home cannot be overlooked, but it is only part of the picture. Rather, most experts point to the massive shortage of housing that can keep older people healthy and support them to live independently.

In its report on the issue, Legal & General found that only 13% of all homeowners aged 55 and over had gone ahead with downsizing, adding that “the lack of good quality later living housing is the fundamental barrier to Last Time Buyers making the decision to move.”²⁹

Parliamentarians have reached the same conclusion, with the House of Commons Housing, Communities and Local Government Committee highlighting a lack of suitable accommodation for older people to move to. “Quite simply, older people who would like to move will be deterred from doing so if they cannot find a property that they would like to live in. This is particularly so given the practical, financial and emotional implications of moving,” stated the Committee’s 2018 report.³⁰

In 2019, the House of Lords Committee on Intergenerational Fairness and Provision also heard a similar story. “The generation born between 1946 and 1965 is substantially larger than subsequent or preceding ones,” they stated. “We have heard that there is an inadequate supply of housing that is adaptable or specialised to meet the needs of this larger cohort as their care needs increase.”³¹



Norbert Reynolds

Current Homes for Later Living resident

Since moving to his retirement living apartment with a sea view, Norbert's quality of life has vastly improved.

“Moving here is the best thing I've ever done, it's like living in a five-star hotel. Sometimes I almost feel a tinge of guilt that I'm so happy. I'm out and about every day making friends and meeting new people, it's been just what I needed and it all suits me down to the ground.”

As well as enjoying the sea views from his new apartment, Norbert – who is 89 – loves hopping on the bus at the stop directly opposite Perran Lodge and travelling all over Cornwall.

“I may be the oldest owner here, but I like to keep myself active, I go to Truro quite often and visit Cheryl the Lodge Manager at Tregolls Lodge. It's easy to get anywhere I want to on the bus, and I've enjoyed visiting Tintagel, Mousehole, Port Isaac and the other beautiful places Cornwall has to offer. Everyone is so friendly and even the bus driver is getting to know me quite well!”

Fiscal impact: key findings

A programme of private investment in specialist housing, funded by existing equity, would do more than remove the biggest barrier stopping thousands of people from downsizing. We have calculated that the average person living in specialist housing for older people saves the NHS and social services £3,490 per year. Assuming average household sizes of around 1.33 in homes for later living, building 30,000 homes for later living every year could therefore generate fiscal savings to central government and local authorities of at least £1.4bn a year within a decade.³²

This comes on top of the fiscal savings already being delivered by the existing homes for later living market, thought to be at least £750 million a year. In total, £2.1bn a year in fiscal savings could be delivered if we had these additional properties built over the coming decade.

Each person living in a Homes for Later Living property enjoys a reduced risk of health challenges, contributing to fiscal savings to the NHS and social care services of almost £3,500 per year.

To put it in context, the three leading retirement living developers and operators built a combined 3,300 dwellings - around 20% of which were extra care housing - in 2019. Their ambition for the sector as a whole is to deliver the extra 30,000 properties per year by 2032.

The average resident in a homes for later living property is in their early 80s,³³ and the average age of first purchase is around 79.³⁴ There are currently 3.2 million over 80s in the UK with this figure set to rise to five million by 2032 and ten million by the end of the century.³⁵ Assuming there are 1.33 people per homes for later living household, building the extra accommodation would mean around 400,000 people housed more appropriately, rather than struggling to get by in the family home or going into long-term residential care. It would amount to 600,000 out of five million over 80s – one in eight - living in specialist housing by 2032.

This would generate the additional fiscal savings across the NHS and social services of £2.1bn a year. But these are only the fiscal savings we have been able to quantify and apply in our modelling, with others unaccounted for. For example it is unlikely to capture the full scale of NHS savings and does not capture savings beyond health and social care services, for example, those linked to reduced crime as a result of living in a more secure environment.

Furthermore, this kind of intervention in the housing market would prevent thousands of over 80s going into expensive long-term residential care. A number of studies have estimated that around 10 to 12% of those currently living in retirement living (or 'sheltered housing') would be in expensive residential care were these specialist homes not available.³⁶ It is also believed that around a third of the 421,000 elderly people currently in residential care today could be housed and cared for more effectively in specialist housing.³⁷ This would improve the quality of life of tens of thousands of people and save money both for private individuals and their families as well as for local authorities picking up the tab for social care. The over-use of institutional care for the over 80s manifests a vast fiscal inefficiency and we estimate around £1,800 saved per person to the public purse for every homes for later living resident through reduced use of institutionalisation alone.

Homes for later living properties are designed to keep residents safe and secure and to minimise risk. Building homes for retirement living requires the best available design and accessibility standards. For example, communal spaces are shared to avoid the potentially isolating effects of retirement and loneliness - which has been linked to an increased risk of dementia. This explains why specialist homes are proven to prevent or reduce an array of adverse health outcomes that cost the NHS and social care services billions of pounds a year.

By 2032 there will be five million people over eighty living in the UK - if one in eight were housed in a homes for later living this could generate total fiscal savings across the NHS and social services of £2.1bn per year.

Health spending on the average 80-year-old is £6,200 a year and long-term care at £1,000 a year, rising almost exponentially with age (it is 'just' £2,700 and £300 for the average 65 years old).³⁸ The most costly hospital admissions for older people tend to result from falls and fractures, dementia, and strokes.

What are the improved outcomes?

Most of those living in a homes for later living property are in their 80s. Half of over 80s in the general population live alone.³⁹ Yet those in homes for later living could be around half as likely to have falls,⁴⁰ with resulting fractures, injuries and costly inpatient bed stays. Considering that the number of over 80s will rise from around 3.2m today to around 5m in 2032, and around a half of the 80s will fall in any given year - the implied number of over 80s falling will rise from 1.6m today to around 2.5m in 2032, a rise of 900,000 should fall rates remain the same. If we built 30,000 specialist homes per year, housing roughly 400,000 over 80s, it could mean 100,000 fewer fallers. In addition, residents of homes for later living are around half as likely to



be lonely,⁴¹ making them significantly less likely to develop dementia.⁴² Reduced isolation also means that stroke sufferers get the urgent medical attention that is so crucial to surviving a stroke and making a full or near-full recovery, the key message of the award-winning Act FAST TV campaign.⁴³ What follows is a reduced dependency on long term care and the toll that takes on local authority social care budgets

Table below: The fiscal impacts of mainstream vs homes for later living housing, by outcome and efficiency

	Mainstream housing, pp >80yrs	Homes for Later Living housing, pp >80yrs	Difference
Adverse health outcomes / cause:	Cost (£)	Cost (£)	Saving (£)
Fracture or serious injury / falls	811	300	(510)
Dementia / loneliness	2,119	1,874	(244)
Stroke incapacitation / delayed action	477	343	(134)
Pneumonia, heart attacks, arthritis / cold homes*	205	nil	(205)
Visits to GP and A&E attendance / (various)	267	195	(72)
Subtotal (prevention)	3,878	2712	(1,166)
Efficiencies:			
Utilisation of public-funded institutional care**	1812	nil	(1,812)
Use of public-funded home care services	984	820	(164)
Use of disabled facilities grant money***	349	nil	(349)
Subtotal (efficiencies)	3,144	820	(2,324)
Total	7,022	3,512	(3,490)

*assumes no HFLL homes are cold. **includes only those in HFLL homes that would otherwise be in institutional care, if HFLL didn't exist. ***assumes zero use of disabled facilities grant in HFLL homes as these ones are already adapted. A more detailed methodology can be found in the annex.

The numbers for the three fiscal big hitters are stark. Falls and fragility fractures cost the NHS at least £2bn a year and social services £1.1bn.⁴⁴ Dementia costs the NHS £4.3bn a year and social services over £4.5bn.⁴⁵ For strokes it is £3bn and £2.5bn respectively.⁴⁶ That is £17.5bn a year just for the big three, even without capturing everything across health and social services.

All in all, we identify fiscal savings across NHS and social care services of almost £3,500 a year for the average person living in a home for later living.

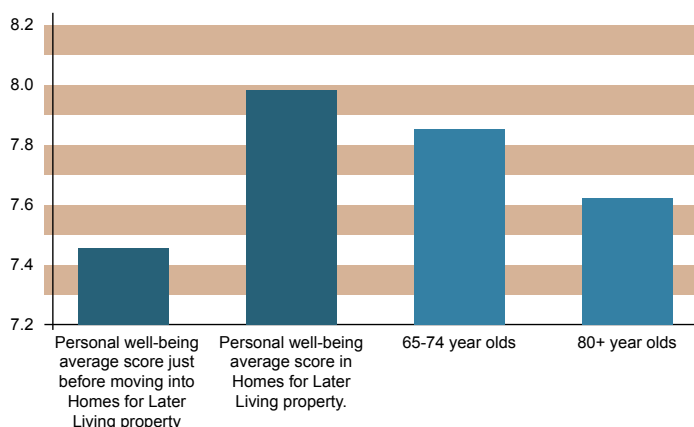
Well-being impact: key findings

Of course, huge savings for local authorities and the NHS are only part of the picture. Our evidence also points to dramatic improvements in the personal well-being of a typical person aged 80 moving from mainstream housing to Homes for Later Living properties. We have found that Homes for Later Living residents score as highly as someone 10 years younger on the nationally recognised general well-being criteria. In particular, those over 80 living in specialist housing are much less likely to have feelings of anxiety compared to the over 80s living in mainstream housing.

We estimate that the monetary value of this improved feeling of personal wellbeing could be as high as £1,530 per person per year, or around £10,000 (discounted) over the average eight-year period a resident lives in a Homes for Later Living property. This is when valued on the same basis as the Quality Adjusted Life year (QALY), the means of evaluating whether to conduct a medical intervention which values one year of quality life as high as between £20,000 and £30,000 per year. If the ambition to build 30,00 homes for later living properties per year was met, the value of personal well-being improvements could be as high as £600m a year.

To assess how moving into specialist housing from mainstream housing is associated with significant improvements in personal wellbeing, we surveyed over 1,400 Homes for Later Living residents. Our research found that moving to the current property was associated with a marked improvement in residents' average personal well-being scores. Overall, the average scores went up from 7.46 out of 10 to 7.97 out of 10. This is an improvement of 0.51 percentage points or, equivalently, 7%. Much of this improvement came through a greater sense of life satisfaction and reduced levels of anxiety.

Chart below: Average personal well-being scores for Homes for Later Living residents compared with national population



Amongst the general population, feelings of personal wellbeing over a person's lifetime (as reported by the ONS' National personal well-being data) appear to peak

with the onset of retirement at the age of 65. But then they decline from about the age of 75. Average national personal wellbeing scores plateau for those aged 65-74 at 7.85 out of 10, then fall to 7.72 for those aged 75-79. For those aged between 85 and 89 average scores fall even further to 7.59.⁴⁷ These declines may be the result of life event factors which adversely affect personal well-being, including the loss of a partner, and increased loneliness, or failing health, impaired mobility and reduced independence.

The average age of those in Homes for Later Living properties is a little over 80. The average personal well-being score for those surveyed who currently live in these properties was 7.97. The survey results show that the well-being scores of those over 80s who have moved into a Homes for Later Living property actually increases and is higher than personal well-being reported by the over-80s nationally.

Lifetime events occurring just before or at the time of moving can of course impact on wellbeing scores in either direction. For example, just over a quarter of respondents cited the loss of a partner as a reason that best describes why they moved into their retirement property. Across all the providers, 14% of survey respondents reported feeling lonely often or some of the time in their current retirement property. 18% of respondents reported they felt lonely often or some of the time just before they moved to their current retirement property.

The increased personal well-being scores from moving into a Homes for Later Living property restore to over-80s living in these properties a sense of personal well-being that would otherwise have peaked when they were 65-74 years old (the mid-point being 70). In other words, matching personal well-being levels of those at least ten years younger.

Table below: Survey of personal well-being indicators for Homes for Later Living residents

	Personal well-being average score just before moving into their current home	Personal well-being average score in current home
Life satisfaction	7.31	7.95
Life worthwhile	7.72	8.06
Happy yesterday	7.32	7.75
Not anxious yesterday	7.51	8.12
Blended average	7.46	7.97

A photograph of an elderly woman, Marjorie Carter, with short white hair and glasses, wearing a blue and white patterned top. She is smiling and reaching out towards the camera. The background is a colorful, out-of-focus indoor setting.

Marjorie Carter

Current Homes for Later Living resident

Former Olympian Marjorie Carter, who lives in a Homes for Later Living property, defies gravity – and conventional wisdom – by continuing to perform gymnastics routines at the age of 84.

Marjorie started gymnastics at the age of 10, going on to compete in both the 1952 Olympic Games in Finland and the 1960 Games in Rome. 74 years later, she can still stand on her head, perform the splits and cartwheel.

“You need to keep moving. It’s so important when you get older to maintain that independence and mobility. As they say, ‘use it or you lose it.’

Living at Jowett Court with a range of people of a similar age is a good lift for the mind, as well as making friends and spending quality time with people, which is as important as regular exercise for maintaining a healthy lifestyle.”

Conclusion

Retirees of today expect far more choice and greater quality than previous generations. A few housing providers are responding to this, and in many cases older people are benefiting from residing in homes for later living that are tailored to meet their evolving needs. But much more can be done.

This report has examined the significant benefits of homes for later living, which encompasses retirement living properties with and without care services. Our research has shown that people living in all forms of housing for older people have significantly greater well-being than those living in other types of accommodation. The potential fiscal savings to the NHS and local authorities are significant. However, savings of over £2bn a year will only become apparent if we can build 30,000 homes for later living properties per year over ten years, ideally by 2032 to keep pace with demand.

The huge savings are possible because the design of homes for later living is specially tailored to older people, meaning that residents are around half as likely to have falls with resulting fractures, injuries and costly inpatient bed stays. As well as having their own living space, typically an apartment, abundance of communal spaces also means they are around half as likely to feel lonely. The quality of these homes has to be unparalleled across the market to meet high quality requirements, ensuring the safety of residents in later life.

In order to deliver savings of £2.1bn to the NHS and social services, we need to keep pace with demand by building 30,000 homes for later living properties per year.

Despite the benefits, it is widely accepted that currently there is inadequate provision of homes for later living. While the range of choice for those in later life has considerably increased over the last 20 years, the current planning system makes it difficult for existing retirement house builders to meet growing demand. At the same time, the system works against other mainstream house builders looking to enter this part of the market.



The need for homes for later living to be treated differently from conventional, mainstream housing has been accepted by the likes of the Law Commission and the Housing, Communities and Local Government Committee. This was seen in the distinction the Law Commission made with regard to the case for exit or event fees, the distinction the Government made with regard to the need for an economically sustainable ground rent and the distinction the Housing, Communities and Local Government Committee made with regard to planning obstacles and the case for a new use class. Going further, local planning authorities proactively planning for the provision of more homes for later living and adopting a presumption in favour of proposals for this type of housing (including special considerations around planning applications) should help meet the increasing demand for homes for later living.

In addition to the fiscal savings and personal improvement in quality of life for older people, building more suitable homes for a rapidly ageing population will also have knock-on benefits for the wider housing market. We will be exploring these wider benefits and further mechanisms to encourage more homes for later living to be built in subsequent reports.

This report comes as policy makers continue to search for an answer to the housing crisis and the multiple challenges associated with an ageing population and provision of long term social care. It sets out the benefits the Government can expect to see on both fronts if it invests in homes for later living. Now the onus is on policy makers to take action.



Annex

Fiscal Savings

There are two streams of fiscal savings:

1. Adverse health outcomes reduced by being in specialist housing as opposed to mainstream housing, including: falls and fractures, dementia onset through loneliness, and stroke inaction.
2. Efficiencies through residential and nursing care avoided by people moving from mainstream to specialist homes rather than directly into institutional care, as well as reduced need for home adaptations (i.e. homes for later living properties are already adapted) and better collective home care provision (i.e. those needed care all in one place).

Adverse health outcomes

With at least 162,000 market specialist homes currently existent, and an ambition for the sector to build 300,000 more, and assumed average household sizes of around 1.33, the implied annual fiscal savings would be:
 $(162,000 + 300,000) \times 1.33 \times £3,490 = £2.1\text{bn p.a.}$

Falls & fractures

Outcomes

- We assume fallers are halved in specialist housing vs living in mainstream (MS) housing, from 50% to 25% in Retirement Living (RL), and 60% to 30% for those in Extra Care (EC).
- 14.5% of RL falls (and 17.4% of EC falls) lead to a hospital admission.
- This implies that out of an over 80s population of 3.2m, 1.6m fall each year and 224,000 are admitted to hospital - typically with a fracture.
- Hospital bed days per person are reduced from 12.5 to 6.25 in RL (and 12.5 to 1.5 EC).

Costs to public

- Falls cost the NHS £2bn a year o/w £0.9bn treatment and £1.1bn hospital bed.
- With 335,000 fallers overall that implies £5,970 per patient and around £2,420 for the hospital treatment and £3,550 cost of hospital bed.
- We assume bed stays are longer for the over 80s – £4,325 bed (also 12.5 days at £346 per day), plus the £2,420 treatment cost, or £6,745 per over-80 patient
- In addition, falls cost state-funded social care £1.1bn, or an implied £3,284 per person, though we

don't assume it is any higher for the over 80s.

For the average over-80 person in each accommodation type then the costs of falls are as follows:

RL: 25% fall x 14.5% hosp admission x {£2,420 treat + (6 day x £346 bed) + £3,284 sc} = £285
MS(vRL): 50% fall x 14.5% hosp admission x {£2,420 treat + (12 day x £346 bed) + £3,284 sc} = £727
EC: 30% fall x 0.168 hosp admission x {£2,420 treat + (1.5 day x £346 bed) + £3,612 sc} = £325
MS(vEC): 60% fall x 0.168 hosp admission x {£2,420 treat + (12.5 day x £346 bed) + £3,612 sc} = £1,047
RL therefore produces a £442 saving against its counterfactual (£727 – £285) and EC £722. £442 and £722 are uprated by inflation over one year to bring them to 2019 money, £453 RL and £740 EC.

Loneliness & dementia

Outcomes

- We assume loneliness is halved in specialist housing vs mainstream housing (particularly given that a large proportion of the over 80s also live alone), from 30% to 15% in all specialist housing types.
- 1 in 6 of the over 80s (17%) have dementia. We assume those who are lonely are twice as likely to develop it.
- These assumptions imply dementia amongst the over 80s who are lonely is 26%, dementia amongst those not lonely is 13% i.e.
 $(30\% \text{ lonely} \times 26\% \text{ dementia}) + (70\% \text{ not lonely} \times 13\% \text{ dementia}) = 17\% \text{ average dementia}$
- We further assume the rates of dementia in EC are 50% higher – 39% for the 'lonely' and 19.5% for the 'not lonely'.

Costs to public

- Dementia costs the NHS £4.3bn a year across 850,000 sufferers, an implied average cost of £5,060 per person, though we don't assume it is any higher for the over 80s.
- In addition, dementia costs state-funded social care £5.2bn a year, an implied average cost of £6,060 per person, though, again, we don't assume it is any higher for the over 80s.

For the average person over 80 in each accommodation type then the cost of dementia is:

RL: (15% x 26%) x (£5,060 treat + £6,060 sc) + (85% x 13%) x (£5,060 treat + £6,060 sc) = £1,662
MS: (30% x 26%) x (£5,060 treat + £6,060 sc) + (70% x 13%) x (£5,060 treat + £6,060 sc) = £1,879
EC: (15% x 39%) x (£5,060 treat + £6,060 sc) + (85% x 0.195) x (£5,060 treat + £6,060 sc) = £2,494
MS: (30% x 39%) x (£5,060 treat + £6,060 sc) + (70% x 0.195) x (£5,060 treat + £6,060 sc) = £2,819
RL therefore produces a £217 saving against its counterfactual and EC £325. £217 and £325 are uprated by inflation over one year to bring them to 2019 money, £222 RL and £333 EC.

Stroke inaction

Outcomes

- Stroke victims are found and treated quicker in specialist housing, particularly because many otherwise live alone or have irregular interaction with others.
- We assume this quicker reaction delivers reduced treatment costs, better outcomes amongst survivors and thus reduced long term social care costs, of 25%
- Around 1.5% of the 80s have a stroke each year.

Costs to public

- Strokes cost the NHS £3bn a year across 115,000 sufferers, an implied average of £26,500 per sufferer, though we do not assume it is higher for the over 80s.
- In addition, strokes cost state-funded social care £2bn a year across 1 million stroke sufferers, or £2,000 per stroke survivor. Over 3 years this is £6,000.

For the average over 80 person in each accommodation type then the cost of strokes occurring each year is:

RL or EC: $1.5\% \times (£26,100 \text{ treat} + £6,000 \text{ sc}) \times 75\%$
FAST = £334

MS (vRL or vEC): $1.5\% \times (£26,100 \text{ treat} £6,000 \text{ sc}) =$
 £465

RL or EC therefore produce a £131 saving against their counterfactuals, uprating by inflation over one year brings it to **£134 RL or EC**.

Miscellaneous

Outcomes

- Annual GP visits per person are reduced from 6 to 4.5 in RL and from 6 to 3 in EC
- Annual A&E visits per person are reduced from 0.5 to 0.4 in RL and EC

Costs to public

- The cost of a GP visit is £30 and of an A&E visit is £160.

For the average over 80 person in each accommodation type then the cost of GPs & A&E is:

RL: $4.5 \times £30 \text{ GP} + 0.4 \times £160 \text{ A\&E} = £199$

MS: $6 \times £30 \text{ GP} + 0.5 \times £160 \text{ A\&E} = £260$

EC: $3 \times £30 \text{ GP} + 0.4 \times £160 \text{ A\&E} = £154$

MS: $6 \times £30 \text{ GP} + 0.5 \times £160 \text{ A\&E} = £260$

RL produces a £61 saving against its counterfactual and EC £106 combining GP and A&E elements. £61 and £106 are uprated by inflation over one year to bring them to 2019 money, £62 and £108.

Furthermore, cold homes inflict health costs on the NHS of £200 per annum for the average over 80 in mainstream housing. It is believed that cold homes cost the NHS £1.36bn a year, or around £100 for every over 65-year old in the UK. We assume it is double for the average 80-year old, uprating by inflation over one year brings it to **£205 RL or EC**.

Residential & nursing care

Outcomes

- We assume 12% of the over 80s living in RL would otherwise be in long term residential care if RL wasn't available, i.e. in the counterfactual.
- We assume 20% of the over 80s living in EC would otherwise be in long term residential care and 30% would otherwise be in long term nursing care if EC wasn't available, i.e. in the counterfactual.
- However, unlike the vast majority in RL, those in EC receive significant home care which - despite initially higher personal savings - local authorities are eventually likely to contribute to because of the higher level of care needed. We assume LAs save £3,000 a year on average in home care where the EC counterfactual is residential care and £6,000 where it is nursing care.
- 80 % of market RL / EC is owner-occupied and 20% is private rented.
- We assume residential / nursing care lasting 5 years if RL and EC were not available.

Costs

- Residential care is assumed to cost £36,000 p.a. (including 'hotel' costs) and Nursing care £45,000 p.a.
- 50% of owner occupiers in RL/EC live alone, and would therefore have been required to sell their previous home to pay for residential care in the counterfactual.
- 50% of owner occupiers in RL/EC live with a partner and would not therefore have been required to sell their previous home to pay for residential care in the counterfactual.
- This produces an average household size of 1.33 (50 adults occupy 25 homes and 50 adults occupy 50 homes or, combined, 100 adults occupy 75 homes. $100 / 75 = 1.33$).
- 100% of renters regardless of status have no home to sell.
- The average specialist owner occupied home can be sold for £250,000.
- Average savings per person are £35,000, £11,750 above the £23,250 capital threshold for local authority support (ignoring the taper to the lower threshold for simplicity).
- The average pension and attendance allowance income is that self-funders would pay towards residential / nursing care (costing £36,000 or £45,000 p.a.) out of their income is £17,750 p.a:

State pension +£8,500

Private pension +£6,000



Attendance allowance +£4,500

Disregarded -£1,250

Total £17,750

In the counterfactual of being in residential /nursing care, single owner occupiers are likely to foot the whole bill and government none, as they are forced to use savings and sell their home to cover any shortfall in residential or nursing care cost against their income.

Couple owner occupiers are not required to sell their home while one partner remains living there. So only the individual's savings can be used to plug any shortfall, government (LA) picking up the rest. The same is true for single and couple renters:

Cost of residential care over 5 years = £36,000 x 5 = -£180,000

Private contribution (income) = £17,750 x 5 = +£88,750

Private contribution (savings) = £40,000 - £23,250 = +£11,750

Shortfall = government (LA) contribution = +£79,500 (44% of total)

Residential (Res) and nursing care (Nur) savings for the average over 80 in RL and EC are therefore:

RL v Res: {50% owner couple x 80% owner occ + 20% renter} x £36,000 cost x 44% public x 12% in res counterfactual = £1,149

EC v Res: {50% owner couple x 80% owner occ + 20% rented} x £36,000 cost x 44% public x 20% in res counterfactual = £1,915*...

EC v Nur: (50% owner couple x 80% owner occ + 20% rented} x £48,000 cost x 58% public x 30% in nur counterfactual = £4,725**...

Home care adjustments are needed for EC v Res and EC v Nur. For the average person in EC, local authorities are assumed to contribute £3,000 x 20% = £600 in home care where the counterfactual is residential care and contribute £6,000 x 30% £1,800 in home care where the counterfactual is nursing care. The LA will no longer have to pay these if the person goes into residential / nursing care and have to sell their homes. The burden on the state is therefore adjusted down to:

EC v Residential care = £1,915* - £600 = £1,315

EC v Nursing care = £4,725** - £1,800 = £2,925

£1,149, £1,315 and £2,925 are uprated by inflation over one year to bring them to 2019 money: **£1,178 RL, £1,348 EC and £2,998 EC.**

Home support efficiencies

Government and local authorities support independent living at home through various channels including home care and the disabled facilities grant (DFG).

Outcomes

- Those in specialist housing already have adaptations

do not need new disabled facilities.

- We assume homecare needs are reduced in specialist housing compared to mainstream housing by around 20%.

Costs

- DFG is means-tested, apart from the first £1,000. Over an 8-year average period spent in specialist housing this implies a fiscal saving of £125 a year.
- However, a means-tested DFG of up to £30,000 is available for those eligible and in need. Taking this into account, we assume that the average person in RL would otherwise get DFG of £300 a year if in mainstream housing and the average person in EC would otherwise get DFG of £500 a year. Particularly, if they are also self-funding some or all of their home care, their savings will deplete quicker and so they would become eligible for local authority support.
- Public-funded home care is assumed at £4,000 per person, (paying for 5 hours of care a week) in EC regardless of whether they receive it or not. This is versus £4,800 (paying for 6 hours of care a week) in the mainstream housing counterfactual, an average saving of £800 for those in EC.

Thus being in a homes for later living property would save the government and local authorities £300 and £500 in disabled facilities grant a year, as well as £800 in home care. These figures are uprated by inflation over one year to bring them to 2019 money: **£308, £513 and £820.**

Overall fiscal savings

- Each year of current output generates fiscal savings of £15.3 million
- Building 300,000 new homes plus the 162,000 existing would deliver fiscal savings of £2.1 billion (£1,390 million plus £750 million)

Table below: Fiscal savings at a national level.

	Retirement housebuilding by Homes for Later Living providers in their latest reporting year	People per home	Fiscal saving Per home	Fiscal saving on aggregate
Retirement housebuilding by Homes for Later Living providers in their latest reporting year	3,304	1.33	£4,642	$3,304 \times £4,642 = £15,337,168$
Building 300,000 new homes	300,000	1.33	£4,642	$300,000 \times £4,642 = £1,392,600,000$
Existing 162,000 homes	162,000	1.33	£4,642	$162,000 \times £4,642 = £725,004,000$

Table below: Overall fiscal savings 'scorecard' per person over 80 in specialist housing, p.a.

Adverse health outcomes:	Retirement Living (RL)	Extra Care (EC)	Combined 80:20
Falls & fractures	-£453	-£740	-£510
Loneliness & dementia	-£222	-£333	-£244
Strokes	-£134	-£134	-£134
Conditions related to cold homes	-£205	-£205	-£205
Miscellaneous o/w			
GP visits	-£46	-£92	-£55
A&E visits	-£16	-£16	-£16
Subtotal (A)	-£1077	-£1521	-£1166
Efficiencies:	RL	EC	Combined
Residential care	-£1178	-£1348	-£1212
Nursing care	0	-£2998	-£600
Subtotal (B)	-£1178	-£4346	-£1812
Disabled Facilities Grant	-£308	-£513	-£349
Home care (LA funded)	0	-£820	-£164
Subtotal (C)	-£308	-£1333	-£513
TOTAL (A+B+C) 2019/20 prices	-£2563	-£7200	-£3490



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APPENDIX B

Silver Saviours for the High Street, Homes for Later Living (2021)



Silver saviours for the high street

How new retirement properties create more local economic value
and more local jobs than any other type of residential housing

A report by  STRATEGY for

Homes for Later Living

February 2021



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About Homes for Later Living

Homes for Later Living has been set up to promote greater choice, availability and quality of housing specifically for older people. It comprises Churchill Retirement Living, McCarthy Stone and Lifestory Group (made up of Pegasus and Renaissance) and operates alongside the Retirement Home Builders Group within the Home Builders Federation (HBF).

Homes for Later Living exists to promote all types of housing which are specifically designed, built or adapted for people over the age of 60. These properties are operated in the long-term interest of residents, so that as people grow older and their needs change, they can choose to live in a property that works for them.

Homes for Later Living or retirement properties mean specially designed housing suitable for older people who want to maintain the independence and privacy that comes with having a home of their own, but may want access to varying degrees of support and care, plus an in-built social community.

Typically built for people who no longer want or need a family-sized house, and often taking the form of apartments or bungalows, our developments are designed to help people remain independent, safe, secure and sociable for as long as possible.

One of the key differences between new-build housing for older people and new-build mainstream housing is the provision of extensive communal areas where neighbours can socialise, host visitors and be part of a friendly, like-minded community.

Another key difference is the presence of an on-site manager or team, someone whose role is to look out for people’s welfare, be a point of call if help is needed, make sure the communal areas are well-maintained and to be a reassuring, friendly presence.



About the author

Chris Walker

Chris Walker is an associate at WPI Strategy and a former government economist, who spent over 12 years as a civil servant in the Treasury, Department for Work and Pensions, and the Department for Communities and Local Government where he was a senior economic adviser. He now works as a research and economic consultant on housing, planning and local economic growth.



Foreword

As we begin to emerge from the shadow of Covid-19, breathing new life into our high streets will be critical to the future economic prospects and the social fabric of local villages, towns and cities right across the UK.

The pandemic has had a devastating impact on the high street, with local businesses unable to open at various points in time. Yet faced with such unimaginable challenges, Britain's entrepreneurs have innovated like never before, moving to different ways of offering their services and products to customers.

There is little doubt that as we return to some semblance of normality this year, that the look and feel of our town centres will need to continue to evolve. Part of this evolution will involve striking the right balance between commercial and residential properties on or near the high street.

In 2018, retail expert Bill Grimsey recommended that high streets and town centres "need to be repopulated and re-fashioned as community hubs, including housing, health and leisure, entertainment, education, arts, business/office space and some shops". Three years later, that argument looks stronger than ever. Getting that mix right will be critical to local economic recovery efforts and fostering a renewed sense of community.

This report seeks to contribute to the debate over the look and feel of our high streets and town centres. Our findings focus specifically on the role that specialist retirement housing can play in driving local economic growth.

The analysis is stark. Specialist retirement properties create more local economic value and more local jobs than any other type of residential housing. People living in these properties are happier, healthier and more likely to spend money locally than people of the same age living elsewhere. And just as importantly, polling commissioned as part of this report indicates that the vast majority of local people would approve of retirement housing being built near them.

Specialist retirement housing does not have to come at the expense of housing for families and young professionals. Rather our previous research has shown that building more specialist retirement housing can stimulate transactions throughout the entire housing market, for families looking to move into bigger homes and for first time buyers looking to take their first step on the property ladder.

We know there are 3 million people across the UK over the age of 65 who would like to move home but don't feel they can. Quite simply we should be building tens of thousands of good quality specialist retirement properties to help meet this demand.

With retirement developments of this sort located in or near to our struggling high streets, the benefits of building these properties are clear. Doing so will help stimulate local economic activity and help communities recover as quickly as possible from the devastating effects of the pandemic.



Executive summary

Local authorities across the UK face pressing challenges in the coming years. Most urgently, councils need to rescue their finances from the ravages of the pandemic which has eroded high streets and cost many jobs. Alongside this, local authorities must manage the escalating costs of social care at the same time as keeping an ageing society healthy, happy and safe, and they need to find the best way of meeting local housing targets.

With the Prime Minister having promised to 'build back better', retirement properties can help local authorities to meet such challenges by creating the conditions for local and sustainable economic growth in communities across the country, without eroding the green belt or urban green spaces.

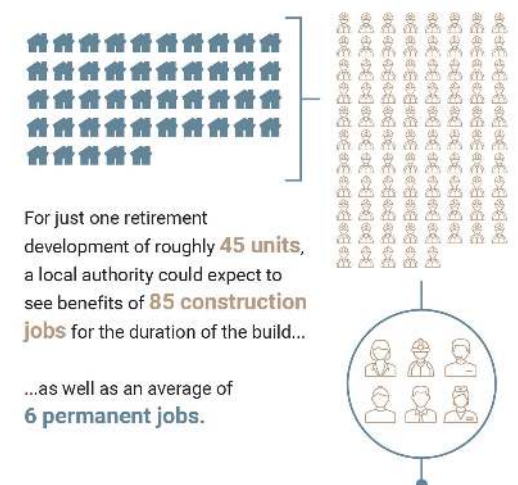
Our previous reports have set out firstly the extent to which retirement housing creates fiscal savings through reduced health and social care costs, and secondly the impact on the wider housing market of releasing second-hand properties back onto the market.

Here, in our third report, we look at the final challenge – that of restoring and creating jobs, supporting shops and services in the local economy, and making new housing environmentally sustainable. Crucially, we show how retirement properties create more local economic value and more local jobs than any other type of residential development.

“Retirement properties create more local economic value and more local jobs than any other type of residential development.”

The benefits for local authorities can be seen both in terms of jobs created and in terms of Gross Value Added (GVA) - in other words the sector-specific economic value it adds. Further benefits are derived from the location of retirement properties amongst existing shops, services and transport connections which focuses the spending power of the 'grey pound' to revitalise local high streets.

- For just one retirement development of roughly 45 units, a local authority could expect to see benefits of 85 construction jobs for the duration of the build, as well as six permanent jobs and £13m in GVA over the lifetime of the development, as opposed to not developing a site.¹
- These benefits mean that retirement properties create more local economic value and more local jobs than any other type of residential development.
- People living in each retirement development generate £550,000 of spending per year, £347,000 of which is spent on the local high street. Some £225,000 of this is new spending in the local authority, directly contributing to keeping local shops open.
- From these figures, we estimate that a typical retirement housing development has the potential to support more than three local retail jobs. Over the lifetime of the development, a typical development would contribute £2.25m of GVA to the high street.



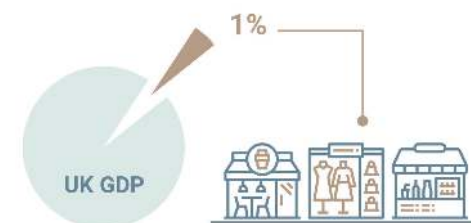


Our findings come as UK-wide polling for this paper shows that retirement housing is among the most popular type of housing. We can see that 68% of people would approve of such housing being built near them, compared to the 45% approval rating given to a conventional block of flats. Meanwhile the generation of local jobs is the most important factor in people's support for new developments.

Despite this public sentiment and the clear benefits that retirement developments bring to local communities, we are still not building enough suitable properties to cater for our ageing population. Currently in the UK, we build around 8,000 retirement properties a year. This is distinctly below the level of demand and need.

Looking at the national picture, our analysis shows what would happen were the UK to build 30,000 retirement properties every year, consistent with the level of supply that is needed.² Building 30,000 retirement properties a year would be just 10% of the national house building target and the estimated level of demand, and, compared to not developing the sites involved, would mean:

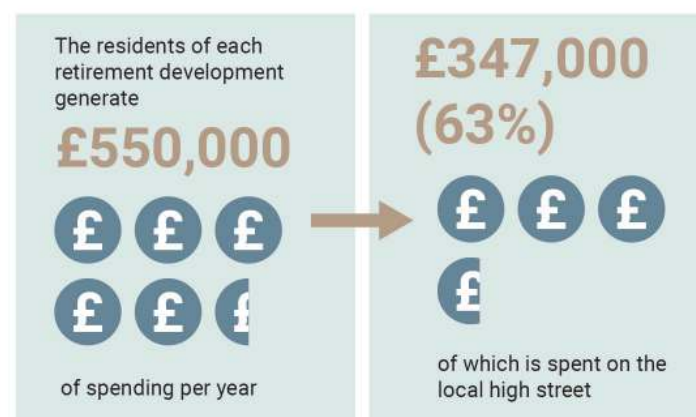
- £2bn of additional economic activity every year would be created across the country. This is £20bn over 10 years, roughly equivalent to 1% of current UK GDP over 10 years, focussed where it is most needed, on our high streets.
- 15,000 additional construction jobs would be created nationally and sustained over the period of construction. A further 700 jobs a year would come from management and renovation of properties freed up.
- Greenfield land across the UK could be preserved as the vast majority of these developments are on brownfield sites, effectively and sustainably regenerating previously developed land.



A single retirement development of 45 units, would add £13m in additional local economic value (GVA) to its area. A 10-year building programme of 30,000 retirement properties per year could be worth roughly the equivalent of an additional 1% of GDP to the economy.

In this report, we therefore provide the evidence that creating the right policy conditions to encourage the construction of more retirement properties is not only in the interests of those people in later life. It will also have a major impact on the wider housing market while stimulating local economic growth in every community across the country.

With all of this in mind, **our key national policy recommendation is for a 10 year programme of building 30,000 retirement properties every year.** If such a programme was introduced then we could have much-needed new housing for older people supplementing new housing for families and young professionals to ensure that we finally have the diverse housing stock we need in the UK.



Introduction

People and businesses across the UK have faced unprecedented personal and economic disruption since the Covid-19 pandemic took hold in March 2020. For local communities, the public health and economic effects have created a perfect financial storm.

Of course, local council finances being squeezed is not a new development. Back in 2012, Barnet Council encapsulated the problem in the Barnet Graph of Doom - a PowerPoint slide showing that within 20 years, unless things were to change dramatically, the north London council would be unable to provide any services except adult social care and children's services.

But since the outbreak of the pandemic, the situation has become even more critical. Councils have been increasing spending while incomes have been falling. There have been new responsibilities to help with the testing, tracing and control of Covid-19 while social distancing requirements and personal protective equipment (PPE) have meant increased expenditure on adult social care and other services. At the same time, a number of long-established routes of income, such as through car parking, have been significantly reduced. On top of all of this, many households and businesses have found themselves struggling to pay their bills.

It is against this backdrop that local authorities throughout the UK will face three very pressing and difficult challenges in the coming years.

First, councils will need to salvage their financial position and that of the local economies on which they rely. This means generating income from a strong local economy populated with businesses, employees and customers all of whom can play their part in generating the revenue needed to pay town hall bills.

Second, councils will need to find ways of mitigating health and social care costs but at the same time keeping an ageing society healthier, happier and safer for as long as possible. Before the pandemic children's and adult social care costs already accounted for a rising proportion of the annual budget. Covid-19 has only exacerbated this situation and with financial restrictions likely to be tighter than ever in 2021, local authorities must reconcile the escalating costs of social care with perilous finances.

Third, councils will need to identify where and how they can meet the housing targets required of them without erasing the green belt, over-burdening the road infrastructure or burning up local support. For the vast majority of local authorities, brownfield sites can be the best way to achieve this. Such sites offer new ways of absorbing local targets without fundamentally changing the character of an area or redrawing its perceived boundaries. Furthermore it is urban brownfield sites where retirement housing is best placed to access existing public transport connections and can accommodate a new resident population willing and able to support struggling shops and services.

In this report we show that all three of these crucial local authority challenges can be met more effectively through the delivery of much-needed retirement housing, alongside existing conventional housing developments.

With the economic benefits it brings, retirement housing can also be a key driver of the Government's post-pandemic agenda in local authorities across the UK. Setting out his vision for an economic recovery, the Prime Minister promised to "build back better". In his speech on the economy in June 2020, Boris Johnson lamented the failure of the state over many years to build enough new homes and asserted that "we will build fantastic new homes on brownfield sites". Furthermore, the Government has recommitted to its target of delivering an average of 300,000 new build homes a year by the mid-2020s.



The role of brownfield in this has been emphasised in the change to the housing formula put forward in the Government's Planning for the Future White Paper. To this end, it is critical to get the most value possible out of developments on these sites.

Retirement housing is likely to be welcomed by the majority of residents. Our UK-wide polling found that it was among the three developments with the highest net approval ratings, alongside care homes and developments of family homes. The polling also found that local job creation is the number one most important aspect for a new development in the eyes of local people.

In the following chapters, we set out the unique social and economic contribution that retirement properties can play in boosting local economic output and creating local jobs, revitalising the high street and greening local communities. These are economic benefits that stem from factors unique in these developments including their specific building designs, central location and residents' spending habits. And they are benefits that are unlikely to come from other types of properties, as can be seen in the annex.

In our modelling, we have shown the "absolute benefits" of retirement properties, in other words those benefits compared to allowing brownfield sites to lay undeveloped. We have also compared those benefits to those yielded by other types of residential developments, namely housing and blocks of flats. In these tables, all the benefits are stated in full time equivalent jobs and in Gross Value Added for easy comparison. In the report itself, however, where it makes more intuitive sense, other metrics are used.

Through our modelling we can therefore see how building specialist retirement properties makes sense for all types of local authorities who need to accommodate new housing and want to see brownfield sites prioritised to achieve this in a way that delivers maximum economic benefit locally and benefits the local community most effectively.

This report is the third in a series of reports looking at the socio-economic benefits of retirement housing, with previous reports having shown how helping more people to access specialist retirement housing would improve older peoples' wellbeing, save money for the NHS and stimulate both ends of the housing market.

Our first report revealed how moving from existing mainstream housing to specialist retirement properties can improve the mental and physical health of our ageing population, with an average Homes for Later Living resident aged 80 feeling as good as someone 10 years younger, when measured on a selection of national wellbeing criteria. The resulting reduced health challenges could bring about significant savings for the NHS and social care budgets. Most notably, we found that each Homes for Later Living resident contributes to fiscal savings to the NHS and social care services of approximately £3,500 per year.

Our second report looked at how building more Homes for Later Living developments would help to unblock the housing market. It revealed that a quarter of people over 65 want to downsize and it showed how helping to make this happen would be beneficial to younger generations. For example, in this report we also showed that, through the chain effect, roughly two in every three retirement properties built releases a home suitable for a first-time buyer further down the chain.

In the third and final report of this series, we build on our previous findings to show that Homes for Later Living developments can be key to building back better in local communities. On top of the benefits outlined in previous reports, we can see that building more specialist retirement properties would do more than any other type of residential development to drive up the numbers of local jobs, boost local economic activity, and bring vibrancy to our local high streets.

Previous research

This report is the last in a series of three pieces of research, each highlighting different benefits brought about by Homes for Later Living developments.

Our first report, Happier and Healthier, explored how specialist retirement housing can improve residents' wellbeing and generate savings for Government. It showed that:

- 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.
- Each person living in a Homes for Later Living property enjoys fewer health risks, contributing to fiscal savings to the NHS and social care services of approximately £3,500 per year.

Our second report, Chain Reaction, demonstrated how helping more people who wish to downsize would be beneficial to the wider housing market, freeing up thousands of family-sized homes as well as those for first-time buyers. It showed that:

- Approximately 3 million people in the UK over the age of 65 (or 25%) want to downsize.
- Every Homes for Later Living property sold is estimated to generate at least two moves further down the housing chain, freeing up homes at differing stages of the housing ladder for different demographics.
- Roughly two in every three retirement properties built releases a home suitable for a first-time buyer down the housing chain. A typical Homes for Later Living development therefore results in at least 27 first time buyer properties being released onto the market.

Sarum Lodge, Salisbury





Public attitudes towards retirement housing

Homes for Later Living developments may bring numerous economic benefits to local areas but how welcome are they in the eyes of local residents?

Our UK-wide polling indicates that the vast majority of people would approve of retirement housing being built near them. Indeed, when people were asked whether they would approve or disapprove of certain developments being built within a mile of their home, retirement housing was among the three developments with the highest net approval ratings. The other two highest scorers were care homes and developments of family homes.

Across the UK, retirement housing scored a net 68% approval rating - rising to 70% in London and south west. This was slightly higher than the rating given to a development of first time buyer homes (67%) and significantly higher than the rating given to a conventional block of flats (45%) and a development of student accommodation (42%).

The approval rating given to retirement housing was also significantly higher than was given to commercial developments of all kinds. For example, a commercial development (retail) got a 47% net approval score and a commercial development (offices) scored 41%.

More generally, our polling established that more people than not want to see some kind of new housing built near where they live. A third of people think it is important that homes are built in their local area, compared to a quarter who do not.

Finally, our polling asked people what, if anything, they thought was particularly important in any new building development in their local area. The highest scoring answer here was “creating jobs” with 50% of respondents opting for this. Also scoring highly on 42% was “leads to more money being spent in local shops and businesses”.

Savanta ComRes polled 2178 adults across the UK from 27-29 November 2020.



Summary of benefits

The figures presented in this report are net additional figures, which show the benefits of retirement developments versus a counterfactual. The below table highlights the benefits of Homes for Later Living developments versus letting a site remain undeveloped. This is in line with best economic practice. N.B. these figures are not the same as direct employment figures. Averages for direct employment can be found in the annex.

	45 apartments – i.e. the benefits of a typical Homes for Later Living development	30,000 apartments – i.e. one year of national building, 10% of the new homes target and the current level of demand	300,000 apartments – i.e. 10 years of national building
Construction	• 85 construction jobs for the duration of the build • £7.6m in gross value added in the local area	• 14,820 construction jobs for the duration of the build • £1.4bn in gross value added nationally	• 14,820 jobs sustained for 10 years • £14bn in gross value added nationally
Repairs and Renovations	• 1 permanent jobs • £1.6m in gross value added in the local area	• 174 permanent jobs • £285m in gross value added nationally	• 1,740 permanent jobs • £2.85bn in gross value added nationally
Management and Care	• 2.3 permanent jobs • £1.6m in gross value added in the local area	• 523 permanent jobs • £366m in gross value added nationally	• 5,230 permanent jobs • £3.66bn in gross value added nationally
High Street Spend ³	• 3.2 permanent jobs on the high street • £2.25m of gross value added to the high street	Displacement would mean benefits would net off nationally.	Displacement would mean benefits would net off nationally.
Total	• 85 construction jobs for the duration of the build • 6.4 permanent jobs • £13m in gross value added in the local area	• 14,820 construction jobs for the duration of the build • 700 permanent jobs • Nearly £2bn in gross value added nationally	• 14,820 construction jobs sustained for 10 years • 7,000 permanent jobs • Nearly £20bn in gross value added nationally, equivalent to 1% of GDP



Boosting local economies through jobs and growth

- A typical retirement development of 45 units could generate over £13m of additional economic activity in a local area, compared to letting a brownfield site lay undeveloped.
- Building 30,000 retirement properties could generate £2bn of economic activity across the country every year, compared to leaving sites undeveloped.
- A typical retirement housing development could also generate 85 additional construction jobs.
- There would also be permanent jobs created in management and maintenance of retirement developments as well as the renovation works and investment that follow moves further down the housing chain.

There has never been a more urgent time for stimulating local economic growth and revitalising our communities. Construction is central to this mission and the Prime Minister has called for an “infrastructure revolution” to “repair and refurbish the fabric of our country”.

The Planning White Paper is intended to help deliver this revolution through modernisation of the planning system and will help to drive up the number of new homes being delivered. The great hope is that a burst of construction will generate the kind of economic growth that this country needs to get back on track from the pandemic. The changes made to the planning algorithm have further evidenced the need to make the most of our brownfield sites.

For local authorities who need to accommodate challenging housebuilding targets but are seeking to protect greenfield sites there is a strong case for factoring specialist retirement properties into these plans.

We already know that this type of housing is largely focused on brownfield land. In fact, for one operator of retirement housing 97% of sites are on brownfield land. We know that it meets a critical need to enable older people to stay in their own homes for longer, thereby reducing health risks and generating significant health and social care savings. And we know that it stimulates both ends of the local housing market, ultimately releasing more for first time buyers.

Now we can also see how retirement housing can boost local economic growth and create jobs. These benefits stem from construction activity, repairs, renovations and onsite management and care jobs including property managers, gardeners, window cleaners among others.

That said, there is no suggestion that specialist retirement housing should come at the expense of new conventional housing in any area. Rather, specialist retirement housing should be built in addition to conventional housing to ensure that we have the diverse housing stock we need, offering choice to potential purchasers and tenants. This will mean that the many benefits brought by specialist retirement housing do not come at the expense of existing housing aimed at families and young people.

The importance of building

Construction of any kind is critically important to economic growth. A site laying undeveloped carries a major opportunity cost. In order to grasp the full extent of this cost, we have modelled out the economic comparison of building Homes for Later Living developments on brownfield sites versus allowing those sites to lay undeveloped.

Our estimates show how construction activity and other factors combine to bring substantial economic benefits. We found that building 30,000 retirement properties a year would add £2bn a year to the UK economy through additional economic activity, partly owing to the specific construction requirements of our properties. It would add 15,000 total construction jobs for the duration of the construction, as well as 700 permanent jobs in the management, renovation, and care work associated with retirement properties and the downstream renovation of properties in the existing housing stock.

Research undertaken on behalf of the CBI as well as research done by FTI Consulting, cited by Shelter, shows that for every pound of capital spent in construction, between £2.09 and £2.80 was returned to the local economy.⁴

If the Government undertook a 10 year programme of building 30,000 retirement properties each year, we could therefore expect to see nearly £20bn added to the UK economy. On top of this would be 15,000 construction jobs sustained over 10 years and 7,000 jobs in the management, renovation and care jobs associated with retirement properties. These include managers, carers, gardeners and others who help to ensure that Homes for Later Living developments are vibrant and happy communities.

Over the lifetime of the 300,000 developments, this would be equivalent to adding nearly 1% to UK GDP, just by building one type of housing at the level of demand that exists for that kind of property.

The benefit of Homes for Later Living versus other developments

Having established the economic benefits of Homes for Later Living developments, the question is: how do these economic benefits compare to those that other residential units can provide to our local communities?

The answer is that Homes for Later Living developments compare favourably to both conventional houses and apartments, with additional economic benefits and additional jobs created, which are derived from multiple factors.

Firstly, the majority of retirement living developments are on brownfield sites near town centres and local transport links, this being a key driver of reduced car use and increased local spend.

Secondly, retirement properties employ additional staff, in management, care and service roles which have been included in the model, as well as bringing in local residents for part-time work like hairdressing for the residents, which has not. The manager is a net additional job compared to conventional houses, as will be the services of a gardener, cleaner and maintenance staff. In some cases, and in all Extra Care developments, there will also be a team of newly appointed on-site carers, as well as caterers and hospitality staff. These benefits are enumerated in the annex.

Thirdly, building retirement properties will free up more second-hand homes than building conventional apartments or houses for open market sale. The effect of this is to increase the number of moves occurring in the existing housing stock. When this happens, the numbers of renovation and repairs are increased. Our previous report, Chain Reaction, showed that older households tend to ‘stay put’ in their family home beyond the age of 65, partly due to the lack of availability of attractive downsizing options. Of course, building high quality retirement properties is one way to ensure that those looking to downsize have more options to choose from.

The construction benefits themselves are also large and derive from the particular specifications and requirements of building retirement properties.

Our modelling shows how retirement properties free up considerably more local homes in the chain of transactions than conventional flats and houses for open market sale. These additional freed up homes will create additional renovation and repair activity. Some of this work will be DIY efforts, but otherwise the use of tradesmen such as decorators, bathroom and kitchen fitters, central heating or window installers will support jobs and generate economic benefits nationally and locally. There may also be additional economic benefits through the local purchase of materials.

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Pegasus Jesmond Assembly - from school site to specialist retirement housing

One current example of a site development is the Pegasus Jesmond Assembly in Newcastle-Upon-Tyne. In July 2016 Central High School for Girls merged with Church High School to become Newcastle High School for Girls. The former school site became vacant in December of that year. A planning application to redevelop the site was submitted and approved by Newcastle City Council in 2018 for 63 much needed homes exclusively for the over 60s in Jesmond. The development is over five floors, with shared communal facilities including a shared landscape deck to the rear, communal lounge and social kitchen. Construction is due to be completed in early 2021, with owners and tenants moving in Spring 2021.

The development was designed by local award winning architects Faulkner Browns, with Tolent appointed as main contractor. Tolent is a local business established in 1983, that has since grown into one of the North East’s largest construction companies. With 20 people employed directly by Tolent on site and a further 26 subcontracts. At any point in time, there are between 100-125 subcontractors on site. 95% of the contractors are local to the Newcastle City Region, employing local labour and providing apprenticeships on site to help train and develop skills for the next generation of construction workers.



Some of the jobs at Homes for Later Living developments

Alongside the construction jobs brought about by the development of specialist retirement properties, there are a host of management, renovation and care jobs associated with Homes for Later Living schemes. For example:

A **House Manager** oversees front of house management, facilities, event coordination and customer service in a typical Homes for Later Living property of 45 units. They help homeowners settle into their new homes and remain on hand to offer help, support and advice as necessary. The House Manager also provides a professional front of house service, welcoming visitors, and helps to maintain a safe, secure, well maintained and pleasant environment.

An **Estate Manager** is a pivotal point in an Extra Care retirement community, leading the care and support and duty management teams and working with colleagues across the wider business to deliver operational requirements. An Estate Manager will have full accountability for the successful day-to-day running of a development and its budget requirements. They will also coordinate and facilitate activities in communal lounges to improve social and physical opportunities for residents.

A **care and support assistant** plays a vital role in empowering our residents to live life to the full through domestic support and housekeeping and personal care, including bathing, dressing, toileting and help with mobility. They may also provide lifestyle services such as chaperoning homeowners to medical appointments, and/or other community related services, or simply offering social support.





A day in the life of an Estate Manager during the pandemic

Rhona Hill is Estate Manager at the Dairy in Tunbridge Wells, a community of people over 70 who live independently in their own apartments, whether privately owned or rented. She is responsible for the smooth day-to-day running of the community and is the first port of call for the retirees who have made the development their home.

When Covid-19 arrived in the UK last year and the country went into lockdown, life took an unexpected turn for Rhona, her colleagues and residents.

She says: “In my role as an Estates Manager, no two days are ever really the same, especially since the world was turned upside-down in the wake of the Covid-19 outbreak. Since March last year, my day-to-day role has been governed by the needs of the homeowners, whether it is helping them FaceTime loved ones, picking up essentials or just being a friendly face to chat to.

“The biggest challenge here at The Dairy has been fitting everything into one day, it’s been a huge team effort and we are lucky enough that we haven’t had any Covid-19 cases, a testament to everyone’s hard work.”

Rhona and the team have dedicated their time to helping homeowners by posting letters and fetching all of their groceries, and they continue to do everything that is needed to minimise the number of trips homeowners feel they need to make outside of the development to help keep them safe.

“We were lucky enough to be able to host a range of socially distanced outdoor activities over the summer months, with homeowners enjoying live performances from local musicians, sweet treats and coffee in the gardens as well as themed quizzes delivered through their doors,” she says.

Speaking of her enjoyment for her role, Rhona says it is especially rewarding to be able to take the hard work away from the homeowners and support them to lead their independent lives. “Usually within six months of moving-in to The Dairy, the homeowners blossom into what I can only describe as what they would have been like ten years prior - relaxed, happy and full of life. It’s a joy to witness,” she says.

Rhona adds: “The support that both the team and the homeowners have received from McCarthy Stone has been second to none. McCarthy Stone have sent magazines to the development for the homeowners to enjoy, hosted virtual talks, a chess club and created quiz and puzzle sheets to keep everyone entertained. As employers, they have been phenomenal. The team and I have been constantly informed and kept up-to-date and they have ensured that all of the staff feel appreciated and supported through this difficult time.”



CHAPTER

2

Reviving the high street

- **Homes for Later Living Developments are typically located on or close to high streets, ensuring the residents have easy access to local shops and services.**
- **On average, 63% of residents' annual expenditure is in local shops. This is much higher than the average local spend by 80+ year olds in the general population.**
- **The residents of a typical 45-unit retirement development generate £550,000 of spending per year, £347,000 of which goes to local shops, supporting retail jobs and keeping shops open.**
- **Assuming a shop has an owner and two full time equivalent employees, one Homes for Later Living development would support one shop on the high street.**

Retirement properties can have a further positive impact on the local economy through the purchasing power of Homes for Later Living residents, also known as the ‘grey pound’ effect. This spending by older people can help maintain outlets from the newsagents and the butchers to the flower shop and the local cafe - in other words the shops and community spaces which make up the heart of local communities.

In this section of the report we look specifically at the high street benefits. Other reports have included other local spending benefits like those on local contractors like window cleaners and gardeners. We include those benefits as part of our management and care figures.

We know that there is an increased likelihood of older residents spending their money locally, as opposed to nationally or online. And this is especially the case with residents of Homes for Later Living developments which tend to be brownfield sites in urban locations close to town centres or high streets where there are clusters of local shops and services, which will most likely also be already familiar to older residents but will benefit from the new-found immediate proximity.

Previous research found that people in a McCarthy Stone development regularly use shops and local facilities. The study for Henley Business School found that 80% of the residents used the shops almost daily or often; over 40% used the library or post office almost daily or often. In the schemes, owners were asked about the extent to which they used local services and facilities in their current home. More than three-quarters (78%) said that they used local shops at least once a week; and around 90% used local shops and/or supermarkets more than once a month. Other local services were also used regularly by residents, with around a quarter using services such as local taxis, hairdressers, pubs, cafes and restaurants more than once a week.⁵



In order to get an idea of how much residents of specialist retirement properties spend on retail items compared to residents of other housing developments, we started by looking at ONS figures for average annual spending by households by household age band. These show that people aged 75 and over spend an annual average of £13,354 – whilst this is not surprisingly a little less than other age brackets how it is spent is of greater significance. Our polling evidence suggests that over 80 year olds in the general population spend 45% of their money in local shops - similar to 35-64 year olds. But we should not assume the residents of retirement properties fall into line with all older people when it comes to spending habits. Indeed, our survey of residents tells a very different story.

Through our polling, we found that Homes for Later Living residents actually spend on average 63% of their money in local shops. This is much higher than the average local spend by 80+ year olds in the general population. This can be explained by residents’ close proximity to local shops, meaning that car journeys out of town often become unnecessary.

Using ‘propensities to spend locally’ we can apportion spending figures to households in alternative housing developments to get the aggregate spending in local shops and cafes. Were there to be other homes in the place of a Homes for Later Living development, it is difficult to ascertain whether this ‘proximity’ effect would have quite the same influence on the local spending propensity of younger households that would be living there. Therefore we have assumed two possibilities. The first is that younger household local spending propensities remain the same as the general population of the same age. The second is that they rise proportionately to the increase seen for Homes for Later Living residents.

Through our modelling, we can see that building retirement properties can be hugely beneficial to local high streets when co-located amongst shops, services and transport connections. The residents of a typical retirement development generate over £553,250 of spending per year. By our residents' survey, and based on where the residents were spending before moving into retirement properties, our modelling shows that just under 63% - or £347,441 - of this will be spent on the local high street every year. This amounts to £224,176 that previously was not spent on the local high street.

Our modelling estimates that for every one retirement housing development created in a local authority it has the potential to support more than 3 local retail jobs. Assuming that a small shop has 3 full time equivalent workers (possibly the owner and two employees) this is equivalent to each retirement property keeping one shop open on the high street. Over the lifespan of each development this is more than £2m of gross value added to each local high street versus building nothing. It is an additional £600,000 over using the same land to build conventional houses.

Finally, it is worth highlighting that unlike the construction impacts considered previously, these are ‘ongoing effects’ occurring through regular spending in shops in cafes each week over a 60-year period, which is how this report measures the lifespan of a development.



CHAPTER

3

Greening communities

- **With c. 97% of developments on brownfield sites, building Homes for Later Living properties helps to safeguard green field land.**
- **Many retirement developments are on the cutting edge of energy-efficiency and green generation.**
- **Younger families moving into vacated properties likely induce energy efficient renovations down the chain creating better energy efficiency across the market.**
- **We estimate that building one retirement development of 45 units takes up to 15 cars off the roads.**

Homes for Later Living properties do not just bring economic benefits to communities. Both the developments and the residents that live in them can bring a number of environmental benefits.

We have already noted that the vast majority of sites used for Homes for Later Living are previously developed brownfield land. Whether that is a former garage, an old police station or surplus municipal building, this means that retirement developments often contribute to saving green fields and reducing green belt encroachment across the UK.

Land near retirement properties can also benefit as developers take steps to create habitats that will benefit local wildlife and enhance an area’s appearance for local people to enjoy. This is the case in Thame, Oxfordshire, where Churchill Retirement Living has teamed up with a local environmental group on plans to create a new bio-diverse area of land opposite a new development. Prompted by support for principles embraced in the ‘Thame Green Living plan’, there are plans to sensitively landscape and plant the area with a variety of native trees, shrubs and flowers.

Inside Homes for Later Living developments, apartments typically include electric hobs and electric heating, pre-empting the Government’s forthcoming move away from gas boilers. Many properties, including 50% of McCarthy Stone developments, now have smart meters installed, encouraging more efficient energy consumption. This both reduces carbon in the environment and also saves money for our residents.

Homes for Later Living EPC ratings are largely in line with the new build average (EPC band B), making them more energy-efficient than the UK-wide average (EPC band D). We also know that long time residents are less likely to upgrade their homes, and so residents moving into Homes for Later Living are likely to induce higher energy efficiency in properties down the chain.



As the Government aims to reach net zero carbon emissions by 2050, all Homes for Later Living developers are committed to playing their part by exploring new, efficient and sustainable systems. For example, Churchill Retirement Living properties are pioneering use of air and ground source renewable heat pump technology, which reduces energy bills and cuts CO₂ emissions by as much as 75%.

Alongside measures to promote low energy usage, a number of developments have car club partnerships with rental firms to reduce car usage. Some developments now have electric car charging points and this is something we fully expect to see more with sales of new petrol and diesel cars to end in the UK by 2030.

Already, Homes for Later Living residents are helping to reduce levels of pollution and carbon output in the local community by driving less. Instead of getting in the car, the location of most developments means that shops and high streets can be reached on foot. For when desired destinations are not in easy walking distance, many schemes are also on bus routes.

Going by our resident polling, we can see that half of those still driving say that they drive less than they did before moving. Nearly half of those who don't drive have given up because of moving to a retirement property.

Broadly, Homes for Later Living residents are a third less likely to drive - 51% vs 77%. This reduced likelihood of driving can almost wholly be attributed to those saying that moving to a Homes for Later Living property meant that they chose to give up driving.

Looking at self-reported driving among our residents, our analysis suggests that building 45 Homes for Later Living properties could take up to 15 cars off the roads who would otherwise drive a collective roughly 1,800 miles a week.

It is critical to note that these benefits do not come at the expense of residents' independence. Rather, residents are likely more mobile because of the proximity of our properties to local high streets and shops. Our residents also show wellbeing scores consistent with people 10 years younger than them in the general population.

Car Clubs - helping residents to rent electric and hybrid vehicles

People living in selected McCarthy Stone developments have been taking to the road following the introduction of an innovative 'pay as you go' Car Club initiative.

In partnership with Enterprise, McCarthy Stone has provided residents with access to a dedicated all-electric vehicle, which is available to rent for anything from 30 minutes to a couple of days – meaning residents can make short journeys to the shops and enjoy days out or even weekends away.

The scheme is aimed at retirees who don't want to give-up driving for good but are looking for an alternative to the responsibility and hassle of having to maintain their own vehicle. But the use of electric and hybrid vehicles across McCarthy Stone's fleet of Enterprise cars does not just benefit residents who want to get behind the wheel.

With electric vehicles having 43 percent less carbon emissions compared to the average UK car, as the programme expands it is set to have environmental benefits for many local areas. Furthermore, Car Clubs have been shown to lead to a reduction in car ownership among members, as well as a reduction in car usage in the 12 months after becoming a member.



Ground source renewable heat pump technology

At Churchill Retirement Living's Lewis Carroll Lodge in Cheltenham, residents have been making the most of the developer's pioneering use of ground source renewable heat pump technology.

Each apartment and all the communal areas at the Lodge have heating and hot water provided via the communal ground source heat pump. Designed and installed by sustainable energy company 'The Renewable Design Company', the pump system extracts heat directly from the earth to provide heating and hot water to residents.

The heat extracted from the earth is four times greater than the energy used by the process making it the most efficient heating solution for both cost and carbon emissions. At Lewis Carroll Lodge, the ground source heat pumps produce 33 tonnes of CO₂ per year to heat residents' apartments and to supply hot water compared to 134 tonnes of CO₂ per year generated by an electric heating system - a 75% reduction in CO₂ emissions.

On a recent visit, Cheltenham MP Alex Chalk (pictured) praised what he had seen as a "great example of sustainable, low carbon, development".

John and Doreen Pitt moved to Lewis Carroll Lodge last year and have been enjoying the benefits of a warm and cosy environment since then. "We think it's absolutely marvellous," says John. "The whole building is so nice and warm all the time that we've hardly had to use the heating inside our apartment."

"When we do turn it up a notch or two it's nice to know we don't have to worry about the cost or the environmental impact, as it's all so energy efficient and covered within our annual service."





Conclusion and recommendations

There is no doubt we need more housing of all types.

There is no doubt we need more housing for older people - we have an ageing population with increasing housing needs. It is estimated that 90% of the household growth until 2050 will be among our over 65 population. As a result, we have to build more suitable housing to cater for their specific needs.

Homes for Later Living has lacked priority in new housebuilding over many years. However this report shows that building more housing for older people will not only address the existing shortfall, it will do more than any other type of residential development to support local jobs, businesses and High Streets. It will also help improve the environmental footprint of a local area.

This is in addition to the clear socio-economic benefits identified in earlier reports which found that:

- 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.
- Each person living in a Homes for Later Living property enjoys a reduced risk of health challenges, contributing to fiscal savings to the NHS and social care services of approximately £3,500 per year.
- Roughly two in every three retirement properties built releases a home suitable for a first-time buyer. A typical Homes for Later Living development which consists of 40 apartments therefore results in at least 27 first time buyer properties being released onto the market.

Given that 1 in 4 over 65s want to downsize and in so doing will play their part in unlocking these benefits to society it only remains for Government, councils and house builders to play their part in making it possible. For this to happen we are calling for:

1. A commitment to building 10% of the Government's national house building target as retirement properties.

Having committed to building 300,000 new homes a year by the middle of this decade, ministers must now ensure that the right homes get built. With an ageing population, it no longer makes sense to focus almost exclusively on first-time buyers. We will need homes of different tenures to meet different demands.

We are therefore urging ministers to commit to building 30,000 retirement properties a year in England. This would be a tenth of the existing national target and would cater for the increased demand for quality homes among our ageing population. It would also be additional, and not in place of, existing supply. This is a target which is undeniably necessary – over the next decade 50% of the growth in the number of households will be amongst the over 80s.⁶ It is also a target which is realistic and acceptable to existing local communities.

2. All local plans have to include specific targets for approving Homes for Later Living.

Over 65 households will make up 90% of the household growth of the UK. We also know that 25% of this group want to downsize but many do not end up moving, causing a bottleneck at the top of the housing market.

All local authorities should be responding to the growing need for more suitable housing for older people in their local plans. To ensure that this is the case, the Government should require that local plans include an objectively assessed look at the need for types of housing by demographic, and that local authorities commit to building for this level of need.

Of course, no government can afford to ignore the many problems faced by the younger generation when it comes to housing. But as the UK gets older, action is urgently needed to ensure that all older people can live in suitable accommodation where they will experience healthy and happy retirements. Looking at the latest ONS household projections, we expect that the 3.9 million homes owned by those aged 65 and over today will grow to at least five million by 2030.

In this report, we have mapped a route for achieving both of these outcomes simultaneously. In doing so, we have demonstrated that helping more people to move into homes for later living would be a win-win for those politicians who are genuinely interested in bridging the growing generational divide.





Annex

The additional benefits of building specialist retirement properties versus building a conventional housing development on the same site:

Conventional housing developments are developments of family sized homes. There would be approximately 13 family sized homes on the same size development as 45 retirement properties.

	45 apartments – i.e. the benefits of 1 Homes for Later Living Development	30,000 apartments – i.e. one year of national building, 10% of the new homes target and the current level of demand	300,000 apartments – i.e. 10 years of national building
Construction	• 46 jobs for the duration of the build • £4.2m of gross value added in the local area	• 8163 jobs for the duration of the build • £737m in additional economic activity	• 8163 jobs sustained for 10 years • £7.4bn in additional economic activity
Repairs and Renovations	• 1 permanent job • £1.6m of gross value added in the local area	• 174 permanent jobs • £285m in additional economic activity	• 1740 permanent jobs • £2.9bn in additional economic activity
Management and Care	• 2.3 permanent jobs • 1.6m of gross value added in the local area	• 523 permanent jobs • £366m of gross value added in the local area	• 5230 permanent jobs • £3.7bn of gross value added in the local area
High Street Spend	• 2.3 permanent jobs on the high street • £1.6m of additional spend on the high street	Displacement would mean benefits would net off nationally.	Displacement would mean benefits would net off nationally.
Total	• 46 construction jobs for the duration of the build • 5.4 permanent jobs • £9m of gross value added in the local area	• 8163 construction jobs for the duration of the build • 700 permanent jobs • £1.4bn in additional economic activity	• 8163 construction jobs sustained for 10 years • 7000 permanent jobs • £14bn in additional economic activity



The additional benefits of building retirement properties versus building a conventional block of flats on the same site:

Conventional apartments are suitable for first time buyers and there would be 31 first time buyer flats on the same size site as a retirement development.

	45 apartments – i.e. the benefits of 1 typical Homes for Later Living development	30,000 apartments – i.e. one year of national building, 10% of the new homes target and the current level of demand	300,000 apartments – i.e. 10 years of national building
Construction	• 30 jobs for the duration of the build • £2.7m of gross value added in the local area	• 5231 jobs for the duration of the build • £476m of additional gross value added nationally	• 5231 jobs sustained for 10 years • £4.8bn of additional gross value added nationally
Repairs and Renovations	• 1 permanent job • £1.6m of gross value added in the local area	• 166 permanent jobs • £277.4 of additional gross value added nationally	• 1,660 permanent jobs • £2.8bn of additional gross value added nationally
Management and Care	• 2.25 permanent jobs • 1.6m of gross value added in the local area	• 523 permanent jobs • £366m of gross value added nationally	• 5230 permanent jobs • £3.6bn of additional gross value added nationally
High Street Spend	Negligible	Displacement would mean benefits would net off nationally	Displacement would mean benefits would net off nationally
Total	• 30 construction jobs sustained over the duration of the build • 3 permanent jobs • £5.8m of additional gross value added in the local area	• 5231 construction jobs for the duration of the build • 689 permanent jobs • £1.1bn of additional gross value added nationally	• 5231 construction jobs sustained for 10 years • 6890 permanent jobs • £11.2bn of gross value added nationally

Retirement Living and Extra Care developments:

Some developments are Retirement Living only properties and some our Extra Care properties which have additional care associated with them. The models for the benefits of a single one of these developments are below as well as the comparison, where appropriate, to the general model. An Extra Care development directly employs c. 17 people. A single Retirement Living development directly employs c. 1 person. The below numbers are net additional jobs in the local community resulting from the development of either a standard Retirement Living development and an Extra Care development versus a series of counterfactuals.



Construction activity local GVA & jobs, per 45 RL or RL+ homes developed

Additional local GVA				Additional local jobs			Duration of jobs
	v std flats	v std houses	v fallow	v std flats	v std houses	v fallow	
RL	+£2.4m	+£3.87m	+£7.29m	+27	+43	+81	1 year
RL+	+£3.9m	+£5.4m	+£8.8m	+43	+60	+98	
RL:RL+ 80:20 (General model)	+£2.7m	+£4.2m	+£7.6m	+39	+46	+85	

Renovation & repair activity GVA & jobs, per 45 RL or RL+ homes developed

	Additional local GVA			Additional local jobs			Duration of jobs
	v std flats	v std houses	v fallow	v std flats	v std houses	v fallow	
All	+£1.6m	+£1.6m	+£1.6m	+1	+1	+1	Permanent

Retail spending activity local GVA & jobs, per 45 RL or RL+ homes developed

	Additional local GVA			Additional local jobs			Duration of jobs
	v std flats	v std houses	v fallow	v std flats	v std houses	v fallow	
All	0	+£1.6m	+£2.25m	0	+2.3	+3.2	Permanent

Management / social care activity local GVA & jobs, per 100 RL or RL+ homes developed

Additional local GVA				Additional local jobs			Duration of jobs
	v std flats	v std houses	v fallow	v std flats	v std houses	v fallow	
RL	+£1m	+£1m	+£1m	+1	+1	+1	Permanent
RL+	+£3.7m	+£3.7m	+£3.7m	+8	+8	+8	
RL:RL+ 80:20 (General model)	+£1.6m	+£1.6m	+£1.6m	+2.3	+2.3	+2.3	

Endnotes

- 1

This is for an 80:20 Retirement Living / Extra Care development. Extra Care developments (also known as Retirement Living Plus developments) typically "net add" around 12 permanent jobs to the local community. Extra care developments employ c 17 people directly. The lifetime of a development is cited as 60 years in line with best practice.
- 2

Knight Frank, ‘Retirement housing 2016’ https://www.housinglin.org.uk/_assets/Resources/Housing/OtherOrganisation/KF_Retirement_Housing_2016.pdf
- 3

Some spending benefits could fit across multiple buckets. For example, a study by the Institute of Pubic Care in 2014 for McCarthy Stone includes different benefits in its retail spend that we have included in our Management and Care numbers which makes up the vast majority of the difference between these two figures
- 4

CBI (2012). Bridging the gap: backing the construction industry to generate jobs; andShelter (2010) Research: briefing: Housing Investment: Part 1. Available at: http://england.shelter.org.uk/__data/assets/pdf_file/0008/276668/Briefing_Housing_Investment_Part_1.pdf
- 5

Ball, M (2011), Housing markets and independence in old age: expanding the opportunities
- 6

ONS Household Projections (2016-based)



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February 2021

APPENDIX C

Appeal Decision, FLEET

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 SANG² land at Queen Elizabeth Barracks, Sandy Lane, Church Crookham and provision of a SAMM³ 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 Hart⁶ 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 NPPF¹⁰ 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 guidance¹² 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 development¹⁶ 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 party¹⁹ 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 party²⁰ 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 vision 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 SHMA²³ 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 stock²⁴ (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 locally²⁵ (substantial weight); (ix) there would be social benefits in specialised age friendly housing²⁶ (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

APPENDIX D

Appeal Decision, BASINGSTOKE



Appeal Decision

Hearing Held on 27 April 2021 and 18 May 2021

Site visit made on 29 April 2021

by Adrian Hunter BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th June 2021

Appeal Ref: APP/H1705/W/20/3248204

Former Basingstoke Police Station, London Road, Basingstoke RG21 4AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Churchill Retirement Living against the decision of Basingstoke & Deane Borough Council.
 - The application Ref 19/01822/FUL, dated 28 June 2019, was refused by notice dated 27 February 2020.
 - The development proposed is demolition of existing buildings and erection of 56 No retirement apartments, guest apartment, communal facilities, vehicular access, car parking and landscaping.
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing buildings and erection of 56 No retirement apartments, guest apartment, communal facilities, vehicular access, car parking and landscaping on land at Former Basingstoke Police Station, London Road, Basingstoke RG21 4AD, in accordance with planning application Ref 19/01822/FUL, dated 28 June 2019, subject to the conditions in the attached schedule.

Application for costs

2. At the Hearing an application for costs was made by Churchill Retirement Living against Basingstoke & Deane Borough Council. This application is the subject of a separate Decision.

Preliminary Matters

3. For reasons of precision and clarity, I have taken the description of development from the Council's decision notice.
4. The appellant has included revised plans and information as part of their appeal. Whilst not before the Council at the time of their decision, they were submitted at the outset of the appeal, therefore parties have had the opportunity to comment. Having reviewed the original proposal and the revised plans, I do not consider that the main elements of the scheme have materially altered from that originally submitted and upon which consultation took place. Against this backdrop, I consider that no-one would be prejudiced if I were to consider the revisions as part of the appeal, taking account of the principles established in the Wheatcroft case. Therefore, I have determined the appeal on this basis.

5. The proposal is supported by a planning obligation in the form of a Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990. I have had regard to it in reaching my decision. As agreed between the parties, a completed version was submitted shortly after the hearing closed.
6. The appeal hearing was conducted as a Virtual Hearing.

Main issues

7. The main issues in this appeal are:
 - The effect of the proposal upon the character and appearance of the area, in particular, whether the siting, layout, design, scale, bulk and appearance of the development would appear as an incongruous form of development having regard to the pattern and character of the surroundings;
 - Whether the proposal would preserve or enhance the character or appearance of the Basingstoke Town Conservation Area and whether it would preserve the setting of the White Hart Public House, a Grade II listed building;
 - Whether the proposed development makes adequate provision for safe and secure cycle parking;
 - Whether the proposed development makes adequate provision for the storage of refuse and recycling; and
 - Whether the proposal makes adequate provision for local infrastructure, in particular the provision of affordable housing and open space provision.

Reasons

Character and appearance

8. The appeal site lies to the east of Basingstoke Town Centre, on the northern side of London Road. The site comprises the vacant former police station and associated surface car parking and ancillary outbuildings, which are located to the rear. Fronting onto London Road, the existing building is predominantly single storey across the frontage, with a taller, 4-storey central section, which extends back into the site. The building is set back from London Road, where there are a number of trees, grassed areas, along with a number of former car parking spaces between it and the footway.
9. The surrounding area comprises a mix of modern and historic developments. Due to the uses of a number of surrounding buildings, the area forms the core of civic activity within the town, with uses including Council Offices, Registry Office and Basingstoke Magistrates' Court. Immediately to the east is Lauriston Court, which is a 3-4 storey residential block, that extends back, away from the road. Further to the east, the area is predominantly residential and is more sub-urban in character, with dwellings comprising a mix of detached and semi-detached properties.
10. A particular characteristic of the area is that all the buildings are distinct and individual, sitting within their own plots with space around them. However, whilst the buildings on the northern side of London Road are set back behind landscaping, those on the southern side are positioned close to the carriageway edge. As a result, the northern side has a verdant character.

11. The appeal site lies within Basingstoke Town Conservation Area (BTCA), and there are a number of nearby listed buildings, including The White Hart Public House, Goldings and Eastlands, all of which are Grade II.
12. Policy EM1 of the Basingstoke and Deane Local Plan (BDLP) states that development will be permitted only where it can be demonstrated that the proposals are sympathetic to the character and visual quality of the area concerned and must respect, enhance and not be detrimental to the character or visual amenity of the landscape likely to be affected.
13. Policy EM10 of the BDLP states that proposals will be required to respect the local environment, contribute to the streetscene and be visually attractive. Policy EM10 advocates a high quality and robust design-led approach to new development. In particular, the policy requires that development must 'positively contribute to the appearance and use of streets' (criteria 1b), 'respond to the local context' (criteria 1c), contribute 'to a sense of place' (criteria 2a) and have 'due regard to' the density, scale, layout and appearance of the surrounding area (criteria 2c).
14. In contrast to the existing main building, the proposed four storey development would extend across the full width of the plot and, due to its height, would be of considerably greater scale, bulk and mass. The building would be positioned closer to London Road, which, in combination with its additional size, would increase the presence and visual prominence of development on the site. Although in this respect, I note that it would be in line with the adjoining Lauriston Court development. Furthermore, a reasonable amount of open and undeveloped space would be provided to the front and around the sides of the building, albeit less than that around the existing police station.
15. In my view the local character of the area is varied, with no particular style of building, footprint, scale, building line or materials being particularly prevalent. Building heights are also varied, however given the rise in levels towards the towns centre, due to their position in relation to London Road, those on the southern side appear more prominent.
16. As a result, whilst the building would be larger than the existing development on the site, it would still appear as its own building, which due to the detailing of the elevations and the use of contrasting materials, would ensure that it would retain an identity of its own. In this respect, whilst being modern in design and appearance, the proposal would be similar in its overall pattern and characteristics to surrounding developments.
17. Furthermore, when travelling along London Road, towards the appeal site and beyond, the nature and character of surrounding development changes from a more suburban feel, to a more dense, urban environment. This provides a sense of arrival within the town centre. The overall scale and design of the building would be in keeping with this change in character and would help to support and maintain that sense of arrival and a perception of entry into the town centre.
18. At the hearing, there was considerable debate with regard to the existing plane trees which are located to the front of the site. It was put to me by the Council that the existing trees represent important features within the BTCA and the street scene and, as a result, form a key element of the open and verdant

character of the northern side of London Street. Having visited the site, I would concur with this view.

19. From the evidence, it is clear that these trees would be retained, although some works would be required to them to enable the development to take place. However, due to their relationship with the proposed building, they would result in some shading to a number of the dwellings which would front onto London Road. This, in the Council's view, would result in substantial pressure for these trees to be removed in the future. In response, it was put to me by the appellant that, unlike traditional open market housing, residents of retirement living apartments often seek properties with views of trees and therefore it was their intention to retain and manage them.
20. I accept that due to the relationship of the building with the trees, it would result in some shadowing to a number of the dwellings located to the front of the building. However, on the basis of the evidence before me, I am satisfied that sufficient measures would be in place to ensure the long-term retention and management of these trees.
21. Pulling all these elements together, I conclude on this main issue that the proposal would deliver a quality design, which, in combination with the retention of the existing landscaped front of the site, would not materially harm the character and appearance of the area.
22. For the above reasons, I therefore conclude that the proposed development would not harm the character and appearance of the area and, in this respect, accords with Policies EM1 and EM10 of BDLP, the Design and Sustainability Supplementary Planning Document (SPD) and the National Planning Policy Framework (the Framework).

Designated Heritage Assets

Basingstoke Town Conservation Area

23. The BTCA covers the historic core of Basingstoke and is divided into five Character Areas, with the appeal site falling into Character Area Three, Goldings and Parkland. The Basingstoke Town Conservation Area Appraisal and Management Plan Supplementary Planning Document 2015 (CAA) defines the area as being dominated by the formality of the 18th century fronted house and the relationship with its former parkland.
24. The predominant character is defined by existing development, principally large civic and administrative buildings, which are located at the western end of London Road. These buildings are prominent within the streetscape and contrast in scale to the two-storey former historic residential buildings of Goldings and Eastlands. On the northern side, the buildings are set back from the road, but are positioned along the pavement edge on the southern side. Buildings are varied in appearance, therefore there is no particular architectural style which dominates the Character Area.
25. Section 72(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 identifies the desirability of preserving or enhancing the character or appearance of the Conservation Area. This is reflected in Policy EM11 of the BDLP, which establishes that proposals must conserve or enhance the quality of the borough's heritage assets, which includes Conservation Areas. EM11 states that proposals will be permitted

where they demonstrate an understanding of the character and setting of Conservation Areas and respect historic interest and local character and ensure the use of appropriate materials, design and detailing.

26. In contrast to the existing building on site, the proposed development would be of a greater height and scale and would therefore be more prominent within the street scene. Furthermore, with the replacement of the single storey aspects of the existing building with a four-storey development, the building would have a greater visual presence. That said, the increase in prominence and visual presence of development on the site does not, in my view, automatically translate into a form of development which would harm the BTCA.
27. The Council were of the view that the development of the site required a building to exhibit a 'Pavilion' style, so as to respond to surrounding developments. However, on this matter, I agree with the appellant that using the accepted interpretation of the term, none of the surrounding buildings could be described to fully meet this style. To my mind, the reference to Pavilion in this context relates more to the provision of, and a sense of space around the building, allowing it to be fully appreciated, rather than a building which is also ornate and unique in its architectural detailing.
28. In this respect, whilst the building would be positioned closer to London Road, it would be set within a landscaped context, with retained trees along the site frontage and space provided both either side and within the site. The footprint of the building would also respect the overall shape and pattern of the existing police station, with a frontage and a central core extending into the site. As such, the proposal would respect the existing grain and character of the BTCA.
29. Whilst being four-storeys in height, due to the surrounding topography, the ridgeline of the proposed building would be lower than Eastlands and would be of a comparable height to the buildings on the opposite side of London Road. Furthermore, whilst being set further forward, the front of the building would mirror that of the adjoining Lauriston Court. This, along with the retention of the existing trees and associated landscaping, would maintain a substantial element of the verdant character of the northern side of London Road. As a result, the proposed building would be in keeping with surrounding development and would not appear overly dominant within the street scene.
30. With regards to the existing building, there were differing views from the parties in terms of its quality and the overall contribution it makes to the BTCA. In my opinion, the existing building, due to its distinctive design and appearance, is, at best, a noteworthy feature within the BTCA, with its former use being reflective of the 'civic' nature of surrounding land uses. However, overall, I find that the existing building makes no positive contribution to the BTCA. Neither do I consider, nor find evidence to support, the Council's submission that the existing building serves as a 'bookend' to the BTCA.
31. Drawing these aspects together, the proposal would not harm the architectural interest of the BTCA. It would remove a building that, whilst not harmful to the BTCA, in my view makes no positive contribution to it, and would replace it with a building that would be in keeping with its surroundings, with its design and siting complementing surrounding buildings. Furthermore, whilst it would be more prominent due to its scale, it would not appear as a dominant form of development. Existing trees along the frontage would be retained, along with

an element of landscaped frontage. As such, the proposal would preserve the overall character and appearance of the BTCA.

32. I have had regard to my duty under S72(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 as to the desirability of preserving or enhancing the character or appearance of the Conservation Area. Accordingly, I conclude that the appeal scheme would not harm and would preserve the character and appearance of the BTCA and therefore accords with Policy EM11 of the BDLP, Section 4 and 7 of the SPD and Section 16 of the Framework.

White Hart Public House

33. The White Hart Public House is a Grade II listed building and is located on the opposite side of London Road. The building dates to the eighteenth century with a nineteenth century addition to the east. From the evidence, the building served as an important public house and inn on one of the main routes into the historic core of Basingstoke. The heritage significance of the building is therefore defined by both its age and its architectural detailing, along with its historical importance as a roadside inn. To some degree however, the overall significance of the building has been reduced over the years by surrounding modern development.
34. I have already concluded that the existing police station makes no positive contribution to the BTCA and, for the same reasons, I conclude that it makes no contribution to the setting of the White Hart Public House. That said, the presence of the existing trees and the verdant frontage of the appeal site, do however make some contribution to the appreciation of the listed building, in particular when viewing the building along London Road in both directions. In this respect, the retention of the majority of the trees, and the potential for additional landscaping in this area, would preserve the overall setting of the listed building in this respect.
35. Views of the building along London Road would still be retained, allowing the former historic role and function of the building to be appreciated, although these would be seen within the context of the new development on the appeal site. The prominence of the White Hart Public House would therefore not be harmed by the proposal.
36. In respect to the overall design of the proposed building, whilst being modern, it would reflect and respond to surrounding local character and architectural detailing, which is characteristic of this part of the streetscape. As a result, it would not harm the setting of the listed building when seen from surrounding viewpoints.
37. Whilst the proposal would result in the provision of a new building that would be of a greater scale than the existing Police Station, given the separation distance between it and the listed building, I do not find that the ability to appreciate the listed building would be altered, to such a degree, as to harm the significance of the building. Furthermore, given the separation provided by London Road, and the fact that the proposal would retain a substantial element of the existing landscaped frontage, this would be sufficient to ensure that the proposal would not be overbearing to the listed building.

38. As a consequence, whilst the proposed building would be taller and located closer to the listed building than the existing development on site, I find that the overall historic significance of the listed building would not be harmed.
39. I have had regard to my duty under S66(1) of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 as to the listed building. Accordingly, I conclude that the appeal scheme would preserve the setting of the White Hart Public House and would not harm its significance. Therefore, the proposal accords with Policy EM11 of the BDLP, Section 4 and 7 of the SPD and Section 16 of the Framework.
40. In summary, I conclude that the proposal would cause no harm to the designated heritage assets.

Cycle parking provision

41. The Parking Supplementary Planning Document July 2018 (PSPD), sets out the Council's standards with regards to the level of cycle parking provision necessary within new developments. Where cycle parking is provided the PSPD requires it to be secure and covered, conveniently located adjacent to entrances/exits to buildings, enjoy good natural observation, be easily accessible from roads and/or cycle routes and be well lit. In terms of the level of cycle parking to be provided, the PSPD does not set out specific requirements in relation to cycle parking for retirement housing, but instead, requires provision to be determined on a case by case basis.
42. Through the submission of the updated plan, the appeal proposal would make provision for six cycle stands, which would be located in a covered shelter at the end of the refuse/recycling building. In total this would provide sufficient space for 12 cycles.
43. In support of the level of provision, evidence was presented to me by the appellant, including levels of use from other similar developments, to support the case that due to the nature of the development and the age of the intended occupants, the total level of cycle use would be low, and would be mainly related to staff use, rather than residents. At the hearing, the Council maintained a position that the level of provision was insufficient.
44. Having reviewed the evidence, I find the survey data and the case put forward by the appellant to be compelling and, in this instance, provides strong justification to support the overall proposed level of provision on site. Furthermore, I note that the nature of the provision would meet the requirements set out in the PSPD. Therefore, given the nature and type of the development proposed, I consider that the proposal would make adequate provision for cycle parking to meet the needs of both residents and staff.
45. For the above reasons, I therefore conclude that the proposed development would make adequate provision for safe and secure cycle parking and, in this respect, accords with Policies CN9 and EM10 of the BDLP, the PSPD and Section 9 of The Framework.

Waste and recycling provision

46. The Design and Sustainability Supplementary Planning Document July 2018 (DSSPD), sets out the Council's requirements with regard to a range of

development standards, including the provision of adequate waste and recycling facilities.

47. Using the DSSPD, based on the size of the scheme, the Council considers that the proposed development would require the provision of 18 x 1100 litre containers for waste and recycling and 9 x 240 litre glass recycling containers.
48. Through the provision of the amended plan, the proposal would provide 12 x 1100 litre and 9 x 240 litre glass recycling containers, to be within a bin store located adjacent to the site entrance.
49. At the Hearing, the view of the Council was that, despite the amended plan, the level of provision was still well below the required level and, as a result further additional bins would be required in the future, which, due to the limited size of the bin store, would have to be provided externally. In the view of the Council, this would represent visual harm to the area. On the other hand, evidence was presented by the appellant in the form of data from other similar developments to show that, whilst the overall provision was less than the Council's DSSPD, the level of bins to be provided on site, accorded with their experience of the waste and recycling that arose from other similar developments.
50. I agree with the Council that, given the location of the site, the proliferation of external bins would harm the character and appearance of the area. However, given the evidence provided by the appellant, it is clear that, due to the nature of the development proposed, the level of waste from the proposed use would be less than that which would be generated from a general needs housing development of a similar scale.
51. On this basis, I am therefore satisfied that due to the nature of the development, the amount, level and location of the bin stores provided as part of the scheme are sufficient to meet the overall needs that would arise from the development.
52. For the above reasons, I therefore conclude that the proposed development would make adequate provision for the storage of refuse and recycling and, in this respect, accords with Policies CN9 and EM10 of the BDLP, the DSSPD and the Framework.

Provision of Infrastructure

53. The appeal is supported by a Planning Obligation in the form of a Unilateral Undertaking, which sets out contributions to be provided for both open space and affordable housing.
54. At the Hearing, the parties were in agreement with regards to the total level of contributions that the development could make to ensure it remained viable. However, there was disagreement with regards to the split of these contributions, with the Council seeking a considerable proportion of the monies to be spent on improvements to nearby open space.
55. To address this, the appellant, through the Unilateral Undertaking provided two options for the contributions as set out in Schedules A and B of the Undertaking. Schedule A included their preferred level of contribution, with the focus being on affordable housing. Whereas schedule B, reflected the Council's position.

56. Paragraph 56 of the Framework and Regulation 122 of the CIL Regulations make it clear that Planning Obligations should only be sought where they meet all of the identified tests, namely (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.
57. It was agreed between the parties that an open space contribution would meet tests (a) and (b). However, in the view of the appellant, the level sought for open space was not fairly and reasonably related in scale and kind.
58. In justifying their figure, the Council referred to their adopted standards and clarified that the sum was based on identified need across the Borough for open space provision. Furthermore, in calculating the requirement, they did not consider that the on-site provision was suitable and therefore required the total of provision to be provided off-site.
59. On the other hand, it was put to me by the appellant that, due to the type of housing proposed, the open space requirements of the proposal would be different to that which would be expected from general open market housing. In their experience, residents would make more use of internal spaces in the form of the residents' lounge and use the communal gardens in a different way.
60. Turning to the proportion of contributions, I am not convinced by the case put forward by the Council with regard to the need for a substantial element of the contribution to be used towards open space provision within the area. Whilst I do not doubt that future residents of the proposed development would indeed wish to access nearby open spaces, in particular War Memorial Park, given the nature of the proposed use, I would envisage this to be limited to more general visits for walking or sitting, rather than any more specific purpose. I also consider that some acknowledgment has to be made of the on-site provision. Whilst this may not be extensive, it would, no doubt, meet the needs of particular residents, who may not wish, or even be able to access local parks.
61. On this basis, I do not find that the level of contribution for open space sought by the Council to be fairly and reasonably related in scale and kind. Furthermore, in terms of affordable housing, my attention was drawn to the significant needs across all types of housing across the Borough, with the appellant describing the shortfall as acute. From the evidence, I would concur with this position. In light of this position, it would therefore appear fair and reasonable to require the substantial element of the contributions to be made towards the provision of affordable housing.
62. For the above reasons, I therefore conclude that the proposal, through Schedule A of the Unilateral Undertaking, would make adequate provision for local infrastructure, in particular the provision of affordable housing and open space provision and, in this respect, accords with Policies CN1, CN4, CN6 and EM5 of the BDLP, the Planning Obligations for Infrastructure Supplementary Planning Document and the Framework.

Planning Balance

63. It is acknowledged by the Council that, at this moment in time, they are unable to demonstrate a 5 year supply of housing land. On the basis of the information before me, I see no reason to disagree with this position and I have therefore determined the appeal on this basis.

64. Paragraph 11 of The Framework states that where relevant policies are out of date, permission should be granted unless any adverse impacts of doing so, would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as whole or where specific policies in the NPPF, indicate that development should be restricted. Furthermore, I have found no conflict with the Framework in respect of heritage issues. As a result, I find that the tilted balance as identified in Paragraph 11d of the Framework is engaged in this case.
65. I have found that the proposed development would not harm the character and appearance of the area and accords with the relevant policies in the development plan and the Framework. There would be no harm arising from the proposal to nearby designated heritage assets, with the proposal preserving the character of the BTCA and the setting of the nearby listed White Hart Public House. Furthermore, I have concluded that the proposal provides adequate cycle parking, refuse storage and policy compliant levels of contributions to both affordable housing and public open space. These weigh heavily in favour of the proposal.
66. A number of benefits were also put to me by the appellant. The Council did not take issue with these benefits, but, in their view, considered that they did not attract sufficient weight to overcome the harm they considered would be caused by the conflict with the development plan and the Framework.
67. The proposal would provide much needed housing for older people. In this respect, I note from the evidence that there is a shortfall within the Borough for the provision of this type of accommodation and that there are no specific allocations for such development. Therefore, the Council is reliant on windfalls for their delivery. Such provision of specialist housing also allows for the release of under-occupied housing stock. Furthermore, the proposal would make a substantial contribution to the provision of affordable housing within the Borough. In light of the advice contained within Paragraph 59 of the Framework to significantly boost the supply of homes, and to meet the needs of groups with specific housing requirements, it is appropriate to give significant weight to these benefits.
68. The proposal would involve the re-development of previously developed land, which is located within close proximity to the town centre and all the associated services and facilities that this has, thereby making the site sustainable in this respect. It is therefore appropriate to attach substantial weight to these benefits.
69. The proposal would provide economic benefits through the generation of jobs, during both the construction, but also once the development has been completed. Further benefits would also be delivered through increased spending by residents locally. Given the scale of the development proposed, it is appropriate to attach substantial weight to these benefits.
70. Further benefits would also be delivered through the optimum use of the site for new development, along with some environmental improvements through the reduction in hardstanding within the site. It is appropriate to afford these benefits moderate weight.
71. In summary, I have found no conflict with any of the relevant development plan policies and therefore conclude that the appeal proposal accords with the

development plan. As the Council are unable to demonstrate a 5-year land supply, Paragraph 11d of the Framework provides that applications should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

72. In this instance, there is clear and convincing evidence with regards to the suitability of the proposal. The delivery of specialist housing weighs substantially in favour of the appeal scheme, especially given the critical need identified at national level in both the Framework and the National Planning Practice Guidance (NPPG), along with the identified shortfall in terms of the delivery at local level. As a result, even if I had reached a different conclusion in relation to the heritage issues and found there to be harm to the identified designated heritage assets, any harm would have been clearly outweighed by the significant public benefits of the scheme. Therefore, in this case, I find no reasons to withhold planning permission.

Planning Conditions

73. At the hearing, a number of minor changes to the conditions were suggested, to ensure that the correct plan references were included within the conditions. As such, and in light of my conclusion in the Preliminary Matters section of this decision, I have made the requisite amendments in the interests of clarity and precision.
74. The suggested conditions have been considered in light of the advice contained within the Framework and the National Planning Practice Guidance. A standard implementation condition, along with a requirement to implement the scheme in accordance with the approved plans is necessary.
75. To ensure the external appearance of the building it is necessary to require the submission of details of proposed materials and finishes. For the same reason, it is appropriate to attach a condition requiring the details of all hard and paved surfaces to be approved.
76. To protect the character and appearance of the area, it is appropriate to attach a condition requiring the submission of a landscaping scheme, along with a management plan for its continued maintenance.
77. To ensure bio-diversity enhancement is delivered, it is necessary to attach a condition requiring the submission of a habitat enhancement scheme. For the same reasons, it is necessary to require the submission of details of any proposed external lighting.
78. To protect the living conditions of surrounding residents it is necessary to require the submission of a noise assessment, along with restrictions on noise levels to be generated from construction activities. For the same reason, it is necessary to attach a condition to ensure no piling methods are used in the construction and to require the submission a measured site survey.
79. To ensure that risks from contaminated land to the future users of the site and adjoining land are minimised, it is necessary to require the submission of a desk top study and that a verification report to show that any risks have be mitigated.

80. In the interests of highway safety, it is necessary to require the provision of adequate visibility splays. For the same reason, it is appropriate to require the access to be constructed from suitable material and to ensure that the car parking is laid out and available prior to the use of the site
81. In the interests of local residents, businesses and also in the interest of highway safety, it is necessary to attach a condition requiring the submission of a Construction and Environmental Method Statement.
82. Considering the presence of existing trees on the site, it is necessary to attach a condition requiring the submission of tree protection measures. For the same reason, it is necessary to require the submission of details of all existing and proposed utilities.
83. To prevent the risk of flooding, it is necessary to attach a condition requiring the submission of a surface water drainage strategy.
84. Given the nature of the development, it is necessary to attach a condition to restrict the occupancy of the dwellings.

Conclusion

85. For the above reasons, the appeal is allowed, subject to the conditions as set out in the attached schedule.

Adrian Hunter

INSPECTOR

APPEARANCES

FOR THE APPELLANT

Neil Cameron QC	Landmark Chambers
Robert Jackson	Planning Issues Ltd
Matthew Shellum	Planning Issues Ltd
James MacKay	Alder King
Paul White	Ecus Ltd

FOR THE LOCAL PLANNING AUTHORITY

Nicola Williams	Basingstoke and Deane Borough Council
John Dawson	Basingstoke and Deane Borough Council
Daniel Ayre	Basingstoke and Deane Borough Council
Terry Martin	Basingstoke and Deane Borough Council
Tom Roworth	Basingstoke and Deane Borough Council
Sooh Boocock	Basingstoke and Deane Borough Council
Parminder Dosanjh	Aspinall Verdi
Matthew Olive	Aspinall Verdi

Schedule of Conditions

1. The development hereby permitted shall be commenced within three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan (drawing 10101BS PA100 Rev A); Proposed site plan (drawing 10101BS PA101 Rev D); Ground floor plan (drawing 10101BS PA102 Rev B); First floor plan (drawing 10101BS PA103 Rev A); Second floor plan (drawing 10101BS PA104 Rev A); Third floor plan (drawing 10101BS PA105 Rev A); Proposed elevation 1 (drawing 10101BS PA107 Rev A); Proposed elevation 2 (drawing 10101BS PA108 Rev A); Proposed elevation 3 (drawing 10101BS PA109 Rev A); Proposed elevation 4-6 (drawing 10101BS PA110 Rev B); Proposed roof plan (drawing 10101BS PA106 Rev A); Proposed elevations of outbuilding (drawing 10101BS PA111 Rev A).
3. Notwithstanding the approved plans, no development above ground floor slab level shall commence until details of materials and finishes have been submitted to and approved in writing by the Local Planning Authority. The submitted details should include samples, including on-site sample panels as applicable. These requirements include the provision of information relating to:
 - the size, texture, colour and source of bricks including specials;
 - the bonding and coursing of brickwork;
 - the material, texture and colour of any tiles/slates;
 - mortar mixes;
 - the material, texture and colour of any other materials such as cladding, string courses, coping and balustrades; and
 - Windows and doors.

The development shall be carried out and thereafter maintained in accordance with the details so approved.

4. Notwithstanding the details submitted, no development above ground slab level shall occur until the following drawings have been submitted to and approved in writing by the Local Planning Authority:
 - Scaled drawings at a scale of 1:10 including string courses, window cills and headers, the depth of window reveals, windows and doors and parapet.

The development shall be carried out in accordance with the approved details and retained thereafter.

5. No development above ground floor slab level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a scheme of landscaping, which shall specify species, planting sizes, spacing and numbers of trees/shrubs to be planted (including replacement trees where appropriate). The works approved shall be carried out in the first planting and seeding seasons following the first occupation of the building(s) or when the use hereby permitted is commenced. In addition, a maintenance programme

- detailing all operations to be carried out in order to allow successful establishment of planting, shall be submitted to and approved in writing by the Local Planning Authority before development takes place above ground floor slab level. Any trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, to be agreed in writing by the Local Planning Authority.
6. No development shall take place above ground floor slab level of the building until there has been submitted to and approved in writing by the Local Planning Authority a scheme for landscape management and maintenance detailing, as a minimum, an implementation timetable for all landscaping works and a landscape management programme, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas. The development shall be carried out in accordance with the approved details.
 7. No development above ground floor slab level shall take place on site until details of the materials to be used for hard and paved surfacing have been submitted to and approved in writing by the Local Planning Authority. The approved surfacing shall be completed before the adjoining buildings are first occupied and thereafter maintained.
 8. No development above ground floor slab level shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of screen walls/fences/hedges to be erected. The approved screen walls/fences/hedges shall be erected before the building hereby approved is commenced and shall subsequently be maintained. Any hedging, trees or plants which, within a period of 5 years from the date of planting, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, details of which shall be agreed in writing by the Local Planning Authority before replacement occurs.
 9. No development shall take place until details of the habitat enhancement scheme have been submitted to and approved by the Local Planning Authority. The development shall be carried out and thereafter maintained in accordance with the details so approved.
 10. Details of any proposed external lighting shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The development shall be carried out and thereafter maintained in accordance with the details so approved.
 11. No development above ground floor slab level should take place until a noise assessment has been submitted to and approved in writing by the Local Planning Authority. The noise assessment should, if found necessary, provide a noise mitigation scheme for protecting the proposed dwellings from neighbouring commercial land uses. Should a scheme of noise mitigation be required no dwelling should be occupied until a post completion noise survey has been carried out by a suitably qualified acoustic consultant and a report has been submitted to, and approved in writing by the Local Planning Authority.

12. The rating level of sound emitted from any fixed plant associated with the development shall not exceed background sound levels between the hours of 0700-2300 (taken as a 15 minute LA90 at the nearest sound sensitive premises) and shall be no greater than 5dB below the background sound level between 2300-0700 (taken as a 15 minute LA90 at the nearest noise sensitive premises). All measurements shall be made in accordance with the methodology of BS4142: 2014 Methods for rating and assessing industrial and commercial sound and/or its subsequent amendments.

Where access to the nearest sound sensitive property is not possible, measurements shall be undertaken at an appropriate location and corrected to establish the noise levels at the nearest sound sensitive property.

Any deviations from the LA90 time interval stipulated above shall be agreed in writing with the local planning authority.

13. No works pursuant to this permission, including demolition, shall commence until there has been submitted to and approved in writing by the Local Planning Authority:-

A desk top study carried out by a competent person documenting all potential sources of contamination on the site in accordance with national guidance as set out in Contaminated Land Research Report Nos. 2 and 3 and BS10175:2011

And

With the exception of the demolition of existing buildings and removal of existing hardstanding no works pursuant to this permission shall commence until there has been submitted to and approved in writing by the Local Planning Authority:-

- (a) a site investigation report documenting the ground conditions of the site and incorporating chemical and gas analysis identified as being appropriate by the Council's Environmental Health team and in accordance with BS10175:2011- Investigation of Potentially Contaminated Sites - Code of Practice;

and, unless otherwise agreed in writing by the Local Planning Authority,
- (b) a detailed scheme for remedial works and measures to be undertaken to avoid risk from contaminants/or gases when the site is developed. The scheme must include a timetable of works and site management procedures and the nomination of a competent person to oversee the implementation of the works. The scheme must ensure that the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 and include if necessary proposals for future maintenance and monitoring.

If during any works contamination is encountered which has not been previously identified it should be reported immediately to the Local Planning Authority. The additional contamination shall be fully assessed and an appropriate remediation scheme, agreed in writing with the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR11'.

14. The development hereby permitted shall not be occupied/brought into use until there has been submitted to the Local Planning Authority verification by the competent person approved under the provisions of condition 13(b) that any remediation scheme required and approved under the provisions of condition 13(b) has been implemented fully in accordance with the approved details (unless varied with the written agreement of the Local Planning Authority in advance of implementation). Unless otherwise agreed in writing by the Local Planning Authority such verification shall comprise;

- as built drawings of the implemented scheme;
- photographs of the remediation works in progress; and
- Certificates demonstrating that imported and/or material left in situ is free of contamination.

Thereafter the scheme shall be monitored and maintained in accordance with the scheme approved under condition 16(b), unless otherwise agreed in writing by the Local Planning Authority.

15. Prior to construction of development commencing visibility splays of 2.4m. x 43m. shall be provided at the entrance. These splays shall have all obstructions removed between 1m and 2m. above the level of the adjacent carriageway and shall be maintained thereafter.
16. Prior to occupation the works to the access including the first 6m measured from the nearside edge of carriageway shall be surfaced in a non-migratory material. This area shall be maintained in this condition thereafter.
17. No development or other operations (including demolition, site preparation or groundworks) shall commence on site until a Construction and Environmental Method Statement that demonstrates safe and coordinated systems of work affecting or likely to affect the public highway and or all motorised and or non-motorised highway users, has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting and shall be adhered to throughout the construction period. The Statement shall include for:
- Means of direct access (temporary or permanent) to the site from the adjoining maintainable public highway;
 - The parking and turning of vehicles of site operatives and visitors off carriageway (all to be established within one week of the commencement of construction works (including ground works) pursuant to the development hereby approved);
 - Loading and unloading of plant and materials away from the maintainable public highway;
 - Storage of plant and materials used in constructing the development away from the maintainable public highway;

- Wheel washing facilities or an explanation why they are not necessary;
 - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - Measures to control the emission of dust and dirt during construction;
 - A scheme for recycling and disposing of waste resulting from construction work and the management and coordination of deliveries of plant and materials and the disposing of waste resulting from construction activities so as to avoid undue interference with the operation of the public highway, particularly during the Monday to Friday AM peak (06.30 to 09.30) and PM peak (16.00 to 18.30) periods;
 - The routes to be used by construction traffic to access and egress the site so as to avoid undue interference with the safety and operation of the public highway and adjacent roads, including construction traffic holding areas both on and off the site as necessary;
 - Procedures for maintaining good public relations including complaint management, public consultation and liaison;
 - Arrangements for liaison with the Council's Environmental Protection Team;
 - All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 0730 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 13 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays;
 - Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above;
 - Mitigation measures as defined in BS 5528: Parts 1 and 2: 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works; and
 - Procedures for emergency deviation of the agreed working hours;
18. The building shall not be occupied until the proposed car parking facilities have been laid out in accordance with the approved site plan. The car parking provided shall thereafter be kept available at all times for the intended use.
19. Notwithstanding the arboricultural information already provided within the Barrell Tree Consultancy arboricultural assessment & method statement, ref: 17356-AA4-PB, 04/07/19., no development or other operations (including demolition, site preparation or groundworks) shall commence on site, until a revised scheme of tree protection has been submitted to and approved in writing by Local Planning Authority. In addition to other trees on the site, the revised scheme shall include the retention and maintenance of the 4 London plane trees to the front of the site. The scheme of protection shall include temporary fencing, ground protection, supervision and special engineering solutions designed to ensure the successful retention of trees. The development shall proceed in accordance with the approved tree protection scheme.
20. No development including site clearance, demolition, ground preparation, temporary access construction/widening, material storage or construction

works shall commence on site until a plan showing the location of all existing and proposed utility services has been submitted to and approved in writing by the Local Planning Authority. This shall include gas, electricity, communications, water and drainage. No development or other operations shall take place other than in complete accordance with the utility services plan.

21. No development shall take place until a detailed surface water drainage strategy has been provided to the Lead Local Flood Authority, containing the following elements:
 - Any proposals for such systems must be supported by an assessment of the risks to controlled waters.
 - Where infiltration is used for drainage, evidence that a suitable number of infiltration tests have been completed. These need to be across the whole site; within different geologies and to a similar depth to the proposed infiltration devices. Tests must be completed according to the BRE 365 method or another recognised method including British Standard BS 5930: 2015. The development shall be carried out in accordance with the approved details.
22. Piling using penetrative methods shall not be carried out other than with the written consent of the Local Planning Authority. The development shall be carried out in accordance with the approved details.
23. No works shall take place on site until a measured survey of the site has been undertaken and a plan prepared to a scale of not less than 1:500 showing details of existing and intended final ground levels and finished floor levels in relation to a nearby datum point which shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed and thereafter maintained in accordance with the approved details.
24. Each dwelling hereby permitted shall be occupied only by;
 - (i) A person aged 60 years or over;
 - (ii) A person aged 55 years or older living as part of a single household with the above person in (i); or
 - (iii) A person aged 55 years or older who were living as part of a single household with the person identified in (i) who has since died.

APPENDIX E

Appeal Decision, WIGGINTON

Appeal Decision

Inquiry held between 23 – 31 May 2023

Site visit made on 1 June 2023

by Dr Rachael A Bust BSc (Hons) MA MSc LLM PhD MIOl MCMI MEnvSci MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th July 2023

Appeal Ref: APP/C2741/W/23/3314331

11 The Village, Wigginton, York YO32 2PL

- 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 Limited against City of York Council.
 - The application Ref 22/01315/FULM, is dated 14 June 2022.
 - The development proposed was originally described as "Redevelopment of site for 45 Retirement Living apartments for older persons with guest suite, communal facilities, managers office, access, car parking and landscaping."
-

Decision

1. The appeal is allowed and planning permission is granted for the demolition of the existing buildings and redevelopment of the site to form 45 Retirement Living apartments for older persons including communal facilities and associated car parking and landscaping at 11 The Village, Wigginton, York YO32 2PL in accordance with the terms of the application, Ref 22/01315/FULM, dated 14 June 2022, subject to the conditions contained in the attached Schedule.

Application for costs

2. At the Inquiry an application for costs was made by Churchill Retirement Living Limited against the City of York Council. This application is the subject of a separate Decision.

Preliminary and Procedural Matters

3. Two Rule 6 parties opposing the development participated in the Inquiry proceedings, namely Wigginton Parish Council (WPC) and Wigginton Community Group (WCG) which is a group of local residents.
4. At the Case Management Conference (CMC) on 3 April 2023 the main issues were identified, together with how the evidence would be dealt with at the Inquiry and the timings for evidence. As the appeal is against the non-determination of the planning application, the Council's Statement of Case set out its primary reasons for non-determination at the time which related to design, landscape and highway objections and the lack of agreed developer contributions due to the unresolved viability issues. This was supplemented at the CMC by concerns identified regarding the living conditions of future occupiers of the development.

5. In the intervening period following the CMC and the opening of the Inquiry, the Appellant and the Council continued discussions on the appeal, involving the Rule 6 parties as far as possible, to narrow the matters in dispute. Statements of Common Ground (SoCG) were used to document the agreed positions. As such the Council did not pursue their initial concerns relating to landscape and loss of trees within their subsequent evidence. Furthermore, their concerns relating to access arrangements, pedestrian movements and refuse collection and servicing did not remain part of the main issue on highways. The previously unresolved issues relating to the development viability and therefore the financial contributions for infrastructure were resolved in principle and agreed in the Viability SoCG (CD12.03). Consequently, the proposed developer contributions do not form a main issue in this appeal, as was initially envisaged at the time of the CMC.
6. The submitted planning obligation is made by an Agreement between the Appellant, landowners and City of York Council under s106 of the Town and Country Planning Act 1990. It secures financial contributions in relation to an off-site contribution in lieu of on-site affordable housing provision, health services, informal open space, outdoor sports and subsidised travel measures. The s106 Agreement is signed and dated 13 June 2023 and is a material consideration in this case. A Community Infrastructure Levy (CIL) Compliance Statement was also submitted in support of these planning obligations. I have had regard to both of these documents and will return to them later in this decision.
7. The description of development on the application form and set out in the banner heading of this Decision differs to that used by the Council. As such the description was clarified and agreed as part of the main SoCG. The agreed description is more precise, and I therefore have used it throughout the Inquiry and in my formal Decision in paragraph 1.
8. The application was supported by a number of plans, reports and technical information. The main SoCG (CD12.01) set out the agreed list of plans in paragraph 2.8 and accompanying statements and information in paragraph 2.9. At the Inquiry it was confirmed that the Site Plan¹ had been revised in scale to show more context, specifically the properties to the rear of the site. The parties had an opportunity to view and comment such that it was agreed that it would form part of the appeal proposal. I have therefore determined the appeal on this basis.
9. At the Inquiry two revised plans² were submitted as part of the Inquiry proceedings. The Appellant confirmed that these two plans should be regarded as new plans to the appeal. These plans do not materially evolve the appeal scheme, they reflect the omission of an existing access gate on the southern boundary, and set out a small number of minor details, for example the location of cycle storage, which car parking spaces would be marked for disabled users, alongside some landscaping details all of which would in any event be addressed by planning conditions for future approval if the appeal were to be allowed. I also note that the Site Plan³ was explicitly referred to within Table 1 of the agreed Highways SoCG (CD12.02). In addition, reference was also made to the

¹ PL002A Site Plan with Roof Plan (04.07.22)

² PL002A Site Plan showing Ground Floor (17.04.23); JBA 22 185 – SK02 Landscape Strategy, Rev D (26.04.23)

³ PL002A Site Plan showing Ground Floor (17.04.23)

landscaping plan showing access to the footpath via the southern corner of the site in Table 1 of the agreed Highways SoCG.

10. Having reviewed the original proposal and the revised plans, I do not consider that the main elements of the scheme are materially altered from the scheme originally submitted and upon which consultation took place. As such, I consider that no-one would be prejudiced by my consideration of these two plans as part of the appeal, taking account of the principles established in the *Wheatcroft* case⁴. Copies of these two plans were available during the Inquiry, as such the main parties and any other interested persons had the opportunity to review them. The plans were referred to and discussed during evidence sessions. I have therefore included these plans in my determination of this appeal.
11. There is no adopted statutory development plan for the City of York, save for the retained Regional Spatial Strategy policies on Green Belt which are not relevant in this case. References have been made to the City of York Draft Local Plan incorporating the fourth set of changes – the Development Control Local Plan 2005 (DCLP) and the emerging Local Plan (eLP). The eLP is progressing towards adoption with the main modifications having recently been consulted upon. Although the DCLP and the eLP do not form part of the statutory development plan for the purposes of s38(6) Planning and Compulsory Purchase Act 2004, they are both capable of being material considerations in determining planning applications in so far as they are consistent with the National Planning Policy Framework. The Haxby and Wigginton Neighbourhood Plan is also in preparation. Although a copy titled 'HWNP Plan Draft v2.4.docx' was submitted as part of the Core Documents, no evidence was available to confirm that this would constitute the published draft plan under the provisions of Regulation 14⁵ for consultation. As such it has not yet reached the formal stage where it can begin to carry some weight in the decision-making process.

Main Issues

12. From all that I have read, heard and seen the main issues in this appeal are:
 - (i) The effect of the design of the proposed development on the character and appearance of the area;
 - (ii) Whether the proposal would provide sufficient on-site car and cycle parking and whether there would be any consequential effects on highway and pedestrian safety; and
 - (iii) The effect of the proposed development on the living conditions of neighbouring occupiers, with particular regard to outlook, enclosure, privacy and overshadowing; and whether the proposed development would provide satisfactory living conditions for future occupiers, with particular regard to outlook and amenity space.

Reasons

Design and the character and appearance

13. The appeal site is located on the southern side of the road known as The Village. The historic development of many villages, like Wigginton, originally created a linear built form, this linear nature I also saw in Shipton by Beningbrough as part

⁴ *Bernard Wheatcroft Ltd v SSE* [JPL 1982 P37]

⁵ The Neighbourhood Planning (General) Regulations 2012 (as amended)

of my site visit and to which I was specifically referred. WPC contend that the historical plot layout comprising large rear gardens could still be inferred from the plans; however, it was accepted that many have since been severed by backland development.

14. Along The Village there are a number of detached, semi-detached and terraced dwellings of different styles and ages interspersed with some more modern properties or properties which have been altered during their lifetime. Clamp bricks is perhaps the most common choice of material within the core of Wigginton. Painted render was present on individual dwellings as well as on Belfry Court which introduces some visual change. Although a substantial proportion of the dwellings are two storeys in height, during my site visit I did see some evidence of the use of roof space. Within the surrounding area of the appeal site there are a number of larger residential developments, which includes care homes, retirement homes, together with some key community buildings and services in the form of the Haxby and Wigginton Health Centre and the Wigginton Recreation Hall.
15. The appeal site is located close to the Parish boundary between Wigginton and Haxby. From the submitted evidence and what I have observed when walking around both settlements there is no clear, defined and marked change in character and appearance when one crosses the parish boundary and walks from Wigginton into Haxby and vice-versa. The two settlements complement each other and have both experienced change to their built form over time. The contiguous nature of the two settlements therefore forms the overall context for the appeal site. I do not consider that Wigginton in isolation provides the starting point against which the appeal scheme should be assessed with regard to character and appearance.
16. The appeal site is a large plot adjacent to the recreation hall and its car park, health centre car park and the grassed open plot of land intended to be used as a community garden in the future. As such from the current built form the appeal site forms a transition from the mixed residential character and appearance to the west and the more functional buildings and adjoining land of non-residential community services and facilities, notwithstanding the intervening bungalow (No 1 The Village) to the east. As such the appeal site forms the eastern end of what has been described by WPC as the historic core of Wigginton. Given its position at the end of a reasonably well-defined block of built development, also referred to as the historic core, an appropriate high-quality design is required.
17. From the range of submitted historical maps it demonstrates that the building line of the southern side of The Village has changed over time. Consequently, the siting of properties is more informal than following an absolute, rigid and formal line. The proposed building would retain the angle of the existing building but step forward thereby creating a step in the perceived building line. A similar step can be seen between nos. 33B and 33 and also nos. 21 and 19 which adds interest to the street scene. The visually verified montages⁶ (fig 02, view 1) also illustrates this stepped rhythm. Furthermore, the siting of the proposed appeal building would help address the suggested aberration of the building line at the Recreation Hall. As such I do not find that the siting of the proposed building

⁶ CD08.04B Appendix B, (Mr Wood, Proof of Evidence)

would be harmful to the informal building line in a village which has already absorbed changes.

18. The appeal site is a large plot in an otherwise built-up area. The footprint of the existing buildings significantly under occupy the site and therefore in order to make best use of land, it is important that any proposal on the appeal site should seek to maximise the efficient use of land. Urban grain studies and plot ratios are a useful mechanism to quantify the assessment of footprint. The plot ratio evidence⁷ provided demonstrates that the proposed building would occupy approximately 37% of the site which is within the range of 27%-46% for similar specialist housing schemes in the local area. In this regard I do not share the views of those who regard the proposal as an overdevelopment or one which has been 'shoehorned' into the site.
19. Part of the process to achieve good design is that the building functions well. This is a retirement living complex and the location of the main entrance within the centre of the site was a deliberate design choice for the operation of the building. In this case the main entrance is within the central section of the western elevation. All residents and other visitors will enter the site from The Village in much the same way as a private driveway to the side of other dwellings.
20. There is concern that the appeal scheme does not include an active frontage to The Village. Although Policy D1 of the DCLP makes reference to the need for proposals to create active frontages to public streets, this is not an adopted development plan policy. Policy D1 of the eLP makes similar provisions. The National Design Guide and Building for a Healthy Life refer to active frontages, but they do so as ways of integrating buildings into their surroundings. The importance of active frontages is overstated by objectors. The purpose of an active frontage is to add design interest together with life and vitality to the public realm, in this case, to The Village.
21. There was discussion at the Inquiry as to whether a principal façade addressed The Village. In my judgement the proposal does this including through use of a well-balanced design with 3 projecting gables and fenestration. The two ground floor apartments on this elevation will have access through their own doors into the communal amenity space. Whilst these are not the formal entrance to these apartments or the scheme as a whole as that is not how the scheme has been designed to function, they would still allow some interest and activity on the northern elevation. As I observed on my visits to Wigginton the activity afforded by the other frontages of properties along The Village is in any event limited. In my view the proposed building would be legible and understood by anyone coming to the site and there would be no harm in having the main entrance within the central courtyard.
22. The communal outdoor space in the central courtyard has been designed to be in a location away from the public realm. This is not dissimilar to a typical residential dwelling found on The Village, which have a significant proportion of their outdoor amenity space away from the public highway. I do not share the concern that the design solution with the courtyard means that the appeal proposal 'turns in on itself' thereby having a harmful relationship with the street scene. Reference was made to the Bishopthorpe Road appeal decision⁸, however

⁷ CD08.05 Appendix 1, footprint coverage analysis plan (Mr Scott, Proof of Evidence)

⁸ CD09.02j APP/C2741/W/21/3289470, dated 11 January 2023 and ID09 extract from Design and Access Statement

insufficient information was presented to enable any form of meaningful comparison with the appeal scheme. As requested by the parties I did visit the Bishopthorpe Road site. From the limited information submitted and what I saw on my site visit, I do not consider the site, the context or the nature of the overall proposal, including the layout to be comparable.

23. I find the verified visual montages⁹ illustrate very well the proposed building in context from key viewpoints. They confirm my own views that whilst the visual impact of the appeal scheme principally arises from the presence of a large new building as one travels from Haxby into Wigginton along the sweeping nature of the highway, the visual interest is created by the articulation and the use of materials. The eastern elevation has been divided into sections and together with the proposed materials and styles drawn from the local area all serve to reduce the bulk and mass of the building.
24. The appeal scheme is a three-storey building in amongst one and two storey buildings. Some of the two storey buildings have created accommodation in the existing roof space, for example Rosevale Residential Care Home and some individual dwellings along The Village. Within the wider context it is a fact that other three storey buildings are present within both Wigginton and Haxby and as such the appeal proposal would not be introducing the first 3-storey form.
25. Belfry Court has used the plane of the roof slope for the third storey. The appeal proposal employs a similar design technique. For example, with 4 of the 7 windows on the northern elevation facing The Village being dormers in the plane of the roof slope. In this regard the appeal proposal is more clear, legible, and honest that a third floor is present. In this location, at the end of the existing block of residential development in Wigginton, I do not find the height of the building to be unduly harmful or that there should be some 'set down' within the site. I have no concerns regarding the roof design. The evidence demonstrates that the pitch is within the range of similar buildings in the locality and the crown form would not be visible from the street level.
26. I find the proposed design to be an appropriate response to the site and the surrounding context and there would be no material harm arising from the design of the appeal scheme. It provides a clear statement to the end of an existing block of residential development in Wigginton.
27. In conclusion on this first main issue, whilst the design of the proposed development would introduce a change to the character and appearance of the area, in my judgement this would not be harmful. I find the effect of the design of the proposed development on the character and appearance of the area to be acceptable. Accordingly, there would be no conflict with Section 12 of the Framework which looks to achieve well designed places. It can be supported by the characteristics of good design as set out in the National Design Guide. I find no conflict with Policy D1 of the eLP as modified which seeks proposals to adhere to urban grain; density and massing; streets and spaces; building heights and views and character and design standards. Similar requirements are also found in Policy DP3 of the eLP.

⁹ CD08.04B Appendix B (Mr Wood, Proof of Evidence)

Car and cycle parking, and highway safety

28. The Framework in paragraph 111 identifies that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on the highway safety, or the residual cumulative impacts on the road network would be severe. In relation to highway matters there are no concerns expressed that the appeal proposal would not provide safe and suitable access to the appeal site from the highway. Provision of the access and securing removal of dropped kerbs that would no longer be necessary can be secured through planning conditions.
29. The primary concern of the City Council, the Highway Authority and the Rule 6 parties relates to whether sufficient on-site provision would be made for car parking. The Council and Highway Authority also have concerns regarding cycle parking provision.
30. The policy position relating to car parking and cycle parking is not set out in any adopted development plan. Consequently, the main parties disagree on what constitutes the main material planning consideration upon which an appropriate level of parking for both cars and cycles should be based.
31. The appeal scheme proposes a total of 16 car parking spaces and 6 cycle parking spaces. The City Council in its evidence took the starting position that the appeal scheme should provide 23 car parking spaces and 51 cycle parking spaces¹⁰.
32. It is agreed that the appeal proposal meets the definition of 'retirement living or sheltered housing' as set out in the housing for older and disabled people section of Planning Practice Guidance¹¹ (PPG). The appeal scheme is being promoted on the basis of an age restriction with the main occupier needing to be 65 or over, although another person living as part of the same household could be aged 60 or over. On this basis I am satisfied that the appeal proposal falls within the scope of retirement living or sheltered housing as defined by the PPG.
33. On the issue of car parking, it is agreed by the Appellant and the City Council that Appendix E to the DCLP set out the only published car and cycle parking standards for York. Appendix E draws a distinction between general needs housing and special categories of housing, including sheltered housing. Appendix E goes on to identify that the car parking standards are a maximum¹². In this regard Appendix E is inconsistent with paragraph 108 of the Framework which states that maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport.
34. It is not disputed that in relation to Appendix E the guidance for sheltered housing would be the most relevant, albeit that there is no definition of 'sheltered housing' for the purpose of applying Appendix E. In relation to the category of 'sheltered housing,' the guidance in Appendix E is for the provision of 1 parking space per 4 units and 2 spaces if there is a resident warden and 1

¹⁰ CD09.03, paragraph 3.25 (Ms Vergereau, Proof of Evidence)

¹¹ PPG - Paragraph: 010 Reference ID-63-010-20190626

¹² CD09.02C, City of York Draft Local Plan Incorporating the 4th set of changes, April 2005, Appendix E, iii) criteria for car parking standard flexibility (no page numbers)

space per two non-residential staff. The City Council accept that applying this guidance would mean that the appeal proposal exceeds the amount of car parking indicated in Appendix E. Notwithstanding the clear reference in Appendix E to the figures cited being maxima, the City Council and the Rule 6 parties nonetheless maintained their position of higher levels of car parking provision being required.

35. Given that the DCLP was not progressed to adoption together with the inconsistency of Appendix E with paragraph 108 of the Framework, I afford the car and cycle parking standards in Appendix E limited weight in my determination of this appeal.
36. It is the Council's position that it is relevant to go on and consider data from the 2011 Census in relation to car ownership. In this regard, it has considered amongst other data, car availability by accommodation type based on households living in a 'flat, maisonette, apartment, caravan or other mobile or temporary structure'. However, the Council's evidence fails to adequately explain the rationale as to how using Census data directly leads to the requested provision of 23 car parking spaces.
37. The 2011 Census data is now dated and in relation to car ownership levels the Council has not utilised the data from the latest Census in 2021. Although, the Council do refer to the 2021 Census data in relation to the mode of transport people use to travel to work. The Council has acknowledged¹³ that the 2021 Census data does reflect impacts from the Covid-19 pandemic such as greater levels of homeworking which demonstrates material differences between the 2011 and 2021 Census data.
38. In relation to the matter of car parking I find that the City Council has failed to substantiate its case based on objective and appropriate evidence that specifically justifies its position. The Council has also sought to adopt contradictory positions, for example arguing in the Proof of Evidence¹⁴ that research carried out in 2016 is too old to be suitable for transport analysis when at the same time seeking to base its own position on the Census data from 2011 which is even older.
39. I favour the methodology used by the Appellant in comparing the appeal scheme with Belfry Court in Wigginton and a number of other sites operated by Churchill Retirement Living elsewhere in the country as a means of assessing the likely effects of this age restricted form of accommodation. I find the Belfry Court scheme to be directly comparable given the fact that it is the same type of living accommodation as presented in the appeal scheme and it is within close proximity to the appeal site. The survey¹⁵ evidence demonstrated that the maximum parking demand at Belfry Court was 0.3 spaces per unit. The appeal proposal would provide 0.36 spaces per unit, which on the basis of a direct comparison with the primary survey data at Belfry Court, would indicate that the car parking provision would be sufficient to meet the needs of the appeal scheme.
40. The other Churchill Retirement Living schemes that were surveyed¹⁶ demonstrated the average parking demand to be 0.27 spaces per unit. Whilst

¹³ CD09.03, paragraph 3.14 (Ms Vergereau, Proof of Evidence)

¹⁴ CD09.03, paragraph 3.35 (Ms Vergereau, Proof of Evidence)

¹⁵ CD08.07, paragraph 5.19 (Ms Hammonds, Proof of Evidence)

¹⁶ CD08.07, Appendix H, page 13

each of these individual sites will have some minor differences in relation to accessibility to public transport and to local services and facilities, I consider them to be a broadly comparable representative sample of retirement living schemes. This survey data is broadly comparable to the results at Belfry Court, further supporting the contention that the proposed car parking provision in the appeal scheme would be sufficient.

41. A number of concerns have been raised regarding existing on-street parking and how insufficient on-site car parking for the appeal proposal would lead to further on-street parking. The photographs submitted by WCG were confirmed to be representative of the on-street parking that occurs outside Belfry Court and Rosevale Residential Care Home. However, there is no substantive evidence to directly link the on-street parking shown in the submitted photographs to either of these properties. On-street parking will occur for a range of reasons and for different durations, including for example deliveries, tradespersons or contractors and visitors to any of the existing properties along The Village. I noted on my site visit that some properties on The Village did not appear to have their own on-site parking. In itself on-street parking does not necessarily lead to a highway safety issue.
42. The Appellant undertook a parking survey using the established Lambeth parking survey methodology to examine the level of existing on-street parking. The result demonstrated that some on-street parking does occur, however, the level of parking stress only reached a maximum of 24%. As such, even if there were to be some overspill car parking required there is on-street parking capacity available. Furthermore, from what I observed on my accompanied and other unaccompanied visits to Wigginton, some on-street car parking had a traffic calming effect with vehicles slowing down. No recorded evidence of any personal injury accidents has been presented. Even with some on-street car parking there were still a range of opportunities to find a suitable place to cross the road.
43. I do acknowledge that vehicles parked half on and off the pavement does occur in Wigginton. The photographs submitted by WCG illustrate this and I also witnessed this during my visits to Wigginton. Parking in this manner does impede the movement of users of the pavement, particularly older and disabled persons and parents with children. However, this is a general problem of a driver's self-awareness and inconsideration for other highway users and cannot be directly attributed as an anticipated specific impact of the proposed development.
44. I saw limited evidence of the use of specific highway markings to restrict on-street parking as a proportion of the road through Wigginton (Mill Lane and The Village) and none within the immediate vicinity of the appeal site. There are other mechanisms available under relevant legislation to manage specific problems if considered necessary.
45. References to other local housing commitments and proposals in the eLP for Wigginton and Haxby have been made. However, there is no cogent evidence before me to identify that the appeal scheme if permitted either individually or in conjunction with the other proposals would result in residual cumulative impacts on the road network that would be severe in line with paragraph 111 of the Framework.

46. Accordingly, in relation to car parking, I do not find that the car parking aspect of the proposed scheme would have a detrimental impact on highway safety that would indicate that permission should be refused in accordance with paragraph 111 of the Framework.
47. Turning to the issue of cycle parking both the Appellant and the City Council agreed that the relevant guidance is set out in the Department for Transport's Local Transport Note 1/20 (LTN 1/20). The City Council in its evidence refers to two different residential categories in Table 11-1 of LTN 1/20. The first being that one cycle parking space should be provided for each bedroom in residential developments. The second being for the residential category of 'sheltered/elderly housing/nursing homes' which looks at 0.05 cycle parking spaces per residential unit for short stay and 0.05 spaces per bedroom for long stay.
48. The City Council has not set out how applying either of these standards in LTN 1/20 justifies the 51 cycle spaces being requested. Neither does it provide any cogent or substantive evidence to justify its position having regard to any other standards, guidance or relevant material planning considerations. In this regard, I find that the City Council has not substantiated its starting position that cycle parking should be based on 1 space per unit together with an additional 5-6 spaces to cater for staff and visitors to the site. In cross examination the Council's witness agreed that the appeal proposal would meet the relevant provisions set out in LTN 1/20.
49. The Appellant's evidence¹⁷ on the demand for cycle parking across its other 127 sites in England is undeniable and I can therefore entirely see why Inspector Stephens described this same evidence as compelling¹⁸. The evidence clearly demonstrates that the average demand for cycle parking space is 0.71 per development/0.01755 per individual residential unit.
50. Using the standards in LTN 1/20 it would indicate a need for 6 spaces within the appeal proposal. The revised site plan illustrates the location of the 3 covered cycle stands which would make provision for the parking of 6 cycles. As such, when applying the standards, as well as taking account of the Appellant's evidence of cycle parking I find that would be sufficient provision for any future occupiers or lodge managers of the appeal scheme to have a cycle whilst still promoting the opportunity for sustainable travel in line with paragraphs 110 and 112 of the Framework.
51. In conclusion on this second main issue, I find that the proposed development would not lead to a highway safety concern which would be of such magnitude that permission should be refused. I also conclude that the proposed development would include a reasonable and acceptable level of car and cycle parking having regard to the nature of the development in relation to guidance in Appendix E of the DCLP and LTN 1/20. As such in relation to this second main issue there is no harm to suggest that permission should be refused on this matter. The appeal proposal would provide sufficient on-site car and cycle parking and there would not be an unacceptable consequential effect on the highway and safety. Consequently, there would be no conflict with paragraphs 110 to 112 of the Framework.

¹⁷ CD08.07, Appendix E (Ms Hammonds Proof of Evidence)

¹⁸ CD07.03, Appeal Decision APP/H1705/W/20/3248204, paragraph 44

Living conditions of neighbouring occupiers

52. A range of concerns have been raised regarding the effect of the proposal on the living conditions of existing neighbouring occupiers. In addition, WPC and WCG, along with several local residents, spoke at the Inquiry with their concerns.
53. Copperfields is a dormer bungalow adjoining the southern end of the western boundary of the appeal site. The eastern elevation contains a bedroom window at first floor level and at ground floor there is a kitchen door and window together with an attached glazed conservatory opening onto a well-maintained rear garden.
54. From my site visit I observed that the first-floor bedroom window in Copperfields currently provides views into the open grassed area of the existing residential garden of the appeal site. Consequently, I do not dispute that the presence of the proposed appeal building, and its electricity substation building would change the outlook from this first-floor bedroom window. This would lead to some sense of enclosure being experienced by occupiers within Copperfields and to a lesser extent within the garden and even less when using the raised decking area which is located to the west and the other side of the conservatory.
55. On my site visit I found that the presence of the substantial and dense evergreen conifer hedge at the rear boundary of the appeal site already provides a noticeable sense of enclosure from within the rear gardens of those bungalows on Fletcher Court and St Mary's Close. It is not disputed that the height of the proposed building would be visible above the existing conifer hedge. However, the siting of the appeal building would be set back such that the intervening distance would reduce the effect of enclosure on the occupiers of Fletcher Court and St Mary's Close.
56. The presence of the proposed building would introduce a change in the experience for the users of the rear gardens, particularly those in closest proximity, namely Copperfields, Fletcher Court and St Mary's Close. However, I do not agree that there is harm to such a degree that the rear garden areas would cease to become the private retreat as was put to me by one occupier.
57. The presence of the appeal building would be a new feature in the built environment of Wigginton. As such a sense of enclosure would be felt the most by the occupiers of those properties which are physically closest, but also to a lesser extent those which are located slightly further away. There is no right to a view and views of the sky would still exist even with the appeal proposal. Wigginton is a village that appears to have undergone periodic change over time and the potential for future change always exists. I do not find that unacceptable impacts arising from a sense of enclosure would arise to the occupiers of neighbouring properties.
58. When assessing the potential impact on privacy it is important to be clear that an opportunity to look out over an area does not lead to privacy concerns in the same way that direct views between habitable windows would do. It is therefore common practice for some guidelines to establish acceptable distances between habitable windows. It was agreed at the Inquiry that the only local guidance regarding general separation distances that exists is contained within a draft

SPD on House Extensions and Alterations.¹⁹ Although the Draft SPD is not strictly applicable to new residential development such as the appeal scheme.

59. From the submitted plans, the western elevation contains some habitable windows in the northern portion which would afford future occupiers general views to the west across rear gardens. I do not find this to unusual or unacceptable. No primary habitable windows in the western elevation would provide an opportunity for direct overlooking into habitable windows of existing dwellings to the west.
60. Apartments 24 (first floor) and 41 (second floor) each have a secondary habitable window which could provide a potential opportunity for future occupiers to look towards the bedroom window of Copperfields, particularly as the intervening distance between habitable windows is less than the guideline of 21m as set out in the Draft SPD. The intervening distance according to the Appellant's evidence is 14.6 metres. The Appellant suggested a condition to obscure glaze these two secondary windows could be attached²⁰. It was apparent from my site visit, that given the distance between Copperfields and the proposed building, the siting of the proposed windows would lead to some overlooking and loss of privacy to the occupiers of Copperfields. Obscure glazing would be an appropriate measure. However, I am also satisfied that, as a small secondary window, the obscure glazing would not then have a detrimental effect on the living conditions of future occupiers of these two apartments.
61. The potential use of obscure glazing for the 4 windows along the second-floor corridor on the western elevation above the courtyard was discussed at the Inquiry. However, the corridor by its very nature is a functional access route to allow occupiers to get to and from their apartments. Although occupiers could pause whilst moving along the corridor, the nature of the space is that it would not be an area where occupiers would dwell for very long. A condition requiring obscure glazing for these windows would be unnecessary.
62. From the submitted plans, it is apparent that there would be no balconies on the western elevation of the southern portion of the building that would directly face the eastern elevation of Copperfields. The siting of the building would mean that the nearest proposed balconies on the southern elevation would not result in an unacceptable impact on the privacy of existing occupiers of Copperfields.
63. The distances between the habitable windows and balconies to the apartments at first and second floor level on the southern elevation which would face the rear gardens and properties on Fletcher Court and St Mary's Close would exceed the distance guidelines contained in the Draft SPD. There would be four modest sized balconies on the southern elevation at first and second floor level. They look towards the intervening public right of way and beyond that the rear of the properties on Fletcher Court and St Mary's Close. The Draft SPD indicates that balconies can be acceptable where they look towards public or communal space, although in this case the public right of way does have a relatively narrow width.
64. I accept that for the occupiers of Fletcher Court and St Mary's Close there could be a perceptual sense of overlooking. However, taking into account the size of the balconies, the intervening distance and the presence of existing mature vegetation and the ability through the landscaping scheme to secure retention

¹⁹ CD09.02H City of York Council: House Extensions and Alterations Draft Supplementary Planning Document (2012)

²⁰ CD08.03 paragraph 6.34 (Mr Shellum, Proof of Evidence)

and enhancement of this vegetation, I do not find that overlooking would be to a level which would be unacceptable thereby justifying refusal of permission.

65. Concerns were also raised regarding the effect of the size of the appeal building on levels of sunlight to neighbouring occupiers. The submitted shadow study has been prepared using good practice standards. The sun is at a much higher angle in the sky during the summer months than during the winter. Based on the evidence before me in this regard it has not been demonstrated that the proposal would lead to an unacceptable impact.
66. Reference was also made at the Inquiry to the impact of the headlights from vehicles exiting the site. The position of the vehicle access opposite existing dwellings is not dissimilar to residential properties whose driveways also front onto a highway or a road opposite a property. It is necessary to remember that the appeal proposal is not a commercial or residential institution use whereby vehicle movements may be exiting at a specific time thereby resulting in a sustained short period of potential disturbance from headlights. As such I do not find that there would be any harm in this regard. In relation to concerns regarding building lighting, a lighting scheme for the site could be satisfactorily controlled by a planning condition in the first instance as part of the finer details.
67. The proposed development would represent a change, which would be particularly experienced by the occupiers of those properties living adjacent or within very close proximity to the appeal site. However, the effect of the appeal proposal on the living conditions of existing occupiers with regard to outlook, enclosure, privacy and overshadowing is not unacceptable in my judgement.

Living conditions of future occupiers

68. Concerns were raised regarding whether the appeal proposal would provide acceptable living conditions for future occupiers, specifically in respect of amenity space and outlook. In the absence of any adopted local guidance on either a specific quantum and/or quality criterion; it is a matter of judgement for the decision maker with reference to general principles contained in the Framework (paragraph 130), National Design Guide, Draft SPD²¹ and Policy ENV02 of the eLP viewed through the prism of the Framework all of which seek the principle of a high standard of amenity.
69. From the submitted plans and the evidence that I have read and heard, the resident's lounge would be the principal internal communal amenity space together with its associated outdoor amenity area which is well located to create an intimate and sunny area, particularly around midday. There are no indicated restrictions on access for future occupiers to any part of the landscaped areas within the whole site.
70. The external amenity space for future occupiers of the appeal scheme would be a combination of private space and communal space. For those future occupiers seeking some dedicated private space, a proportion of the apartments have modest balconies. The ground floor apartments would have a door which would allow access to the landscaped areas immediately outside of their apartment. The plans do not indicate this would have any specific means of enclosure to restrict the space immediately outside the ground floor apartments. As such all of the overall communal space would be available to all occupiers. It is

²¹ CD09.02H City of York Council: House Extensions and Alterations Draft Supplementary Planning Document (December 2012)

important to keep in mind, as the Appellant explained, that one of the many reasons why someone would make a lifestyle choice and move into a retirement apartment is that maintenance and upkeep of a property and garden is no longer desirable or practical. As such in my judgement there is sufficient quantum of shared amenity space for future occupiers which would provide “usable private amenity space...and space that is suitable and welcoming to sit out in” in line with paragraphs 9.1 and 9.2 of the Draft SPD.

71. Turning to concerns relating to outlook for future occupiers of the apartments, and in particular the eastern elevation. The Appellant’s cross section²² uses apartment 3, which the Appellant has identified as being the closest one to the eastern boundary and demonstrates that there would be sufficient separation from the boundary to enable skyward views.
72. The landscaping plans submitted set out an overall strategy with constraints and opportunities. Further details could be secured by planning condition, and when implemented, would ensure a high-quality external amenity space to look out onto. In relation to future occupiers, I do not find that the living conditions in this appeal proposal would be unacceptable.
73. The City Council has referred to an appeal²³ in which the Inspector assessed external amenity space and outlook. Whilst I can note the written analysis of the Inspector’s decision in that case, the details of this scheme have not been presented to me, so it inevitably limits the ability for me to determine how comparative or otherwise it is to the appeal scheme. In any event each application and appeal should be determined on its own merits which is what I have done.
74. In conclusion to this third main issue, I find that no unacceptable harm would arise to the living conditions of neighbouring occupiers, with particular regard to privacy and overshadowing; and the proposed development would provide satisfactory living conditions for future occupiers, with particular regard to amenity space and outlook. Accordingly, there would be no conflict with paragraph 130 f) of the Framework which seeks to create places with a high standard of amenity for existing and future users. Nor within Policies D1 as modified of the eLP and ENV2 as modified of the eLP.

Other Matters

75. No 11 The Village is a modern interpretation of an agricultural style with ‘eclectic fenestration’²⁴ and replaced what was a large house with double pile roof with well-balanced and traditionally designed fenestration²⁵. Whilst the City Council has raised no concerns regarding the demolition and loss of the appeal building, a number of the interested persons who have made representations regard the appeal building as one of local interest.
76. The City Council raised no concerns in relation to heritage. However, heritage formed a substantive part of WPC’s case, who commissioned a Historic Appraisal²⁶ to provide a brief historic character appraisal of the appeal site and

²² CD08.08A Appendix A (Mr Shellum, Rebuttal Proof of Evidence)

²³ CD09.02i Appeal Decision Reference APP/Z1510/W/17/3188192, dated 23 July 2018

²⁴ ID.01

²⁵ CD10.03 Old Tannery Site, Wigginton, Historic Appraisal, Woodhall Planning and Conservation, March 2023, figure 14, page 17

²⁶ CD10.03 Old Tannery Site, Wigginton, Historic Appraisal, Woodhall Planning and Conservation, March 2023

to provide them with some guidance for planning decision-making on the site and more generally.

77. The existing appeal building and its outbuildings which would be demolished as part of the appeal proposal are not Listed Buildings and Wigginton does not have a Conservation Area. WPC confirmed that it was not part of their case that the appeal proposal would affect any designated heritage assets, including the Haxby Conservation Area or Listed Buildings within Haxby. Consequently, the appeal scheme is not near to or within the setting of designated heritage assets.
78. WPC contend that the appeal building should be considered a non-designated heritage asset (NDHA). The Framework does not define what constitutes a NDHA nor does it prescribe how they should be identified. The PPG indicates that NDHA are buildings, monuments, sites, places, areas, or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets.
79. The PPG²⁷ indicates that there are a number of processes through which NDHA may be identified, including the local and neighbourhood plan-making processes and Conservation Area Appraisals and reviews. The City Council, as the local plan-making body, have not identified the existing buildings on the appeal site as a NDHA. PPG goes on to say that irrespective of how they are identified, it is important that decisions to identify them as NDHA are based on sound evidence. There is a need for information on NDHA to be accessible to the public, including information on the criteria used for selection. Information on NDHA should be included in the local historic environment record. Whilst the PPG does indicate that planning authorities may identify NDHA as part of the decision-making processes on planning applications, the example provided is following on from archaeological investigations.
80. New evidence was presented by WPC at the Inquiry (ID01, 12 and 22) such that WPC has invited me to identify No 11 The Village as a NDHA. In particular, the brief response from York Civic Trust (ID22) which was tendered on the last day of the Inquiry indicates that they consider the existing appeal building to be a NDHA. However, insufficient evidence has been submitted to the Inquiry to explain the methodology and criteria used by the York Civic Trust in reaching that view. As such it limits the weight that can be attached to their conclusions.
81. In my experience, identifying NDHA assets is a structured process often involving several stages, involving evidence and consultation on both the selection criteria and then how the buildings meet the criteria, before reaching a conclusion. In this case, there has been no specific, detailed and structured assessment of the significance of the existing buildings on site presented to the Inquiry to support the contention by WPC and York Civic Society. Moreover, the expert evidence contained within both the WPC commissioned report and the Ecus report²⁸ prepared to support the proposal, individually or collectively, do not indicate that the appeal building demonstrates the qualities to be considered as an NDHA. Consequently, on the basis of the evidence presented to me I am unable to reach a conclusion that the existing building on site should be identified as a NDHA.

²⁷ PPG Paragraph 040 Reference ID: 18a-040-20190723

²⁸ CD08.03C Appendix 3 (Mr Shellum, Rebuttal Proof of Evidence)

82. Even if the appeal building was a NDHA it would not preclude development. The policy test is set out in paragraph 203 of the Framework and requires a balanced judgement having regard to the scale of any harm or loss to the significance of the heritage asset. Demolition would result in the total loss of the existing building. There is a range of benefits arising from the appeal scheme including: the provision of 45 units of specialist housing for older persons for which there is a critical need, and the proposal would make more effective use of land within a settlement with good accessibility to services and facilities. In addition, future occupiers would have the opportunity to support these services and facilities which is good for the economy and society as well as their own well-being. In conclusion to this particular matter, I therefore find that that benefits arising from the appeal proposal would outweigh the loss of the existing buildings, even if they were considered to be a NDHA.
83. On the matter of drainage and the potential for flooding, the evidence submitted does not indicate anything that would justify withholding permission. No relevant statutory consultee concerns have been expressed. In any event, the requirement for a drainage scheme to manage both surface and foul water can be satisfactorily addressed by a suitably worded planning condition.
84. The appeal site lies approximately 3.1km to the East of the Strensall Common Special Area of Conservation (SAC) and Site of Special Scientific Interest. As such it now lies within the Zone of Influence for the SAC which has been introduced within Policy GI2a of the eLP. The SAC was designated because of the presence of Annex I²⁹ habitats (North Atlantic wet heaths and European dry heaths). The conservation objectives are to maintain/restore the extent and distribution of the natural habitats, the structure and function and supporting processes on which the habitats rely.
85. The City Council and Natural England have not raised any concerns on this matter. However, The Conservation of Habitats and Species Regulations 2017 (as amended) (the Habitats Regulations) require the decision maker to consider the likely significant effects and or adverse effects on the integrity of European sites of plans/projects, either alone or in combination with other plans or projects. The City Council, its consultees and the Appellant have not raised any concerns. This responsibility falls to me as the competent authority in the context of this appeal. From the submitted information, the pressures on the SAC arise from recreational use and in particular dog walking with the majority of visitors arriving by car, inappropriate scrub control and air pollution. I am aware that Strensall Common SAC is used extensively by the Ministry of Defence as part of their training estate and as such this may limit public access to certain areas and at certain times.
86. I note that the consolidated main modifications (January 2023) text to Policy GI2a for Strensall Common SAC indicates that *"(b) (ii) proposals for other housing development which are not within plan allocations will not be permitted unless it can be demonstrated that they will have no adverse effects on the integrity of the SAC, either alone or in combination with other plans for projects. Any necessary mitigation measures may be sought through planning contributions and must be secured prior to the occupation of any new dwellings and secured in perpetuity."*

²⁹ European Council Directive 92/43/EEC, The Conservation of Natural Habitats and of Wild Flora and Fauna.

87. The specific type of housing development being proposed is for age restricted retirement living and is therefore determined in line with what the planning permission would permit. During the Inquiry much was heard about the likely type and nature of the future occupiers of the appeal scheme which was based upon the experience of other sites owned/operated by the Appellant. Given the age restriction of the scheme, evidence presented demonstrating limited parking demand from the appeal scheme which suggests that there would be limited car usage, together with the intervening distance and availability of a range of amenity space within the appeal site itself but also other green space areas within Wigginton and Haxby, any additional visitors to the SAC from the appeal scheme would be negligible. The appeal proposal would have no impact on the scrub control or air pollution threat pressures to the SAC. These specific factors lead me to conclude that either alone, or in combination with other plans or projects, even when applying the precautionary principle, the appeal proposal would not give rise to likely significant effects and or adverse effects on the integrity of the Strensall Common SAC.
88. Prior to the current residential use, the appeal site was historically used as a tannery. Whilst the site has not been formally confirmed as contaminated under Part IIA of the Environmental Protection Act 1990, local concerns have been raised with references made to property searches noting potential for contamination and the use of insurance covenants. Such processes are precautionary and insurance covenants are not unusual for a wide range of matters including any potential for any form of contamination. The application was supported by a Desk Study Appraisal and Ground Investigation Report which explained that from the site investigations undertaken there were some contaminants present within the made ground. Supplementary site investigations and construction guidance were recommended. This matter can be addressed through a suitably worded planning condition.
89. Concerns were raised regarding the effect on biodiversity and wildlife, with particular reference to hedgehogs. The ecological surveys undertaken do not demonstrate that the appeal site accommodates a wide variety of species. In fact the City Council noted that the large coniferous hedge at the southern boundary did not make a positive contribution to biodiversity. The submitted ecological report³⁰ makes recommendations, including specifically for hedgehogs, which would form the basis of an ecological enhancement plan or equivalent and be satisfactorily secured through a planning condition.
90. A range of concerns were raised regarding the capacity issues within the local health care services. Notwithstanding the Appellant's evidence which suggested financial benefits to the National Health Service which flows from this form of accommodation, a specific financial contribution for the expansion of the Wigginton and Haxby Health Centre has been included within the submitted s106 Agreement, I shall return to this matter later in this decision.
91. The Levelling Up and Regeneration Bill was referred to, however, it is important to remember that this is draft legislation. Participation in the planning process has always been sought and encouraged. WPC and WCG and other interested parties have actively participated in this Inquiry, and I have had full regard to the matters raised alongside all the other representations made including those made by neighbours and other local residents.

³⁰ CD02.06 Preliminary Ecological Appraisal and Bat Roost Assessment (Report no.14650.R02a), Tyler Grange 1 September 2022

92. The appeal site abuts an area of grass which is intended to become a Whole Life Community Garden in the future and used for social prescribing by the medical practice. I have had full regard to the concerns expressed by the trustees including matters such as overshadowing, overlooking and noise, which could affect the well-being of users of this space in the future. However, the evidence presented to me does not demonstrate that this use formally exists at present. Furthermore, no definitive evidence regarding timescale, funding or delivery mechanism has been offered to provide certainty regarding this use. I am not satisfied that cogent evidence has been demonstrated to show that the appeal proposal would result in harm to the Whole Life Community Garden if it were to be progressed. Even if the proposed use were to be delivered there would be some passive surveillance from occupiers of the appeal development which could be beneficial and would add further interest to their views. Future garden design proposals could incorporate measures to provide specific private areas within the garden if that was deemed necessary.
93. A number of concerns from interested parties were raised about the need for this type of accommodation, particularly in Wigginton and the implications this proposal may have on the demographics. The City Council has an existing identified unmet need for specialist housing for older persons, furthermore it was agreed to be a 'critical' need. The City Council confirmed during the Inquiry that this need was York-wide, no evidence exists at a sub-York level to examine the distribution or otherwise of such types of proposals. Evidence tendered relating to vacancy and retirement living properties for sale is an indication of the market operating rather than market failure.
94. The concerns raised regarding the Appellant's community consultation, liaison with WPC and the incorporation of comments made by local residents prior to the submission of the planning application are not matters within the scope of this appeal.

Planning Obligation

95. A section 106 planning obligation has been submitted. The planning obligation is in the form of an Agreement between the Appellant, landowners and the City of York Council. A CIL Compliance Statement was produced by the City of York Council in relation to the planning obligation. I have had regard to the s106 Agreement and the CIL Compliance Statement taking into account the Community Infrastructure Levy Regulations 2010 (as amended) (CILR) together with the advice contained in the Framework and PPG.
96. The Framework in paragraph 55 indicates that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.
97. Regulation 122 of the CILR (as amended) and paragraph 57 of the Framework identify that planning obligations must only be sought where they meet all of the following three tests: (a) necessary to make the development acceptable in planning terms; (b) directly related to the development; and (c) fairly and reasonably related in scale and kind to the development.
98. The s106 Agreement contains obligations in respect of affordable housing, health services, informal open space, outdoor sports and subsidised travel measures.

There is agreement between the Appellant and the City Council in relation to all matters except for the subsidised travel measures.

99. The s106 Agreement secures a financial contribution of £250,000 to be paid by the landowners to the City Council towards the provision of off-site affordable housing in lieu of on-site provision. Securing a financial contribution toward off-site affordable housing is necessary to meet the requirements of paragraphs 60-67 of the Framework and Policy H10 of the eLP. The financial contribution has been calculated based on the development proposed, the eLP, York's Local Housing Market Assessment and the Viability SoCG. The s106 Agreement requires the affordable housing contribution to be used towards the provision of off-site affordable housing. It is directly related to the development and is fairly and reasonably related in scale and kind.
100. A financial contribution of £46,345 is secured through the s106 Agreement for health services. The CIL Compliance Statement identifies that this money would be used for the provision of additional operational floorspace at the Haxby Medical Practice. In particular, for the refurbishment and repurposing of a vacant pharmacy area within the Practice to accommodate additional consulting rooms. The financial contribution has been calculated on the basis of capital costs and estimated population growth and is detailed in the consultation response from the NHS Humber and Yorkshire Integrated Care Board (ICB)³¹. At the Inquiry the ICB representative confirmed that in their view the financial contribution is still needed.
101. The health services contribution is necessary in the context of paragraphs 92 and 93 of the Framework and Policies HW5 and DM1 of the eLP. Haxby Medical Practice is located in close proximity to the appeal site and is therefore likely to be utilised by future occupiers of the development. Accordingly, it is directly related to the development and is fairly and reasonably related in scale and kind.
102. The s106 Agreement would also secure a contribution of £9,362 to be paid to the City Council towards improvements to Wigginton Pond. It was explained that this money would be put towards bankside repairs, biodiversity enhancement, improved seating and information/interpretation boards. Within the Haxby and Wigginton Ward an assessment³² shows a shortfall in all typologies of amenity open space. Whilst the contribution would not increase the amount of amenity open space it would nevertheless make an existing area of open space more useable and provide an opportunity, particularly for older residents, to support their general health and well-being. Wigginton Pond is within easy walking distance of the development and is most likely to be utilised by future occupiers of the development. Accordingly, it is fairly and reasonably related in scale and kind and is directly related to the development. It is also necessary having regard to paragraphs 92 and 98 of the Framework and Policy G16 of the eLP.
103. There is an obligation for £13,206 secured in the s106 Agreement as the outdoor sports contribution. In particular, this would be used for improvements at Wigginton Sports and Playing Field Association. The financial contribution is based upon the methodology³³ for commuted sum payments for open space,

³¹ CD12.04b

³² CD05.05

³³ CD05.06

therefore I am satisfied that it is fairly and reasonable related in scale and kind to the development.

104. The Wigginton Sports and Playing Field Association is accessible to the appeal site. Based upon evidence at the Inquiry regarding existing facilities and how the money would be spent to improve those facilities I am satisfied that the financial contribution is necessary and is directly related to the development. In coming to that view, I have considered paragraphs 92, 93 and 98 of the Framework and Policy G16 of the eLP.
105. In relation to the Sustainable Travel Contribution in the s106 Agreement, the City Council is seeking a sum of £9,000 which would be utilised at the value of £200 per dwelling to provide the first occupants either with day bus passes for use on local bus services in York or bicycle/bicycle equipment. The Appellant maintained that this particular obligation would not meet the tests set out in Regulation 122 of the CILR. It nevertheless still formed part of the final legal agreement provided by the Appellant, but it is subject to a clause which would result in it ceasing to have effect in the circumstances that the appeal decision concluded that the obligation was incompatible with the tests in Regulation 122 of the CILR.
106. Evidence³⁴ was presented regarding the issue of cycle ownership at other Churchill Retirement Living Schemes which identified very limited use of cycles. I find this evidence to be determinative. Having regard to the overall age requirements for occupancy of the development and the lifestyle characteristics of the occupiers based specifically around the concept of retirement, future occupiers are unlikely to be actively working. The Appellant's evidence demonstrated that the average age on entry at a Churchill Retirement Living Scheme is 81 years old³⁵ which is useful context.
107. Future occupiers of the development will be entitled by virtue of their age to an older person's concessionary bus pass. Whilst there are time restrictions on their use, such restrictions would only be likely to be a form of constraint for work commuting if that was required before 09.30am. Based upon the evidence presented, the Sustainable Transport Contribution fails to meet the tests of being necessary, directly related and fairly and reasonably related in scale and kind to the development.
108. Consequently, I find that the Sustainable Transport Contribution does not comply with Regulation 122(2) of the CILR. Accordingly, I attach no weight to this particular obligation in the section 106 Agreement in determining this planning appeal.
109. All of the other obligations in the s106 Agreement relating to affordable housing; health services; informal open space; and outdoor sports 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, these obligations of the s106 Planning Agreement meet the tests within Regulation 122 of the CIL Regulations and should be taken into account in the decision.

³⁴ CD08.07, Appendix E

³⁵ CD08.07, Paragraph 5.13

Planning Balance

110. There is no adopted statutory development plan for the City of York, save for the retained Regional Spatial Strategy policies on Green Belt which are not relevant in this case. References have been made to the City of York Draft Local Plan incorporating the fourth set of changes – the Development Control Local Plan 2005 (DCLP) and the emerging Local Plan (eLP) which is progressing towards adoption with the main modifications having recently been consulted upon. Although the DCLP and the eLP do not form part of the statutory development plan for the purposes of s38(6) Planning and Compulsory Purchase Act 2004, they are both capable of being material considerations in determining planning applications in so far as they are consistent with the National Planning Policy Framework. The Haxby and Wigginton Neighbourhood Plan is also in preparation. Although a copy titled 'HWNP Plan Draft v2.4.docx' was submitted as part of the Core Documents, no evidence was available to confirm that this would constitute the published draft plan under the provisions of Regulation 14 for consultation. As such it has not yet reached the formal stage where it can begin to carry some weight in the decision-making process.
111. In the absence of adopted development plan policies, it is an agreed position that decision-making in this case engages the presumption in favour of sustainable development as established in paragraph 11(d)(ii) of the Framework. There are no footnote 7 policies of the Framework in this case which would disengage the presumption.
112. There are a number of benefits of the appeal scheme which were put forward by the Appellant. Considering the discussion at the Inquiry and the relative weight to the suggested benefits, I deal with each of these below explaining the weight I attribute.
113. The appeal is a housing proposal which would provide 45 units, delivered in the short term within an authority area where it is agreed that there is no 5-year housing land supply. This attracts significant weight. Furthermore, it would also provide an early and specific contribution to the existing unmet and critical need for older persons accommodation. This also attracts significant weight. There is a degree of logic and expectation that the scheme would enable the release of potentially under-occupied housing into the wider market. In this case the evidence from the Strategic Housing Market Area Assessment is that some 81.8% of homes within the sub-urban area of York are under-occupied. Whilst it is acknowledged that there is no guarantee that upon release the homes would be more fully occupied, in my view, any opportunity to enable more efficient use and effective occupation level of the overall housing stock should be supported and therefore attracts significant weight.
114. The site is located within the built-up area of Wigginton. It is a sustainable location with a very good public transport network into York. The blue line timetables presented to me in particular demonstrate multiple services throughout the day and late into the evening every day of the week including Sundays, which attracts significant weight. The buildings on the appeal site should be assessed as previously developed (brownfield), the remainder as a residential garden would be regarded as greenfield land. The Framework is clear that substantial weight should be given to the value of using suitable brownfield land (paragraph 120 c). This is accompanied by the need to promote and support the development of under-utilised land and buildings (paragraph 120 d).

The redevelopment of the brownfield part of the site together with the environmental benefits of a more suitable landscaping that would also enhance the biodiversity of the site and immediate area should attract significant weight. I disagree with the City Council and find that this is an underutilised site when taking into account the location and the evolution of the pattern of built development within Wigginton, to which I ascribe moderate weight.

115. The economic benefits of the scheme are suggested as being in relation to construction jobs and the expenditure within local shops and other services and facilities within the local area. Although reference was made during the Inquiry to the suggestion that no-one from Belfry Court had ever purchased a newspaper from the convenience store in Wigginton, this is anecdotal evidence which was not underpinned by any form of survey or similar substantiation. The City Council also sought to cast doubt on the benefit from construction jobs since there was no local labour agreement. In my view, economic benefits would arise from both the construction phase and from the future occupiers which attract significant weight since planning policies and decisions should help to create conditions in which businesses can invest, expand and adapt in line with paragraph 80 of the Framework.
116. The submitted evidence³⁶ relating to the health and social benefits from specialist retirement living housing scheme is accepted and the findings have not been disputed by any counter evidence or research. As such it attracts significant weight.
117. In terms of the disbenefits or harms of the scheme, there will be some limited impacts on the living conditions of the neighbours, which does weigh against the scheme. The demolition of the existing dwelling with outbuildings would be a loss to the housing stock but would be outweighed by the net gain of accommodation from the more effective use of the site. As such this is a neutral factor in the planning balance. For the reasons set out earlier I do not agree that the existing dwelling constitutes a NDHA.
118. I have found no harm which individually or cumulatively would significantly and demonstrably outweigh the benefits. As such the proposed development benefits from the Framework's presumption in favour of sustainable development and planning permission should be granted.
119. Even if I had reached a contrary conclusion in relation to the suggestion of the appeal building being considered as a NDHA, any harm which might be identified as arising from the appeal proposal would not significantly and demonstrably outweigh the range of benefits that would flow from this proposal.

Planning Conditions

120. As part of the appeal procedure a list of suggested conditions was prepared by the City Council in conjunction with the Appellant. Whilst largely agreed in principle, some disagreements remained in relation to the trigger points and also drainage, dilapidation survey of the highway, and electric vehicle charging points. These were explored during the Inquiry session on planning conditions.
121. I have considered the suggested conditions in light of the discussion at the Inquiry and the advice in both the Framework and the PPG. I have imposed the suggested conditions with some minor changes to ensure they accord with the

³⁶ CD08.03D Appendix 4 [19-20] (Mr Shellum, Proof of Evidence)

tests set out in national policy, some have been merged in the interests of precision or to avoid duplication. All conditions imposed are reasonable and necessary to make the development acceptable in planning terms. The Appellant provided written agreement to the pre-commencement conditions as discussed. The conditions have been re-ordered to provide clarity regarding the order with which they are to be satisfied to reflect good practice.

122. **Condition 1** sets out the standard time limit within which the development must begin. **Condition 2** is necessary to ensure the development is carried out in accordance with the approved plans.
123. Some aspects of the proposal need to be approved pre-commencement as they directly influence how the development will proceed. **Condition 3** for the Construction Environment Management Plan (CEMP) is necessary in order to minimise the impacts of the demolition and construction operations on local residents, local businesses and those travelling through the area, and to protect the general environment. The separate suggested condition for the method of works has been merged into condition 3 for reasons of precision as to how the demolition and construction activities will operate.
124. I have merged the suggested contamination conditions into a single condition (**condition 4**). It is necessary to ensure that any site contamination, or the potential for such, is detected and remediated accordingly and that any risks from contamination are properly dealt with to protect the health of future occupiers and to prevent pollution of the environment. **Condition 5** is necessary to establish the approach for managing any archaeological interest which may be found on the site prior to construction. Demolition of the existing buildings could be undertaken as no substantive evidence has indicated that the existing buildings themselves contain any significant archaeological interest. **Condition 6** relates to the drainage scheme which is necessary in order to manage water to and from the site and prevent flooding.
125. There are several pre-above ground works which would be the next phase of the development. **Conditions 7 and 8** are necessary to protect the general character and appearance of the area. **Conditions 9 and 10** are necessary to ensure satisfactory access and cycle parking is secured. In condition 10 I have removed reference to cycles as it would be duplication.
126. Biodiversity enhancement is covered by **condition 11** and is necessary to secure net gain. It remains as a condition of its own rather than merge into CEMP since the CEMP is more about the construction environment rather than the natural environment. **Conditions 12 and 13** are necessary to ensure that the means of enclosure and landscaping details are satisfactory.
127. I have amended the suggested condition relating to electric vehicle charging points to remove the requirement to provide them as it would duplicate current Building Regulations. However, to address the City Council's concerns regarding their design and appearance, **condition 14** will require the submission and approval of the details of the appearance of any electric vehicle charging points on the site. This is necessary to protect the character and appearance.
128. I am satisfied that a condition relating to the removal of former vehicular crossings is necessary to improve the pedestrian environment (**condition 15**). **Condition 16** relating to bus stop improvements is required in the interests of

sustainable transport. I am satisfied that the location can be adequately resolved through the discharge of condition process.

129. Given the potential for overlooking from a secondary window to one of the bedrooms in apartments 24 and 41; **Condition 17** is necessary to require some obscured glazing to protect the privacy of the occupiers of Copperfields as the nearest dwelling to the appeal building.
130. Conditions for compliance are set out at the end and are necessary to define the permission. **Condition 18** on preventing clearance works and demolition during the bird breeding season does to an extent duplicate other legislation. No party has disputed the reasonableness of this condition. However, I have removed the suggested requirement to submit for approval the pre-works ecologist survey as this was unduly onerous and not necessary. **Condition 19** relates to lighting to be approved and **condition 20** prescribes the construction working hours. Both are necessary in the interests of protecting the living conditions of existing occupiers.
131. **Condition 21** sets out the age restriction for the occupiers of the scheme which is reasonable for a scheme which is promoted as specialist housing for older persons. There was a suggestion that a lower age threshold should apply. However, that would materially alter the scheme from that upon which consultation has taken place and the actual evidence at the Inquiry has been based. As such I find that the age limit of 65/60 as set out in condition 21 is necessary, reasonable and appropriate in this case.
132. The nature of construction activity and associated vehicle movements does not justify, in my view, the suggested condition for a survey of the highway pre and post works. Such a condition is not necessary in relation to this scale of development and therefore fails the tests in the Framework.

Conclusion

133. The appeal is allowed and planning permission is granted subject to the conditions set out in the attached Schedule.
134. I recognise that this outcome will be disappointing to those opposing the development. However, the views of local people, very important though they are, must be balanced against other considerations. In coming to my conclusions on the various issues that have been raised, I have taken full and careful account of all the representations that have been made, which in the absence of an adopted development plan I have balanced against the provisions of the National Planning Policy Framework and other material considerations. On balance, the evidence in this case leads me to the view that the appeal should succeed.

Rachael A Bust

INSPECTOR

SCHEDULE OF PLANNING CONDITIONS (21 in total)

Standard Conditions

Commencement

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.

Approved Plans

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

Location Plan 50010WG/PL001 (June 2022)
Site Plan showing Roof Plan 50010WG/PL002 Rev A (04.07.2022)
Site Plan showing Ground Floor Plan 50010WG/PL002 Rev A (17.04.23)
Ground Floor Plan 50010WG/PL003 (June 2022)
First Floor Plan 50010WG/PL004 (June 2022)
Second Floor Plan 50010WG/PL005 (June 2022)
Roof Plan 50010WG/PL006 (June 2022)
Elevations 1 – North & East 50010WG/PL007 (June 2022)
Elevations 2 – South & West 50010WG/PL008 (June 2022)
Internal Elevations – North & South 50010WG/PL009 (June 2022)
View from The Village 50010WG/PL0010 (June 2022)
Landscape Constraints & Opportunities JBA 22 185 SK01 Rev A (14.06.2022)
Landscape Strategy Masterplan JBA 22 185 SK02 Rev D (26.04.23)
Tree Protection Plan 22005-2 (undated)

Pre-Commencement Conditions

Construction Environmental Management Plan

3. Prior to the commencement of development, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall include the following matters:

1. A detailed method of works statement identifying the programming and management of demolition, site clearance, preparation and construction works and to include:
 - (a) measures to prevent the egress of mud and other detritus onto the adjacent public highway;
 - (b) the routing of construction traffic that will be promoted;
 - (c) a scheme for signing the promoted construction traffic routing;
 - (d) where contractors will park; and
 - (e) where materials will be stored on site.
2. Measures to minimise the creation of noise during works;
3. Measures to minimise the creation of vibration during works;
4. Measures to minimise the creation of dust during the work and a site specific risk assessment of dust impacts in line with guidance provided by IAQM (see <http://iaqm.co.uk/guidance/>) and a package of mitigations measures commensurate with the risk identified in the assessment.

All works on site shall be undertaken in accordance with the approved CEMP.

Contamination

4. Part 1 (site investigation and risk assessment)

Prior to the commencement of development, notwithstanding any assessment previously provided, an investigation and risk assessment must be undertaken to assess the nature and extent of any land contamination. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report must be submitted to, and approved in writing by, the Local Planning Authority. The findings report shall include:

- (i) a survey of the extent, scale and nature of contamination (including ground gases where appropriate);
- (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems and
 - archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with British Standard BS 10175: Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced).

Part 2 (remediation scheme)

Subject to the findings in Part 1 of this condition, a detailed remediation to bring the site to a condition suitable for the intended use (by removing unacceptable risks to human health, buildings and other property and the natural and historical environment) must be prepared and submitted to, and approved in writing by, the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Part 3 (remediation scheme implementation)

In the event of the requirement for the approved remediation scheme under Part 2 of this condition, the remediation scheme must be carried out in accordance with its terms and a verification report by suitably competent persons that demonstrates the effectiveness of the remediation carried out must be produced and submitted to, and approved in writing by, the Local Planning Authority prior to first occupation.

Part 4 (unexpected contamination)

Any unexpected contamination found at any time when carrying out the approved development must be reported in writing immediately to the Local Planning Authority. Development on the affected part of the site should be suspended until an investigation, risk assessment and remediation scheme is prepared, submitted to, and approved in writing by, the Local Planning Authority. Following completion of

measures identified in the approved remediation scheme a verification report must be prepared, submitted to, and approved in writing by, the Local Planning Authority before development on the affected part of the site is then able to be resumed.

Pre-Commencement except for above ground demolition conditions

Archaeology

5. A programme of post-determination archaeological mitigation, specifically an archaeological watching brief is required on this site. The archaeological scheme comprises 3 stages of work. Each stage shall be completed and approved in writing by the Local Planning Authority before the development hereby permitted can commence.

(a) No development, except for above ground demolition, shall take place until a Written Scheme of Investigation (WSI) for a watching brief has been submitted to, and approved in writing by, the Local Planning Authority. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI. The WSI should conform to standards set by Local Planning Authority and the Chartered Institute for Archaeologists.

(b) The site investigation and post investigation assessment shall be completed in accordance with the programme set out in the WSI and the provision made for analysis, publication and dissemination of results and archive deposition will be secured. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

(c) A copy of a report shall be deposited with the City of York Historic Environment Record to allow public dissemination of results within 3 months of completion of the report.

Drainage

6. Prior to the commencement of development, except for above ground demolition, a drainage scheme to manage both surface and foul water from the development shall be prepared, submitted to, and approved in writing by, the Local Planning Authority. The approved drainage scheme shall be implemented prior to the first occupation of the development.

Pre-Above Ground Works Conditions

Materials

7. Prior to the construction of the development hereby permitted beyond foundation level and notwithstanding any proposed materials specified on the approved drawings or in the submitted application form, samples of the external materials to be used for the building hereby permitted shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out using the approved materials.

8. Prior to the commencement of the development hereby permitted beyond foundation level, a sample panel of the brickwork to be used on the building shall be erected on the site and shall illustrate the colour, texture and bonding of brickwork and the mortar treatment to be used, and shall be approved in writing

by, the Local Planning Authority. This panel shall be retained until a minimum of 2 square metres of wall of the approved development has been completed in accordance with the approved sample.

Bicycles

9. Prior to the commencement of the development hereby permitted beyond foundation level, details of the bicycle parking areas to accommodate 6 bicycles, including their secure means of enclosure, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented prior to first occupation. The bicycle parking area and means of secure enclosure shall be retained thereafter and not used for any other purpose than for the parking of bicycles.

Access

10. Prior to the commencement of development hereby permitted beyond foundation level, details of the site access design shall be submitted to, and approved in writing by, the Local Planning Authority. The building shall not be occupied until the areas shown on the approved plans for access, parking and manoeuvring vehicles have been constructed and laid out in accordance with the approved plans and retained solely for such purposes thereafter.

Biodiversity

11. Prior to construction of the development hereby permitted above foundation level, a biodiversity enhancement plan/drawing shall be submitted to, and be approved in writing by, the Local Planning Authority. The content of the plan shall include, but not be limited to, the recommendations set out in the Preliminary Ecological Appraisal (Tyler Grange, 1 September 2022, Report No. 14650_R02a). The approved details shall be implemented prior to first occupation.

Pre-occupation Conditions

Boundary treatment

12. Prior to first occupation of the development hereby permitted details of all means of enclosure to the site boundaries, (including security measures as appropriate), shall be submitted to, and approved in writing by, the Local Planning Authority, and the means of enclosure shall be implemented in accordance with the approved details and be retained thereafter.

Hard and soft landscaping

13. Prior to first occupation of the development hereby permitted a detailed hard and soft landscaping scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall illustrate the number, species, height and position of trees and shrubs. This scheme shall be implemented within a period of six months of first occupation of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species.

Electric vehicle charging points

14. Prior to first occupation of the development hereby permitted details of the appearance of any electric vehicle charging points to be installed shall be submitted to, and be approved in writing by, the Local Planning Authority and

thereafter it shall be implemented in accordance with the approved details and be retained.

Vehicular crossings

15. Prior to first occupation of the development hereby permitted, all vehicular crossings not shown as being retained on the approved plans shall be removed and the kerb and footway reinstated to match adjacent levels.
16. The development hereby permitted shall not come into use until the following highway works, which definition shall include works associated with any Traffic Regulation Order required as a result of the development, signing, lighting, drainage and other related works, and the provision of one additional bus stop on The Village to entail one bus pole and Kassel kerbing, have been carried out in accordance with the details which shall have been previously submitted to and approved in writing by, the Local Planning Authority, or arrangements entered into which ensure the same.

Obscure glazing

17. Apartments 24 and 41 shall not be occupied until the bedroom windows on their western elevation have been fitted with obscured glazing. Details of the type of obscured glazing shall be submitted to, and approved in writing by, the Local Planning Authority before the window are installed and once installed the obscured glazing shall be retained thereafter.

Compliance Conditions

18. No vegetation clearance, tree works or building demolition works shall take place between 1 March and 31 August inclusive in any year, unless a competent ecologist has undertaken a detailed check for active bird's nests immediately before the start of works.
19. Prior to the installation of any new lighting, a Lighting Design Plan shall be prepared, submitted to, and approved in writing by, the Local Planning Authority. Lighting shall be installed and implemented in accordance with the approved Lighting Design Plan.
20. All demolition and construction works and ancillary operations, including deliveries to, and despatch from, the site shall be confined to the following hours:

Monday to Friday 0800 to 1800 hours
Saturday 0900 to 1300 hours
Not at all on Sundays, Bank Holidays or Public Holidays.
21. Each apartment hereby permitted shall be occupied only by:
 - (1) a person aged 65 years or older;
 - (2) persons aged 60 or older who are living as part of a single household with the above person in (1); or
 - (3) persons aged 60 years or older who were living as part of a single household with the person identified in (1) who has since died.

End of schedule

APPEARANCES

FOR THE APPELLANT:

Neil Cameron, of King's Counsel, instructed by Matthew Shellum MRTPI of Planning Issues

He called:

Nick Wood BA(Hons), DipArch, RIBA, ARB Design Manager, Planning Issues

Dominic Scott BA(Hons), Dip Landscape Architecture, MLI

Urban Design Director, Stantec

Kim Hammonds BA(Hons), MSc, CTPP

Principal Transport Planner,
Paul Basham Associates Limited

Matthew Shellum BA(Hons), DipTP, MRTPI

Planning Director and Head of Appeals,
Planning Issues

FOR THE LOCAL PLANNING AUTHORITY:

Philip Robson, of Counsel instructed by the solicitor to the City of York Council

He called:

Erik Matthews BSc (Hons), PGDipTP

Development Management Officer,
York City Council

Helene Vergereau LLM, PGDip

Traffic and Highway Development Manager,
York City Council

Present for the planning obligations session:

Stephanie Porter

Humber and North Yorkshire Integrated Care
Board

Paul Ramskill

Community Sports Development Manager,
York City Council

FOR WIGGINTON PARISH COUNCIL, RULE 6 PARTY:

Karin de Vries MA

Clerk to Wigginton Parish Council

FOR WIGGINTON COMMUNITY GROUP, RULE 6 PARTY:

Paul Clays

Guy Morgan

Kim Watson

INTERESTED PARTIES:

Councillor John Gates	Local resident and Chairman of Wigginton Parish Council
Granville Heptonstall BA, MA	Wigginton Community Group
Steve Holt	Wigginton Community Group
Linda Pepper	Wigginton Community Group and also on behalf of Michael Richardson

DOCUMENTS SUBMITTED AT THE INQUIRY

- ID.01 Front cover and entry 739 from The Buildings of England Yorkshire: The North Riding by Jane Grenville and Nikolaus Pevsner, April 2023.
- ID.02 Coloured extract from OS sheet CLVII.NW showing Wigginton, surveyed 1891, published 1895.
- ID.03 Appeal Decision APP/L3245/W/22/3303317, 17 New Street, Wem SY4 5AE, dated 31 March 2023.
- ID.04 Opening Statement on behalf of the Appellant.
- ID.05 Opening Statement on behalf of the Local Planning Authority.
- ID.06 Opening Statement on behalf of Wigginton Parish Council.
- ID.07 Opening Statement on behalf of the Wigginton Community Group.
- ID.08 Granville Heptonstall's statement based upon CD11.25.
- ID.09 Revised Site Plan from the Design, Access and Sustainability Statement Addendum, Bishopthorpe Road, Planning application reference 20/02517/FULM.
- ID.10 Site Plan of Proposed Retirement Living Development, Crookham Road, Fleet. Appeal decision APP/N1730/W/20/3261194, 14 May 2021.
- ID.11 Cllr John Gates' statement.
- ID.12 Website extract, York Civic Trust, York's Heritage at Risk, suggestions so far, dated 24.05.2023.
- ID.13 Illustration of the extent of Haxby Conservation Area description and map.
- ID.14 Letter from Cheshire East Council, dated 15 May 2023 regarding appeal reference APP/R0660/W/23/3317173, 17 & 19 Holly Road South, Wilmslow.
- ID.15 Revised s106 planning agreement, dated 25 May 2023.
- ID.16 Revised CIL Compliance Statement, dated 25 May 2023.
- ID.17 Further Revised CIL Compliance Statement, dated 30 May 2023.
- ID.18 Closing Submission on behalf of the Wigginton Community Group.

ID.19 Closing Submission on behalf of Wigginton Parish Council.

ID.20 Closing Submission on behalf of the Local Planning Authority.

ID.21 Closing Submission on behalf of the Appellant.

ID.22 Letter from York Civic Trust to Wigginton Parish Council, dated 31 May 2023.

ID.23 Appellant's written agreement to the suggested and discussed pre-commencement conditions, received 31 May 2023.

Submitted after the end of the Inquiry:

ID.24 Signed and Executed s106 planning obligation, dated 13 June 2023.

APPENDIX F

Appeal Decision, CALNE CHANGE OF USE



Appeal Decision

Site visit made on 23 October 2024

by Rachael Pipkin BA (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th November 2024

Appeal Ref: APP/Y3940/W/24/3347261

Orchard Lodge, The Pippin, Calne SN11 8RN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Churchill Retirement Living Ltd against the decision of Wiltshire Council.
 - The application Ref is PL/2023/09367.
 - The development proposed is Change of use of commercial unit 4 (Use Class E) to residential accommodation (Use Class C3).
-

Decision

1. The appeal is allowed and planning permission is granted for Change of use of commercial unit 4 (Use Class E) to residential accommodation (Use Class C3) at Orchard Lodge, The Pippin, Calne SN11 8RN in accordance with the terms of the application, Ref PL/2023/09367, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos PA-200, PA-03-A, PA-107-D, PA-103-C and PA-108-E.
 - 3) The dwelling hereby permitted shall be occupied only by:
 - i) a person aged 60 years or older
 - ii) persons aged 55 or older living as part of a single household with the above person in (i)
 - iii) persons aged 55 or older who were living as part of a single household with the person identified in (i) who has since died.

Preliminary Matters

2. One of the Council's reasons for refusal was that that insufficient detail had been provided about parking provision and how it related to the nature of the proposed occupation. The appellant has since confirmed it would agree to a condition restricting occupancy to older people which the Council has accepted would likely result in lower car ownership. On this basis, the Council no longer intends to defend this reason for refusal. I have proceeded on this basis.
3. The appellant provided a marketing statement and associated information as part of its appeal submission. This was not before the Council at the time it made its decision. The procedural guidance¹ on planning appeals explains that the appeal process should not be used to evolve a scheme, this is not the case

¹ Procedural Guide: Planning appeals – England (updated 17 September 2024)

here as the proposal has not changed. The marketing information was available to the Council and interested parties as part of the appeal submissions and they have had the opportunity to comment on this. I find no procedural unfairness has arisen. I have taken this information into account in my decision.

Main Issue

4. The main issue is the effect of the proposed development on the vitality and viability of the town centre.

Reasons

5. The appeal property, Unit 4, is a ground floor retail unit within a mixed-use development, comprising 39 apartments for older people and four retail units. The scheme was granted planning permission on appeal² in March 2021. Of the four retail units, three are vacant including the appeal property. The occupied unit is currently in use as a sales office for the apartments forming the rest of the development. According to the submitted marketing statement, the unit has been marketed since August 2023 on both a long-term and short-term lease for commercial uses compatible with the retirement living development.
6. Unit 4 is located within the south-east corner of the host building, fronting The Pippin highway to the east and an access road to the south, beyond which there is a public car park. The main pedestrian thoroughfare between Sainsburys, located on the opposite side of The Pippin, and the main shopping area, is Phelps Parade. Unit 4 is furthest from this route which, in combination with its elevated position in relation to the street and footpath, means it does not benefit from passing footfall. Moreover, the unit has no retail shopfront window. These factors make the unit less attractive to retailers which I note was the same conclusions drawn within the submitted marketing report.
7. There is evidence that in marketing Unit 4, these factors have been accounted for with the unit being offered at a lower rental than a retail unit, intended to attract an alternative occupant such as an office user. The permitted use of the unit, falling within Class E, makes it available for a number of different occupants although subject to certain use restrictions due to its relationship with housing for older people. This is a reasonable approach. Notwithstanding this, there has been limited interest and no formal offers received.
8. As a vacant unit the appeal property does not contribute to the vitality or viability of the town centre. The evidence indicates that there are other, more attractive options closer to the main shopping area, including the other units within the development which benefit from retail style shopfronts.
9. Residential uses are not incompatible with a town centre with specialist housing for different groups including older people, such as proposed here, being recognised as playing an important role in ensuring the vitality of town centres, as explained in the Planning Practice Guidance³. In the particular circumstances of this case, due to minimal physical changes to the building, the position of Unit 4 in relation to the main shopping area and pedestrian

² APP/Y3940/W/20/3246442

³ Paragraph: 001 Reference ID: 2b-001-20190722

routes, and its ongoing vacancy, the change in use to a residential use would not harm the vitality or viability of the town centre.

10. I appreciate that in reaching his decision, the appeal Inspector identified that the four retail units within the town centre would contribute to economic benefits. He also removed permitted development rights to protect the units for retail purposes. However, the economic climate has changed since that decision with anecdotal evidence suggesting people are adopting different shopping habits post the Covid-19 pandemic. In any event, the Inspector made his decision based on the evidence before him at the time, as I am doing based on that provided to me.
11. I recognise the desire to encourage a greater mix of uses within the town centre, including start up retail uses and pop-up shops. However, marketing of the property has not generated any firm offers in this respect.
12. I conclude that the proposed development would not harm the vitality and viability of the town centre. Core Policy 38 of the Wiltshire Core Strategy 2015 relates to proposals for retail or leisure uses outside town centres. Saved Policy R2 of the North Wiltshire Local Plan 2006 concerns development within town centre secondary frontage areas and specifies uses to which the policy relates. This does not refer to residential development. Neither policy is directly relevant to the appeal proposal. However, both policies aim to support the vitality and viability of the town centre as set out in the supporting text and I find the scheme would not undermine those aims. I also find that the scheme would accord with the National Planning Policy Framework which seeks to ensure the vitality of town centres and recognises that residential development often plays a role in ensuring this.

Other Matter

13. The appeal site lies within the Calne Conservation Area and within the setting of a number of listed buildings on the High Street. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require me to have special regard to the desirability of preserving a listed building or its setting. Section 72(1) of the same act requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the Calne Conservation Area. Physical changes to the building would be limited to replacing the entrance opening for the commercial unit with a window. With minimal elevational changes to a modern building, the changes would have a neutral impact on these heritage assets.

Conditions

14. The Council has suggested conditions in the event the appeal were to be allowed. I have considered these and imposed them where they meet the tests set out in Paragraph 56 of the Framework. A condition specifying compliance with submitted drawings is necessary in the interests of certainty. I have imposed a condition restricting occupancy to older people, as they are likely to have lower levels of car ownership commensurate with the provision of parking on the site.

Conclusion

15. For the reasons set out above, the appeal is allowed.

Rachael Pipkin

INSPECTOR