

PLANNING PROOF OF EVIDENCE

Town and Country Planning Act 1990 Planning and Compulsory
Purchase Act 2004

Section 78 Appeal

PLANNING PROOF OF EVIDENCE

Appeal against refusal of outline planning permission (access to be considered, all other matters reserved) – erection of care village comprising 66 bedroom care home (C2 use), 37 no. Extra care bungalows (C2 use), 3 no. Almshouses (C3), management office (E(g)(i) use), club house, community growing area, orchard, community bee hives and open space provision

Land at School Road, Elmswell, IP30 9NL

CHRISTCHURCH LAND & ESTATES (ELMSWELL SOUTH) LIMITED

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Introduction

Section 1

Qualifications

- 1.1 My name is Iain Warner, and I am a Senior Director at Tetlow King Planning.
- 1.2 I hold a BSC Honours Degree in Town and Country Planning (2000) and a Diploma in City and Regional Planning (2002) from the University of Wales, Cardiff.
- 1.3 I have been a Member of the Royal Town Planning Institute (RTPI) since 2003.

Introduction

- 1.4 Tetlow King Planning (TKP), founded in 1985, is a town planning and development consultancy, inter alia offering specialist professional advice on accommodation and care for older persons across the public and private sectors.
- 1.5 TKP has extensive portfolio of clients including many of the largest housing developers and leading care/retirement providers. TKP has extensive UK wide experience of advising such clients on a diversity of new later living schemes, including establishing the market and need for such provision and the concomitant planning benefits.
- 1.6 TKP are also affiliate members of ARCO in recognition of the continued work within the sector and support provided to ARCO in terms of providing planning updates both online and at seminars when requested.
- 1.7 I have over 23 years' professional experience in the field of town planning within local authorities and for the last 17 years within the private sector. Throughout these 17 years I have been active within the retirement and care planning sector. This commenced during my employment with Barton Willmore (now Stantec), followed by employment within AKA Planning (now part of BNP Paribas) which was a specialist small scale planning consultancy specialising almost exclusively in the retirement and care sector.
- 1.8 In my current role with Tetlow King Planning, a consultancy leading in the field of retirement and care planning, I head up the later living sector and in this role I have attended and presented at specialist retirement and care conferences.

1.9 During the course of my career, I have presented evidence at numerous Section 78 appeal inquiries and hearings.

1.10 **Declaration**

1.11 In accordance with the Planning Inspectorate's Procedural Guidance, I hereby declare that:

"The evidence which I have prepared and provide for this appeal reference APP/W3520/W/25/3364061 in this statement is true and has been prepared and is given in accordance with the guidance of the Royal Town Planning Institute. I confirm that the opinions expressed are my true and professional opinions."

Scope of Evidence

1.12 The appeal relates to the six reasons for refusal in accordance with the decision notice. The advanced Statement of Common Ground accepts that reason for refusal 5 can be addressed through the completion of a Section 106 agreement and that reasons for refusal 2 and 6 have been addressed through submission of further information.

1.13 The appeal will therefore focus on the first, third and fourth reasons for refusal relating to the countryside location of the appeal site and the heritage impact.

1.14 The council acknowledge that the scheme will deliver a range of planning benefits from the development. The key issue in this appeal is therefore whether the benefits of the appeal proposal significantly and demonstrably outweigh any identified harms.

1.15 My evidence will therefore set out the relevant planning policies against which the appeal is considered and explain their relevance for assessing the planning merits of the appeal proposal.

1.16 I will demonstrate that the benefits of the scheme are sufficient to justify the appeal scheme by reference to the following considerations:

- Scale of need for specialist housing
- The health and wellbeing benefits
- Freeing up of family housing
- Wider landscape/ecology enhancements
- Employment creation
- Community access to on-site facilities

- 1.17 I also set out why I consider that the appeal site represents a suitable location for this specific type of development and why this does not result in a conflict in principle to the spatial strategy of the development plan.
- 1.18 This evidence relies on other specialist evidence to address those issues arising from the reasons for refusal. The additional evidence on which I rely covers the following matters:
- Drainage Proof of Evidence by Chris Patmore (RPS)
 - Landscape Proof of Evidence by Katherine Ellinsfield (Pegasus Group)
 - Heritage Proof of Evidence by Thomas Copp (TCMS Heritage)

Statements of Common Ground

- 1.19 An overarching Statement of Common Ground (SoCG) has been prepared and advanced between the Appellant and the Council.
- 1.20 Separate SoCGs have been prepared in respect of drainage, landscape and heritage.
- 1.21 At the point of finalising the evidence none of these SoCGs have been signed although they are at advanced stages and are therefore referred to within this proof of evidence where relevant.

The Appeal Proposals

Section 2

- 2.1 The appeal site is well described in both the original Design and Access Statement in support of the application [CD 2/17] and the committee report [CD 3/1] and is not therefore repeated again here.
- 2.2 The appeal scheme was submitted in outline form in [date] and validated on [date].
- 2.3 The scheme proposes the delivery of 37 extra care bungalows, a 66 bed care home, 3 almshouses, communal facilities to support the later living scheme along with a community growing area, orchard, community bee hives and open space.
- 2.4 The scheme proposes 35% affordable housing to be secured through a s106 Agreement. That s106 Agreement will also secure the delivery of the appeal proposals as C2 use in accordance with the Heads of Terms submitted with the application.
- 2.5 The appeal proposals will enable residents to maintain their independence, with the support of 24-hour on-site staff, communal facilities, and optional care and support as needed.
- 2.6 Extra care is generally recognised as enhancing quality of life through the promotion of greater independence but with the security of knowing that help is available; flexible care and support packages; allowing couples to remain together despite differing care needs; delaying the need to move into a care home and greater opportunities to make friends and stay active.

Use Class

- 2.7 The Appeal Scheme was submitted and validated as a C2 development. The Council's assessment of the Appeal Scheme was and remains as a C2 scheme. The Appeal Scheme will deliver 37 extra care bungalows with their own front doors however there will also be a range of community facilities and communal areas on-site.
- 2.8 The S106 Agreement proposes a minimum age for the primary occupier of 65 years (70 for the care home) and a minimum level of personal care need (the quantum of hours is under discussion). The development will be staffed 24 hours a day (from first occupation) to ensure that care needs are met.

Reasons for Refusal

- 2.9 The application was refused by the planning committee on [date] with the decision notice [CD 3/2] identifying six reasons for refusal:

1. The proposed development conflicts with the aims of the Elmswell Neighbourhood Plan policy ELM1 and the Babergh and Mid Suffolk Joint Local Plan policies SP03 and LP06. It is located outside of the settlement boundary for Elmswell and as such falls within the countryside. The development is unallocated and does not accord with the exceptional circumstances test set out within SP03 or LP06 and is not considered to be countryside compatible development. The development would extend Elmswell into a sensitive countryside location which would represent incongruous and discordant growth on the western edge of the village.

2. The site is shown to experience surface water flooding issues moving east to west through the site from Parnell Lane and School Road. Insufficient information has been provided to demonstrate that the development would be safe for its lifetime and that it would not increase flood risk elsewhere. The proposal fails to pass the sequential test and is therefore contrary to policy LP27 of the Babergh and Mid Suffolk Joint Local Plan as well as paragraphs 165, 167, 168 and 173 of the NPPF.

3. Development of the site would result in the loss of an area of open countryside and the change in character of the land from agriculture this is considered to erode the historic setting of the Church of St. John which is listed at Grade II as well as the associated Grade II listed almshouses and Grade II listed Elmswell Hall. This harm extends to both the built form proposed within the site as well as the open space. Harm would also accrue as a result of the coalescence of the historic buildings with the built-up core of the village of Elmswell. A level of less than substantial harm to the heritage assets has been identified and the required balancing exercise has not been successful. As a result the development is contrary to policy LP19 of the Babergh and Mid Suffolk Joint Local Plan together with paragraphs 205, 206 and 208 of the National Planning Policy Framework.*

4. The proposed development would lead to a irreparable loss of the countryside landscape to the edge of Elmswell. This area creates the entrance to the village itself through the transition from a rural area to an urban area and views of the Church of St. John from the rural area and over the landscape itself are identified within policy ELM2 of the Elmswell Neighbourhood Plan and is also noted to be

high quality agricultural land (Grade 2) and adequate justification for its loss is not provided. The impact on the landscape is considered to be harmful with adverse impacts noted with regards to the onsite landscape and to a limited extent on the district level landscape. This is contrary to policies LP15, LP17 and LP24 of the Babergh and Mid Suffolk Joint Local Plan, policy ELM2 of the Elmswell Neighbourhood Plan and paragraph 84 of the NPPF.

5. In the absence of a signed Section 106 agreement or similar undertaking to provide for appropriate obligations, there would be an unacceptable impact on local infrastructure, contrary to policy SP02 and LP32 of the Babergh and Mid Suffolk Joint Local Plan.

6. No metric has been submitted to demonstrate how 10% biodiversity net gain will be achieved. Whilst this application was submitted prior to biodiversity net gain becoming mandatory, the application was determined under the Babergh and Mid Suffolk Joint Local Plan (JLP) (2023). Policies SP09 and LP16 of the JLP require development to provide for 10% biodiversity net gain. The development therefore conflicts with these policies.

Updated Information

- 2.10 Following submission of the appeal the Appellant has worked with the council to provide additional information to address Reason for Refusal 2 (flood risk) and Reason for Refusal 6 (BNG). In addition, subject to the signing of the s106 Agreement Reason for Refusal 5 is also addressed.
- 2.11 This appeal therefore proceeds only in respect of Reasons for Refusal 1, 3 and 4.
- 2.12 This position is confirmed in the advanced Statement of Common Ground [[CD 1/5](#)].

Adopted Development Plan

Section 3

Introduction

3.1 This section of the assessment provides a brief overview of the relevant development plan policies and national approach relating to the delivery of retirement accommodation across Mid Suffolk and at a national level.

3.2 The adopted Development Plan Framework for Mid Suffolk comprises the following:

- Joint Babergh and Mid Suffolk Local Plan (adopted November 2023) [[CD 5/1](#)].
- Elmswell Neighbourhood Plan (made November 2023) [[CD 5/2](#)]

Babergh and Mid Suffolk Local Plan – Part 1 (November 2023)

3.3 The Local Plan Part 1 was adopted in November 2023 and sets out the council's strategic policies for development through to 2037. The introduction notes the subsequent production of a Part 2 plan which would consider the following elements:

- Settlement hierarchy;
- A spatial distribution for any housing allocations insofar as necessary to provide flexibility to ensure plan period housing requirements can be met;
- Housing requirement figures for Neighbourhood Plan areas;
- Settlement boundaries;
- Open space designations;
- An assessment of Gypsy, Travellers and Travelling Showpeople needs, and if necessary, allocations to provide for these needs;
- An assessment of Houseboat Dwellers' needs, and a relevant development management policy for houseboat dwellers, moorings and marinas;
- If demonstrated by monitoring to be necessary, mitigation to address the adverse air quality effects of traffic on the integrity of protected habitats sites; and
- Any other matters which are appropriately addressed in the Part 2 Plan in the light of the monitoring of the Part 1 Plan and the circumstances at the time.

3.4 It is common ground that the most important policies for determining this appeal are those referenced in the reasons for refusal, with a more comprehensive list of relevant policies provided in the advanced Statement of Common Ground.

SP03 – The Sustainable Location of New Development

- 3.5 This policy seeks to control the location of development and confine it within the settlement boundaries, whilst providing exceptions for those schemes that relate to sites outside of defined boundaries.
- 3.6 It is agreed that the proposals conflict with this policy insofar as the appeal site is not within the defined settlement boundary of Elmswell. However, the designations were to be reviewed as part of the Part 2 Plan and also need to be considered in the context of the success or not of delivering specialist housing through LP06 (not included in table 5 as an exception) within urban areas.
- 3.7 It is also explained within the Statement of Common Ground that Elmswell itself:
- “contains a number of services and facilities commensurate with its position within the sustainable village category in the adopted plan including a railway station, Co-Op food store, pharmacy, library, community centre, pre-school and primary school.”*
- 3.8 There is therefore conflict with this policy in that the appeal site is not in such a designated location. However, I consider that the policy should be afforded reduced weight given the identification of a need to review settlement boundaries in the now withdrawn Part 2 Plan and the failure of otherwise delivering sites such as the appeal scheme.

LP06 – Supported and Special Needs Housing

- 3.9 There is recognition through the local plan of the ageing population and the need to appropriately provide for their housing requirements. There is agreement within the Statement of Common Ground that there is a recognised level of need for both the proposed extra care accommodation and care home and that such provision should be afforded positive weight in the planning balance.
- 3.10 Policy LP06 refers to suitable locations only as being within settlement boundaries with good access to services and facilities, especially health services and public transport. There are other design criteria referenced.
- 3.11 The supporting text notes at paragraph 13.17 that:
- “The SHMA identifies that 1,005 additional specialist units will be needed in Mid Suffolk comprising of 755 sheltered housing, 73 enhanced sheltered housing and 176 extra care housing units. There is also an additional requirement for registered*

care (nursing and residential care homes). The SHMA identifies (up to 2036) there will be a requirement from 1,670 people in Mid Suffolk, which means an additional 1,004 registered care accommodation spaces will be required."

3.12 It then goes on to note at paragraph 3.18 that:

"It is also recognised that the numbers and type of specialised accommodation needed may depend on changes in patterns of demand and expectations it includes the following types of accommodation: residential institutions with care, including residential and nursing care homes; housing with care and support, including sheltered, enhanced sheltered or extra care housing; and, other housing identified for those with specific housing-related care or support needs, such as physical or sensory disabled people, people with learning difficulties, care leavers or people with mental health support needs. SCC are developing further accommodation typologies to respond to future care needs. It is considered suitable to plan towards this target currently with the knowledge that accommodation to be delivered should not be too prescriptive."

3.13 It is important to remember that the traffic movements and daily needs of an extra care village are very different from conventional housing. There is a lot less daily movement for residents and so a broader range of locations may be suitable, especially as operators of such villages find it hard to compete for land against conventional house builders. Therefore, it is very important for local authorities to give this form of development proper consideration in the planning process especially in terms of suitable and deliverable sites.

3.14 There is therefore conflict with this policy in that the appeal site is not in such a preferred location. However, I consider that the policy should be given limited weight by reason of the fact the policy fails to appropriately address the needs for specialist housing for the elderly, and the policy is failing to deliver specialist housing for older people.

LP15 – Environmental Protection and Conservation

3.15 This is a general policy seeking to ensure efficient and effective use of resources and land and appropriately consider matters of pollution control and water use.

3.16 This policy is consistent with the relevant provisions contained within the NPPF.

3.17 Although this policy was noted in the fourth reason for refusal no clear conflict was identified and it is notable that in the Statement of Case this has not been included in

the list of most important policies, albeit it is included in the more comprehensive list of policies in the SoCG.

- 3.18 Regardless of the position on this policy, on the basis of the evidence I have viewed I do not consider that the appeal proposals result in a conflict with the adopted development plan policy.

LP17 – Landscape

- 3.19 This policy sets out the landscape approach to protecting the distinct character of the area. It does not differentiate between the hierarchy of protected landscapes and is therefore a broad brush approach to considering effects on landscape.
- 3.20 The evidence of Mrs Ellinsfield confirms at paragraph 4.63 that:

“The LVIA also set out how the landscape strategy had been developed in response to the Site’s features, setting and surroundings, incorporating and reinforcing features that reflect its character and pattern, and in order to directly respond to the landscape character area’s guidance and design principles. The assessment demonstrated the limited extents of the likely effects (in scope and significance) upon identified landscape and receptors.”

- 3.21 It is her opinion therefore that the appeal proposals do not conflict with the policy requirements relative to landscape impacts.
- 3.22 On the basis of the evidence I have viewed I therefore do not consider that the appeal proposals result in a conflict with the adopted development plan policy.

LP19 – The Historic Environment

- 3.23 This is a general policy relating to all developments that affect the historic environment and is therefore to be read in the context of section 16 of the NPPF.
- 3.24 The evidence of Mr Copp reaffirms his position at the time of the application that the appeal proposals will result in less than substantial harm to the designated heritage assets, with that harm at the lowest level (see paragraphs 6.9 and 6.10 of his main Proof of Evidence). This therefore means the proposals are to be considered in the context of paragraph 215.
- 3.25 The position of the council is that whilst agreeing that there is less than substantial harm to the heritage assets the level of harm is higher at medium to low (see paragraph 5.17 of their Statement of Case).

- 3.26 On the basis of the evidence of benefits delivered by the appeal proposals I therefore do not consider that the appeal proposals conflict with this policy.

LP24 – Design and Residential Amenity

- 3.27 This is a general design policy against which all new developments must be assessed.
- 3.28 The policy is broadly consistent with the design advice contained within section 12 of the NPPF and therefore capable of being afforded full weight in the determination of the appeal.
- 3.29 This policy is only referenced in relation to landscape concerns by the council such there is considered no conflict with the principle matters of design relating to wider siting and design, space standards, privacy etc.
- 3.30 Noting my position on wider landscape matters pursuant to policy LP17, and the additional explanation provided by Mrs Ellinsfield in her evidence, I therefore do not consider that the appeal proposals result in a conflict with the adopted development plan policy.

Elmswell Neighbourhood Plan (made November 2023)

- 3.31 The Elmswell Neighbourhood Plan (hereafter referred as the ENP) was formally adopted in November 2023 following an examination in August 2023 and then a public referendum. It seeks to direct development within the neighbourhood plan area through to 2037.

ELM 1 – Planning Strategy

- 3.32 This policy seeks to control the location of development and confine it within the settlement boundaries aligning with policy SP03 of the Local Plan Part 1.
- 3.33 The policy makes provision for development in exceptional circumstances through paragraph 5.3 and a non-exhaustive list of such scenarios.
- 3.34 It is agreed that the proposals conflict with this policy insofar as the appeal site is not within the defined settlement boundary of Elmswell.

Policy ELM2 – Protection of Important Views

- 3.35 This is a landscape led policy seeking to protect key identified views.
- 3.36 The evidence of Mrs Ellinsfield sets out how the identified views were considered as part of the original LVIA [CD 2/18] and an updated assessment in relation to Important

View 4 following completion of recent major construction works. Her evidence reaffirms the position that the proposals would not be apparent in important views 1 and 2.

- 3.37 The additional assessment included in her Proof of Evidence relative to important view 4 further confirm that the scheme design:

“has sought to retain a field of view including the church and the landscape beyond towards Woolpit, as well as an appreciation of the church’s position above the valley.” (paragraph 4.68)

- 3.38 Noting my position on wider landscape matters I therefore do not consider that the appeal proposals result in a conflict with the adopted development plan policy.

Mid Suffolk Local Plan- Part 2

- 3.39 The Part 2 Local Plan was intended to provide for specific site allocations and detailed development requirements. However, as the council acknowledge at paragraph 54 of their SoC all work on this has been abandoned in favour of proceeding with a full review of the Joint Local Plan.
- 3.40 The reasoning behind this approach is due to the increased housing requirements following the NPPF update in December 2024 where for Mid Suffolk the housing numbers have increased from 535 per annum to 734 per annum.
- 3.41 The Joint Local Plan review is intended to be adopted by April 2029 as per the most recent Local Development Scheme published in March 2025.

Summary

- 3.42 In assessing compliance with the Development Plan, I have had regard to the case of *Cornwall Council v Corbett [2020] EWC Civ 508* and the Court of Appeal findings which confirmed the Council’s approach of identifying a policy conflict (which in that particular case was a conflict in respect of the harm to an Area of Great Landscape Value) but concluded that nevertheless there was compliance with the Development Plan as a whole. The Court of Appeal affirmed that Local Plan policies can pull in different directions and that it is a matter of planning judgement for the decision taker as to the weight to be given to policies and in determining compliance as a whole with the Development Plan.
- 3.43 This therefore confirms that the compliance with the Development Plan does not mean a required compliance with every individual policy, such that a failure to comply with

any singular policy of the Development Plan does not mean that the proposals are not in accordance with the Development Plan.

- 3.44 Whilst it is accepted that the appeal proposals are outside of a defined settlement boundary and thus in conflict with Policy SP03 and LP06 our position is that there has been a clear policy failure to demonstrate sufficient delivery of specialist older persons housing to meet a recognised need.
- 3.45 I conclude that the proposals comply with the up to date policies of the Development Plan when taken as a whole. It is on that basis that I consider that the appeal proposals should be granted permission in accordance with the approach of Section 38(6) of the TCPA 1990.

Other Material Considerations

Section 4

National Planning Policy Framework

- 4.1 In December 2024 the Government published the revised the National Planning Policy Framework (hereafter referenced as “NPPF”) [CD 4/1]. The NPPF is a material consideration in the determination of planning applications and appeals.
- 4.2 Paragraph 61 of the revised NPPF establishes that:
- “to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay” [my emphasis added].*
- 4.3 The revised NPPF retains the commitment to plan for and assess the housing needs of older people. Within the context of ‘delivering a sufficient supply of homes’ Paragraph 63 of the revised NPPF establishes that the size, type and tenure of housing needed for different groups in the community, including older people (as defined in Annex 2) and people with disabilities, should be assessed. The update now specifically defines older people as including:
- “retirement housing, housing-with-care and care homes.”*
- 4.4 Section 8 addresses promoting healthy and safe communities with paragraph 96 specifically highlighting the need to:
- “promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other” as well as to “enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.”*
- 4.5 Paragraph 99 sets out that such this can be addresses where schemes:
- “plan positively for the provision and use of shared spaces, community facilities...”*
- 4.6 Paragraph 115 acknowledges that in decision making it is necessary to consider whether proposals have sought to deliver appropriate opportunities to promote

sustainable transport, provide for safe and suitable access and mitigate any impacts on the transport network.

4.7 Paragraph 187 notes that:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);

b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services

...

d) minimising impacts on and providing net gains for biodiversity...”

4.8 Section 16 relates to the historic environment. Paragraph 207 establishes that:

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.”

4.9 Paragraph 212 goes on to note:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

4.10 Paragraph 215 is relevant to this appeal where it notes:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

National Planning Practice Guidance

4.11 The Government also published the National Planning Practice Guidance (hereafter referenced as “PPG”) [CD 4/2] in March 2014, and it has been subsequently updated,

the most recent updates being July 2019. It provides further guidance on the interpretation and application of the NPPF. The elements of the PPG of particular relevance are detailed below.

- 4.12 As of June 2019, the government introduced a new section of the PPG entitled 'Housing for older and disabled people.' This new section in part reinforces earlier messages within the PPG, whilst in other places it takes the guidance further. It sets out from the opening that:

"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." (Paragraph: 001 Reference ID: 63-001-20190626) [my emphasis added].

- 4.13 The guidance sets out clearly 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. For plan-making purposes, strategic policy-making authorities will need to determine the needs of people who will be approaching or reaching retirement over the plan period, as well as the existing population of older people." (Paragraph: 003 Reference ID: 63-003-20190626) [my emphasis added].

- 4.14 In order to determine the levels of need, the guidance sets out that:

"The age profile of the population can be drawn from Census data. Projections of population and households by age group can also be used. The future need for specialist accommodation for older people broken down by tenure and type (e.g., sheltered housing, extra care) may need to be assessed and can be obtained from a number of online tool kits provided by the sector, for example SHOP@ (Strategic Housing for Older People Analysis Tool), which is a tool for forecasting the housing and care needs of older people. Evidence from Joint Strategic Needs

Assessments prepared by Health and Wellbeing Boards can also be useful.”
(Paragraph: 004 Reference ID: 63-004-20190626).

- 4.15 When considering the task of addressing the specific needs within plans, the guidance states:

“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. They could also provide indicative figures or a range for the number of units of specialist housing for older people needed across the plan area throughout the plan period.” (Paragraph: 006 Reference ID: 63-006-20190626).

- 4.16 This section also provides guidance on the specific types of specialist forms of older persons housing that exist, which are:

“Age-restricted general market housing: *This type of housing is generally for people aged 55 and over and the active elderly. It may include some shared amenities such as communal gardens but does not include support or care services.*

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

Extra care housing or housing-with-care: *This usually consists of purpose-built or adapted flats or bungalows with a medium to high level of care available if required, through an onsite care agency registered through the Care Quality Commission (CQC). Residents are able to live independently with 24 hour access to support services and staff, and meals are also available. There are often extensive communal areas, such as space to socialise or a wellbeing centre. In some cases, these developments are known as retirement communities or villages - the intention is for residents to benefit from varying levels of care as time progresses.*

Residential care homes and nursing homes: *These have individual rooms within a residential building and provide a high level of care meeting all activities of daily living. They do not usually include support services for independent living.*

This type of housing can also include dementia care homes.” (Paragraph: 010 Reference ID: 63-010-20190626).

4.17 The section goes on to state that:

“Plans need to provide for specialist housing for older people where a need exists. Innovative and diverse housing models will need to be considered where appropriate.

Many older people may not want or need specialist accommodation or ...

Plan-makers will therefore need to identify the role that general housing may play as part of their assessment. Plan-makers will need to consider the size, location and quality of dwellings needed in the future for older people in order to allow them to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish.” (Paragraph: 012 Reference ID: 63-012-20190626).

4.18 In respect of decision making the guidance sets out clearly that:

“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”. (Paragraph: 016 Reference ID: 63-016-20190626).

Our Future Homes: Housing that promotes wellbeing and community for an ageing population

4.19 Although not planning policy guidance in the same way as the NPPF or PPG, this report from the Older People’ Housing Taskforce (hereafter referenced as “**OPTH**”) [CD 4/3] provides the most up-to-date macro position in relation to future policy when read alongside the Written Ministerial Statement (26 November) by Matthew Pennycook, Minister of State for Housing and Planning [CD 4/4].

4.20 The report itself sets out the need to amend the current planning policy framework to ensure that the sector can increase scale/output at pace to meet the needs of the ageing population. It notes in the executive summary that:

“[A]s our population ages, we need to expand these housing options – not just in variety, but in volume as well. Put simply, we need to offer senior citizens greater choice, particularly as their lifestyle and health needs evolve in later life. Ensuring suitable, accessible and affordable housing for later living is a societal obligation on which the current housing market falls significantly short.”

4.21 It then continues at page 8 stating:

“[W]e need to expand the market for the different models of OPH/LLH – incentivising greater investment to drive the development of new supply that is more affordable to the ‘lower to middle-affluence market’, both to buy, and importantly, to live in. We need to couple this with increased consumer awareness, confidence and demand for this housing, across all tenures.

But focussing on specialised OPH/LLH alone is not sufficient. We also need to ensure that mainstream housing better supports senior citizens to live well. We must focus on new build housing, but critically we must focus also on our existing housing stock.”

4.22 The report considers the case for new definitions to cover all forms of older persons housing (what it terms Later Living Homes), which are:

- *Mainstream homes/housing (e.g., existing, new build and adapted homes, rightsizing homes, bungalows, stacked bungalows with lift.);*
- *Community-led homes/ housing (e.g., Alms houses, Co-housing, collaborative housing, Shared Lives, home share.);*
- *Service-led homes/housing with support Supported living (e.g., sheltered homes, independent living or retirement apartments and sometimes bungalows.);*
- *Service-led homes/housing with care Assisted living (e.g., extra care, assisted living, integrated retirement communities, retirement villages.); and*
- *Care homes (e.g., residential and nursing homes.)*

4.23 The WMS specifically notes:

“There is rightly significant national interest in the Taskforce’s findings.”

4.24 It then continues:

“The Government recognises the importance of increased supply and improving the housing options for older people in later life, and we will give careful consideration to the many recommendations set out in the report.”

4.25 It concludes on the lines of:

“The Government is committed to helping older people to live comfortably and independently at home for as long as possible.”

4.26 Other materials considerations are set out in [Appendix 1](#) to this statement, listed in date order.

Benefits/Material Considerations weighing in favour of the proposal

Section 5

- 5.1 The following factors are all considered to be specific benefits that are secured through the delivery of specialist accommodation for older people.

Scale of need for specialist housing

- 5.2 The council accept in its Statement of Case [CD 1/4] that there is a need to deliver further specialist housing for older people but has failed to grapple with the scale to date and therefore to properly assess the weight to be attributed to this factor.
- 5.3 It is however important to record that the delegated report [CD 3/1] makes no mention of the scale of the need, the lack of supply, the scale of the issue, nor the assessment of the weight to be attributed to the need.
- 5.4 Included as Appendix 2 to this Proof of Evidence is an Elderly Persons Needs Assessment undertaken to demonstrate the scale of need now, as well as future requirements for 2027 and 2040.
- 5.5 The only evidence for the council on need is that which is included in the 2017 SHMA [CD 7/1 & 7/2], which is now extremely dated, demonstrating a need through to 2036 for 176 extra care units and 1004 care bed spaces over the same period.
- 5.6 The assessment undertaken for this appeal demonstrates the current provision of extra care and close care units to be 160 in total with a significant shortage of leasehold accommodation (only 20 units in total). At the time of undertaking that assessment and preparing this proof there appear to be no pipeline sites for future provision save for this appeal.
- 5.7 The assessment in support of this application indicates that the combined requirements (social rent and leasehold) for extra care accommodation would be a further 536.5 units by 2027, or 734.5 units by 2040. This is only for those aged 75 and over and therefore makes no provision for those aged 65 to 74.
- 5.8 In regards care home provision, the pipeline supply is marginally better with 75 care beds approved and capable of being delivered with three further undetermined applications.

- 5.9 When accounting for possible pipeline provision, the future cumulative care bed requirements are shown to be 893 beds by 2027 or 1,377 by 2040. This provision does not take into account the potential discounting of supply based on qualitative reasons attributed to either shared rooms or lack of en-suite facilities.
- 5.10 The scale of need as demonstrated by the assessment, both in 2027 and 2040, is considerable and must be viewed in the context of the PPG and identification of critical need.
- 5.11 Having demonstrated that there is a clear need for increased provision of this form of specialist housing for older people, as agreed by the council, it is important to consider the degree of weight that should be given to the benefit.
- 5.12 The matter of weight to be afforded to the provision of specialist older persons housing has been considered at length in the context of numerous planning appeal decisions, both in the context of those approved and dismissed. Relevant summaries are set out in [Appendix 3](#) but below in tabulated form is the relevant information pertaining to each appeal.

| Site | Date | Pins ref: | Nature of scheme | Weighting |
|--|-------------------------|--|---|---|
| Land to the rear of 237-259 London Road, West Malling | 19/12/2018 | APP/H2265/W/18/3202040 [CD 6/1] | 79 extra care units | Substantial weight |
| Beechmoor Garden Centre, Whitchurch Road, Great Boughton | 17/07/2019 | APP/A0665/W/18/3203413 [CD 6/2] | 110 extra care units | Very substantial weight and/or significant weight |
| Land to the east of Reading Road, Lower Shiplake | 14/10/2019 | APP/Q3115/W/19/3220425 [CD 6/3] | 65 extra care units | Significant weight |
| Land to the rear of Burston Garden Centre North Orbital Road, Chiswell Green | 09/01/2020 | APP/B1930/W/19/3235642 [CD 6/4] | 64 bed care home and 125 extra care units | Substantial weight |
| | 31/01/2022 | APP/B1930/W/21/3279463 [CD 6/5] | 124 extra care units | Very substantial weight |
| Homebase Site, New Zealand Avenue, Walton on Thames | 21/06/2021 | APP/K3605/W/20/3263347 [CD 6/6] | 222 extra care units | Considerable weight |
| Little Sparrows, Sonning Common | 25/06/2021 | APP/Q3115/W/20/3265861 [CD 6/7] | 266 extra care units | Significant weight |
| Homebase Site, Pines Way, Bath | 02/09/2021 | APP/F0114/W/21/3268794 [CD 6/8] | Extra care units | Substantial weight |
| Royal Cambridge Home, 82-84 Hurst Road, East Molesey | 18/10/2021 | APP/K3605/W/20/3257109 [CD 6/9] | 32 bed care home and 60 extra care units | Substantial weight |
| Kent & Surrey Golf Club, Crouch House Road, Edenbridge | 02/11/2021 | APP/G2245/W/21/3271595 [CD 6/10] | Extra care units | Very significant weight |
| 163-187 High St, Bottisham | 07/04/2022 & 13/02/2024 | APP/V0510/W/21/3282241 [CD 6/11] & | Extra care units | Substantial weight |

| | | | | |
|--|------------|--------------------------------------|---|-----------------------------|
| | | APP/V0510/W/23/ 3324141 [CD 6/12] | | Very substantial weight |
| Land South of Arlesey Road, Stotfold | 31/08/2022 | APP/P0240/W/21/ 3289401 [CD 6/13] | Extra care units | Significant weight |
| Land at Sandown Park, Royal Tunbridge Wells | 02/09/2022 | APP/M2270/W/21/ 3289034 [CD 6/14] | 180 extra care units | Positive weight |
| Land off Coombe Road, Norbiton | 02/11/2022 | APP/Z5630/W/22/ 3293957 [CD 6/15] | 128 extra care units | Substantial positive weight |
| Land West of Wroslyn Road, Freeland | 18/01/2023 | APP/D3125/W/22/ 3301202 [CD 6/16] | 160 extra care units | Significant weight |
| Land off Ellesmere Road, Hencote | 02/03/2023 | APP/L3245/W/22/ 3306381 [CD 6/17] | 75 bed care home and 164 extra care units | Substantial weight |
| Land to the south & east of the former Chimes Garden Centre, Nazeing | 11/11/2024 | APP/J1535/W/24/ 3342224 [CD 6/18] | 65 extra care units | Significant weight |
| Land East of Vicarage Road, Sunbury-on-Thames | 22/11/2024 | APP/Z3635/W/24/ 3342657 [CD 6/19] | 60 bed care home and 164 extra care units | Very substantial weight |
| Land South of Leighton Road, Stanbridge | 24/12/2024 | APP/P0240/W/24/ 3347529 [CD 6/20] | 66 bed care home and 99 extra care units | Moderate weight |
| Former North Hill Sawmill Yard, Baddesley Road, Chandlers Ford | 04/03/2025 | APP/C1760/W/23/ 3328784 [CD 6/21] | 65 bed care home or 48 extra care, and 101 extra care units | Positive weight |
| Former Hook Estate and Kennels, Coopers Lane Road/Firs Wood Close, Northaw | 25/03/2025 | APP/C1950/W/24/ 3354772 [CD 6/22] | Extra care units | Substantial weight |

5.13 I therefore consider that the scale of need is a factor that should be afforded substantial weight in the determination of this appeal.

Health and wellbeing benefits

5.14 There is an abundance of evidence of the beneficial impact on public budgets and residents themselves.

5.15 Investment in on-site care and support services can help to relieve pressures on publicly funded hospital and social care services in the locality. In a period of financial constraint, the potential cost savings to the public purse cannot be ignored. According to the APPG reports, residents of Extra Care type developments benefit from improvements to their health and well-being and spend less time in hospitals as a result on living within a specialist scheme. Although the referenced study only concerned McCarthy and Stone properties it stated that:

- *More than eight in ten residents reported that they generally feel happier in their new home.*

- *Almost 45% of residents reported having better or much better contact with family and friends; a further 48% reported no change.*
- *Residents reported spending less time in hospital and nearly a third felt that their health had improved since moving.*

5.16 A report from the Institute of Public Care, part of Oxford Brookes University, reviewed the impacts of health gain amongst other matters from Extra Care schemes noting that:

- *Extra Care produced considerably lower rates of mortality than a matched sample in care homes. For example, the expectation was that 50% per cent of the residents aged 65 or over would have died by 32 months. In fact, among the residents aged 65 or over who were followed up over the full period of 30 months, only 34% had died.*
- *Extra Care housing is associated with a reduced level of expected nights spent in hospital.*
- *A significant proportion of those who enter extra care housing with care needs, or those who enter with no care needs [being the partner of a resident with the care needs on entry] but subsequently experience a decline in health, will go on to experience an improvement in their health corresponding to a reduction in the care package received.*
- *About 8% of residents in Extra Care housing in this study enter institutional accommodation from Extra Care housing after five years of residence. Compared to those living in the community in receipt of domiciliary care, those in Extra Care housing are less likely to enter institutional accommodation.*

5.17 When considering the impacts on hospital stays it reported that:

"Only 21% of residents had received inpatient care over the last year. Health benefits for residents included fewer overnight stays in hospital and residents felt it easier to return home since moving to Extra Care housing (this finding is important because of the high costs of in-patient care). Over half (54%) of residents had received no outpatient treatment (of those that did, the mean number of visits was 1.7 times per year); and 13% had not needed to visit their GP in the last year."

5.18 Of course, it must be recognised that in some cases the length of stay in hospital may be longer, but this must be linked with admissions being for more serious conditions.

5.19 Aston University research, undertaken alongside the ExtraCare Charitable Trust (2015), identifies that such schemes result in considerable cost savings to local authority care budgets without any reduction in individual care provision for the resident. The key findings of this report noted that:

- *The ExtraCare Charitable Trust model can result in significant savings for NHS budgets - over a 12 month period costs total NHS costs (including GP visits, practice and district nurse visits and hospital appointments and admissions) reduce by 38% for Extra Care residents who were in the sample across the period.*
- *NHS costs for 'frail' residents had reduced by 51.5% after 12 months.*
- *Use of the Extra Care Well-being Service, which provides accessible, relatively informal (drop-in) support, for preventative health-care and ongoing day-to-day chronic illness care increases over the period. At the same time (although not directly related on an individual level), there is a significant reduction in pressure on local GP surgeries, with a 46% reduction in residents' routine or regular GP appointments in year one, supporting the drop-in model.*
- *The Extra Care model is likely to offer significant potential savings in the cost of social care for local authority commissioners.*
- *The cost of providing lower level social care using the Extra Care model was £1,222 less per person (17.8% less) per year than providing the same level of care in the wider community (on average, with variation by local authority) and the cost of higher level social care was £4,556 less (26% less) per person per year).*

5.20 The potential savings to the social care budget has been set out in the Housing LIN Case Study 129 concluding that average savings to adult social care in home care costs was £2,400 per person per year for residents moving into Extra Care accommodation.

5.21 A more recent report published by the Select Committee on Intergenerational Fairness and Provision, who were commissioned by the House of Lords to consider wider social implications of policy changes.

5.22 The report acknowledged written evidence ARCO that stated:

"The cost of providing lower level social care in a Retirement Community has been found to be £1,222 (17.8 per cent) less per person per year than providing the same level of care in the wider community. The cost of providing higher level social care has been found to be £4,556 (26 per cent) less per person per year. NHS costs reduce by 38 per cent for those moving into Retirement Communities, an

average saving of £1,114.94 per person per year. This relates to GP visits, nurse visits, and hospital visits."

- 5.23 A report commissioned by the Royal Institute of British Architects and Centre for Towns in 2019 stated that:

"The current cost to the NHS of inappropriate housing for people over 55 is estimated to be £624million per year in treatment alone. This does not account for the long-term impact that an accident in the home can have, with the likely long-term ramifications of an accident becoming more significant the older the person involved. Projecting out over the next twenty years, this cost is likely to rise significantly to nearly £1billion per year by 2041."

- 5.24 The issue of cost savings was then also assessed in the context of a report commissioned by Southampton City Council with the aim to:

"investigate the impact of housing with care on health care systems and any associated evidence of the benefits to the health care system that derive from housing with care."

- 5.25 When considering the impact of such specialist schemes can have on GP services the report concludes under section 2.1 that:

"there is evidence to suggest that housing with care can have a positive impact in terms of reducing the number of GP visits made by housing with care residents."

- 5.26 Similar positive impacts were also found in connection with community nursing services (section 2.2) and non-elective admissions to hospital (section 2.3). The positive impacts on length of stay in hospital were also acknowledged in section 2.4 of the report.

- 5.27 Section 3 of the report looked at the financial health care benefits of specialist housing for older people referencing several existing research documents. This report set out in table 2 (copied below) that:

| Health care system benefit measure | Financial cost-benefits (per housing with care resident per year) |
|--|---|
| Reduction in the number of GP visits | £144.78 |
| Reduction in the number of community health nurse visits | £362.55 |
| Reduction in the number of non-elective admissions to hospital | £624.11 |
| Reduction in length of stay and delayed discharges from hospital | £465.30 |
| Reduction in ambulance call outs, typically linked to reduced incidence of falls | £380.00 |

| | |
|--------------|------------------|
| TOTAL | £1,976.74 |
|--------------|------------------|

(Source: Identifying the health care system benefits of housing with care (2019))

- 5.28 The reasons for this linkage are inextricably linked with specially designed enabling environments resulting in less trips and falls, the availability of support enabling hospital stays to be avoided and a more rapid return home where they are necessary, a healthy environment with opportunities for healthy recreation, and social engagement etc all to ensure residents remain physically and mentally healthy. Loneliness is one of the largest factors in decreasing health and well-being and providing a safe environment in which people have access to social networks has a huge benefit.
- 5.29 Furthermore, there are equivalent reductions in the use of GP drop-in facilities and the length of stay in hospital for unplanned events. Extra Care therefore reflects an enhanced level of care provision for the individual alongside a cost saving to the NHS and social care bill. The impact of reduced admission rates was explored by the International Longevity Centre UK (hereafter referenced as "ILC") in partnership with the ExtraCare Charitable Trust and then updated by the Aston university report (2015) in which they set out that for Extra Care residents unplanned hospital admissions reduced from 8-14 days to 1-2 days per year compared to similar residents living within the wider community. The report also demonstrated that over a 12-month period total NHS costs (including GP visits, practice/district nurse visits and hospital appointments and admissions) for residents within Extra Care reduced by 38%. Similarly, routine GP appointments for Extra Care residents fell by 46% after living as part of a scheme for a year.
- 5.30 A further report ILC makes reference to research that identified that Extra Care housing residents were far less likely to enter residential institutions than a comparable sample of people in the community receiving home care services concluding that:
- "Extra Care housing does appear to be a promising option for helping older people remain living independently in their own homes for longer under these schemes."*
- 5.31 Residents of similar schemes often report that they long resisted moving to any kind of retirement or care housing, preferring to stay in their existing home, but having done so the majority wish they had made the move much sooner, in light of the enhanced quality of life they experience. In hindsight, the difficulties presented by living in and managing an unsuitable home greatly outweigh the natural sentimental attachment.
- 5.32 There is a wealth of evidence published that sets out the social and financial implications for providing specialist retirement housing. A report published by the

APPG looking into the affordability of retirement housing noted that due to the high percentage of owner occupation amongst the over 60s (83%, of which 64% own their property without a mortgage) there is more than £1 trillion of housing wealth owned by this group.

- 5.33 The role of Extra Care housing in meeting the healthcare and wellbeing needs of older people, whilst also delivering a saving on the NHS/Social care bill for authorities cannot be underestimated.
- 5.34 A report by Keepmoat Regeneration highlighted the cost savings through care efficiencies and the reduced prevalence for institutional care as a direct consequence of receiving care and support within the individuals own home.
- 5.35 As opposed to creating a financial burden as a result of the concentration of older people in certain locations the research tends to suggest the opposite in that there are benefits to these forms of development. It is important to also acknowledge that a significant proportion of residents of such specialist schemes are from within a relatively local catchment area to the schemes and are therefore already in the area and would be better homed.
- 5.36 Evidence therefore demonstrates that such schemes represent significant benefits to individuals and to society as a whole, delivering cost and efficiency saving on stretched NHS and Adult Social Care funds. By implication, a failure to meet this need will mean that more people continue to be inappropriately housed and suffer from all the attendant problems due to an inadequate provision of accommodation. This therefore puts increased pressure on both the NHS budgets as well as social care budgets.
- 5.37 Of course, that is not to say that providing care to residents in their existing home or community is not capable of delivering similar benefits on a smaller scale. However, the costs of providing such care and support will inevitably cost more to the disbursed pattern of households needing the care and support which do not exist within bespoke CCRC type developments.
- 5.38 More recently the OPTH [CD 4/3] set out in the introduction the general vision for older persons housing, noting at page 17:

"We need to "promote wellbeing". Prevention is better than cure. Helping senior citizens to live fulfilling lives in safe environments will help them live well longer and keep them out of hospital. ..."

- 5.39 This was then reflected in the accompanying WMS [CD 4/4] where the Minister of State for Housing and Planning stated:

"Providing a range of safe, suitable housing for older people in later life helps them live independently, safely and well, for longer. It can enhance the wellbeing of our senior citizens and reduce demand on adult social care services and the National Health Service."

- 5.40 It is relevant to consider how this element has been considered in recent appeal decisions, which are now set out below.

- 5.41 In the context of an appeal in West Malling [CD 6/1] the Inspector noted at paragraph 43 that:

"I acknowledge the Appellant's evidence, which the Council does not dispute, that the development would be likely to provide health and well-being benefits including: the care package; monitoring of the residents' well-being; facilities to encourage activity and mobility; and reduced isolation. The on-site support would be likely to reduce the need for residents to make use of primary health care services or social services as well as relieving pressure on hospital bed-spaces. Whilst local residents report current pressures on GP services in West Malling, the Appellant's evidence suggests that such pressures are to be addressed as part of new provision of services at Kings Hill, whether or not the appeal proposal goes ahead."

- 5.42 The Inspector then went on to state at paragraph 66 that:

"I accord significant weight to the health and well-being benefits for the future occupiers of the development."

- 5.43 In a later appeal for a scheme at Lower Shiplake [CD 6/3] the Inspector noted at paragraph 59 that:

"In terms of the benefits that derive from the provision of extra care housing these are not significantly challenged. There would be an advantage to the future residents of the development as the specialist housing would provide for a range of lifestyle facilities for social, cultural, educational and recreational activity. There is access to a range of services and care that can respond flexibly to the needs of the residents. There are advantages to health providers as the care needs of residents can be changed dependant on circumstances which can facilitate earlier discharge from hospitals as support in the home can be easily organised, this has

obvious cost advantages. Care provision at this point can also reduce the need for admissions to hospital and other pressures on GP and A&E services...Given the reasonable scale of this development I give these benefits derived from the occupation of this development significant weight."

- 5.44 In the context of the Sonning Common appeal [CD 6/7], the Inspector there commented at paragraph 112 that:

"the health and well-being benefits of the appeal proposal should also be recognised and given significant weight. Such benefits to elderly people are entirely obvious. I accept that such health and care benefits apply and also that they are separate from housing delivery. The benefits specialist housing for older people can bring include addressing concerns about suitable supervision, frailty, care, assistance, recreation, loneliness and isolation."

- 5.45 In the context of the St Albans [CD 6/4] appeal case the inspector noted at paragraph 70 that:

"The previous Inspector gave substantial weight to health and well-being benefits and the parties both maintain this same weighting. A number of documents have been provided with this appeal setting out the various benefits of specialist extra care accommodation. This includes supporting the physical and mental health of residents, providing independence for longer, and reducing financial and resource burdens on the health system. All of these benefits can be achieved with this development and so I concur that substantial weight can be given to this consideration."

- 5.46 In a more recent case of a scheme in Bottisham [CD 6/11] the Inspector considered the matter of need and health/well-being in the round and concluded at paragraph 73 that:

"Overall, due to the acute, growing, and unmet need for older persons accommodation generally, and extra care accommodation specifically, as well as the additional benefits of retirement care village on improved health for occupiers, I place substantial positive weight on the proposed use class C2 accommodation."

- 5.47 The matter of health and wellbeing benefits is therefore capable of being afforded significant weight in the overall planning balance.

Wider social benefits

- 5.48 The NHS refers to loneliness on their website stating that hundreds of thousands of elderly people are lonely and cut off from society in this country, especially those over the age of 75. This is further backed up by Age UK who have published a report relating to loneliness which linked loneliness with a 40% increased risk of dementia, premature death, and mental health conditions.
- 5.49 The range of social activities typically offered within Extra Care schemes is vital in improving social interaction and the quality of life for many residents with impaired mobility who often struggle to get out of the house. For some this can act as preventive and rehabilitative care, reducing depression and the fear of crime. This has a wider social impact relieving pressure on health and social care services in the area.
- 5.50 An ILC report written on behalf of Housing LIN specifically considered the role of Extra Care housing in tackling social isolation. In the introduction to the report, it stated that:
- "reducing levels of social isolation and loneliness by way of living in Extra Care housing could indirectly lower levels of dependence on state funded services."*
- 5.51 The report references previous studies that have demonstrated the social lives and relationships of older people strengthen as a direct result on moving to Extra Care housing, subsequently reducing the risk of loneliness. This is to do with greater social interaction through activities on-site as well as interaction with people of shared ages and experiences. The staff and wider environment of Extra Care housing have significant roles to play in improving the mental health, quality of life and social wellbeing of residents.
- 5.52 The fourth HAPPI report focusses on the specific challenges that older people within rural communities' face in regard to their independence and wellbeing as they age within their homes that may prove to be unsuitable.
- 5.53 The foreword of the report was written by Lord Best and noted that:
- "Our underlying concern is with the growing numbers of older people in rural communities who will face a huge challenge to their independence and wellbeing if their homes are no longer suitable... Our recommendations, therefore, seek to remove the barriers to more and better homes for the ageing population in rural areas."*
- 5.54 The 2018 report reflected on the previous report 'Housing our Ageing Population: Positive Ideas' from 2016, noting that:

"there was still an urgent need to transform supply and scale-up delivery. It may come as no surprise that, two years on and in our focus on rural housing for older people, we have reached similar conclusions."

5.55 The report clearly set out that:

"the ageing population in rural areas deserves a new drive for more and better homes, preferably where older people can stay close to friends and family - and the informal networks they provide - and always where the independence can be preserved."

5.56 It confirmed that the requirement to deliver such specialist housing should be an integral part of national housing strategy and the development plan process.

5.57 Lord Best, Chair of APPG, Rural Housing for Ageing Population 2018 Inquiry said:

"For all the many advantages of living in the countryside, life can be pretty miserable if your home is no longer right for you: if you can no longer manage the steps and stairs, if maintaining the property is costing too much, if keeping warm is a trial and your energy bills a nightmare, if you can no longer tend the once-beautiful garden. Indeed, if you need some support - and some company - but if these are not to hand, then country living can be tough."

5.58 Dominic Raab MP, then Housing Minister, 13 March 2018 stated:

"Our Inquiry has concluded that the ageing population in rural areas deserves a new drive for more and better homes, preferably where older people can stay close to friends and family - and the informal networks they provide - and always where the independence can be preserved."

5.59 In 2019 the APPG published a further report reviewing accessible homes for older people. The report highlights that:

"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."

5.60 It considers the linkages between housing, health, and care recognising that there are:

"links between living in unsuitable accommodation and increased feelings of social isolation and loneliness among older people."

5.61 A report for Homes for Later Living has considered the recent effects of COVID-19 stating that:

"For older people, specialist developments can be the key to a happy and healthy retirement. During the pandemic, specialist retirement housing kept many older people safe, with residents better protected against COVID-19 than in wider society. And with residents less likely to be admitted to hospital and require further care than people in mainstream housing, we have seen how this type of accommodation can generate fiscal savings to the NHS and social care services."

5.62 The report then went on to note that:

"But many older people are now living in care homes that were badly hit during the pandemic. Many more are in family-sized homes that are not suitable for their needs. Often those in later life find themselves stuck in properties that are remote from shops and services, hard to maintain and away from friends and family."

5.63 I afford the social benefits arising from the delivering of such specialist housing significant weight.

Freeing up of family housing

5.64 Initiatives announced by the Government through the Housing and Planning Bill demonstrates that it is serious about increasing housing supply to address the chronic shortage of homes in the UK, but it is important to ensure that this new supply delivers the right kind of properties that genuinely meets the needs of our population. Whilst measures to help young people get on the property ladder and build more homes for them are vitally important simply increasing the numbers of starter homes is not the absolute solution to the housing crisis, particularly when we have an ageing population. Older people can hold the key to solving the housing puzzle, by downsizing into smaller properties, and freeing up the larger family homes they no longer need.

5.65 An acknowledged benefit of the proposal is that it has the potential to free-up homes in other sectors of the housing market, for example, in releasing family accommodation. Residents moving into proposed Extra Care accommodation often 'downsize' from larger dwellings, and the proposals therefore contribute to ensuring that the right levels of other housing types are provided.

5.66 Furthermore, as set out earlier in this report the evidence indicates that the majority of residents will move from within a 5 mile radius to a specialist retirement community as opposed to a move from further afield, such that the benefits from the release of under occupied larger family housing accrues to the local area as opposed to neighbouring authorities or wider afield.

- 5.67 Recognition of the benefits of downsizing enabled through the construction of retirement and care housing can be found within the PPG at Paragraph: 037 Reference ID: 3-037-20150320 which states that:

"In decision-taking, evidence that development proposals for accessible and manageable homes specifically for older people will free up under-occupied local housing for other population groups is likely to demonstrate a market need that supports the approval of such homes."

- 5.68 This reflects the previous text in the white paper in 2017, in which it states at paragraph 4.43 that:

"Helping older people to move at the right time and in the right way could also help their quality of life at the same time as freeing up more homes for other buyers. However, there are many barriers to people moving out of family homes that they may have lived in for decades. There are costs, such as fees, and the moving process can be difficult. And they may have a strong emotional attachment to their home which means that where they are moving to needs to be very attractive to them and suitable for their needs over a twenty to thirty year period. There is also often a desire to be close to friends and family, so the issues are not straightforward."

- 5.69 The August 2020 report for Homes for Later Living set out in the foreword by Damian Green MP that

"the Chancellor and the Secretary of State should also consider measures to encourage the building of more private retirement housing. This approach could help older and younger buyers, with the research in this report showing that building more specialist retirement housing can stimulate both ends of the market. We can see that if all of those people 65 or over who want to move were able to do so, in time this would free up nearly two million spare bedrooms, predominantly in three bed roomed homes with gardens, which are ideally suited for young families with children. The chain impact would then help first time buyers, with the research suggesting that for every three new retirement homes sold, two first time buyer homes would become available. A significant number of people over the age of 65 would like to downsize into more suitable accommodation, yet they are unable to do so. This causes a bottleneck in the housing market that ripples down to first time buyers who are prevented from becoming part of the property-owning democracy. Without action now, with an ageing society, the problem is only set to get more acute across the UK."

5.70 In the main body of the report, it states that:

"every Homes for Later Living property sold generates two moves further down the housing chain, and in certain circumstances this may be more. This frees up homes at differing stages of the housing ladder for different demographics. A typical Homes for Later Living development which consists of 40 apartments therefore results in 80 additional moves further down the chain. If 30,000 later living properties were built per year (10 per cent of the Government's overall housing target) this would mean 60,000 or more additional house moves are facilitated each year."

5.71 As the white paper acknowledged, the lack of suitable housing is not the only barrier to encouraging older people to move to such accommodation, all too often it is also an issue of mindset and leaving a family home with memories.

5.72 Downsizing (or the more preferred term now being 'rightsizing' which still has the same meaning) should be regarded as a positive move to ensure that future care needs as well as the social support is available when it is most needed. The Intergenerational Foundation published a report called in 2012 and stated in the foreword that:

"Downsizing allows young families to enjoy the space they need to thrive, and frees older generations from the tyranny of cleaning, upkeep and unwieldy gardens. It should be a win, win situation for those people who wish to consider it".

5.73 A move to a bespoke property also provides opportunities to deliver additional cost savings related to maintenance and utility bills. Residents of Extra Care schemes pay for the general maintenance of the exterior of their building and grounds through the annual service charge spread amongst all properties such that costs are typically significantly reduced. A factsheet prepared for Age UK set out what the service charge for schemes typically relates to and identified charges of between £1,500 to £3,000 a year for a one-bed flat, noting that within some luxury schemes the charges could be in excess of £10,000 a year.

5.74 In respect of the properties, these are largely more energy efficient therefore again reducing utility bills. The issue over cold housing can also link with social isolation, as discussed above.

5.75 The report by the International Longevity Centre states that:

"An objective of Extra Care housing is to provide older people with an alternative option to staying at home as their need for care and support increases as well as to avoid or at least delay for as long as possible moves into institutional or residential care settings. Part of the philosophy is to provide older people with greater independence as they age and greater choice over their options as care becomes a more important consideration."

- 5.76 Importantly this report also refers to previous research indicating that when making the move to a housing with care scheme the:

"decisions appear primarily to be the result of proactive planning rather than a passive reaction to emergent care needs. This seems particularly true for moves into retirement villages compared to smaller housing and care schemes."

- 5.77 The release of equity from the family home is an important consideration not just in freeing up equity in later life, but more so now in terms of assisting the younger generation to get onto the property ladder.

- 5.78 The report by Manchester School of Architecture investigated the housing issues that face older people particularly. In the forward by Andy Burnham, Mayor of Greater Manchester, he states that:

"In Greater Manchester we recognise the challenge that younger people face in finding good quality housing, but it is vital that our housing strategies recognise not just the inequalities between generations but the inequalities within generations."

We need to make sure that, as we grow older, we are not denied the same opportunities and life choices as others simply because of income, tenure, or where we live."

In the next 25 years, the proportion of households where the oldest person is aged 85 or over will grow faster than any other age group. And if we do not ensure diverse, accessible, age-friendly homes are available across the city region, increasing numbers of us will find ourselves trapped in homes that are not appropriate for us as we age."

In Greater Manchester, 85% of the housing that will exist by 2035 has already been built, much of which does not meet the changing needs or aspirations of our older residents. We need to develop innovative new approaches to ensure that new housing is both attractive and within reach of those who wish to move, and

that programmes are in place to support those who want to remain in their current homes."

5.79 The report goes on to recognise that:

"The envisioned benefits of downsizing include firstly, the release of larger properties into the housing market thereby increasing supply in the midst of the current crisis. Secondly it is assumed that these moves can and will be made into properties which are designed to be accessible and adaptable - enabling 'ageing in place' without further increasing demand for specialist housing support."

5.80 Importantly, this report focussed on a different approach to rightsizing stating that:

"Our working definition of rightsizing is that it is an older person's active, positive choice to move home as a means of improving their quality of life."

5.81 This is considered the most appropriate term as it provides no indication of a 'push' to encourage people to give up their family homes in order to benefit the wider housing market but more as a means of improving their own quality of life. This is important when considering that the report highlights that just 3.4% of people aged 50+ move each year, whereas for those under 50 the percentage is more than double (it should be noted that the report also confirms that within this range those aged 70-74 are the least likely to move at only 2.4%). This in part reflects the more recent initiatives from the government such as 'help to buy' and stamp duty relief for first-time buyers.

5.82 When referring to downsizing the report noted that from its research only 47.2% of moves were to smaller properties in terms of rooms, with most only reducing their property by one room.

5.83 A 2014 report for the All-Party Parliamentary Group on Housing and Care for Older People stated that:

"Around two thirds of residents currently living in retirement properties have moved from homes with three or more bedrooms. This means that for every 5,000 retirement units sold, property to the value of around £1.1bn would be released into local housing markets."

5.84 The report went on to state that there was the potential to free up 3.5 million homes of which more than 2 million were 3-bedroom properties if sufficient suitable accommodation for older people were provided. This would then have a net positive impact on the wider housing market, as now recognised in the PPG and previously in the Housing White Paper.

- 5.85 This has been reflected in the recent August 2020 report for Homes for Later Living in which it states that:

"in many cases, older people are living in larger family houses with plenty of spare rooms. According to the 2011 census, there were 22.1 million households in England at that time and there are 23.2 million today according to the official household projections. Of these households, most (41 per cent) occupied three-bed homes. A further 40 per cent occupied one or two-bed homes, while 19 per cent occupied four-bed (or more) homes."

- 5.86 It went on to then note that

"the average home occupied by those aged 65 or over in England has 2.5 bedrooms, whereas the average home occupied by those under the age of 65 in England has a similar 2.8 bedrooms. So, these older households which typically use only one bedroom have nearly as many bedrooms as younger households which typically use more bedrooms."

- 5.87 This enabled the report to determine that:

"Using a combination of census 2011 and the latest ONS household projections we can reliably estimate that 2.5 million of 3.9 million homes owned by people aged 65 or over, or 64 per cent, are under-occupied under the standard definition. This compares to just 41 per cent under-occupancy for under 65s who are homeowners."

- 5.88 A 2017 report by DEMOS focussed on the challenges to delivering more specialist housing for older people to address the broken housing market referred to in the February 2017 housing white paper. The report stated that:

"More recent analysis of McCarthy & Stone developments by the Housing LIN (Learning and Improvement Network) found that a typical 41 unit development generated an additional 92 housing sales in the local market - showing a clear housing 'chain effect'. When investigating a sample of 19 housing chains generated by moves into a development, the Housing LIN found 11 of the 19 generated opportunities for first time buyers, while eight generated opportunities for families with children."

- 5.89 The report commissioned by the Royal Institute of British Architects and Centre for Towns in 2019 stated in the foreword that

"This [is] a problem for those who face growing old in a house that is not suited to how they want to live. Moreover, people staying put for longer in unsuitable family-size homes has contributed to a supply-driven housing crisis that has excluded millions from the stability of home ownership or secure tenancy. We can no longer go on building more of the same we need to recognise the changing circumstances we face and act accordingly by mainstreaming age-friendly design considerations in our homes and the planning system."

5.90 It went on to state in the executive summary that:

"The data produced for this report illustrate that focussing on delivering homes for the underserved older market has the potential to free up a substantial amount of family-sized housing in this country, as well as restore some much-needed variety to a largely homogenous housing market. Older people should not feel pressured to move home if they do not want to. Nevertheless 'rightsizing' - encouraging people to move to a home better suited for their needs - should be supported, with a better offer of accommodation at the right size in the right location, well connected to public transport and social amenities."

5.91 More recently a report prepared by Professor Les Mayhew considered the issue of failing to provide enough appropriate housing for the over-65s suggesting that:

"The result - if nothing is done - is a housing market heading for 20 million 'surplus' bedrooms by 2040, nearly two thirds of them in homes occupied by the over-65s."

5.92 Moreover, the report identifies that despite the demographics demonstrating that each year approximately 180,000 over-65s households are created each year we are presently building approximately 7,000 units a year on average.

5.93 The report recognises the barriers to moving for older people and the problems in the current focus to improve the housing market. It states:

"that UK housing policy should focus as much on 'last-time' buyers as it does on first-time buyers. Downsizing holds the key to this, which means removing barriers to older people leaving family homes, providing them with incentives to do so and offering a sufficient choice of attractive and 'age friendly' accommodation for them to move into. This research focuses on the highly inefficient use of the UK's housing stock, which is being exacerbated as the population ages and as the number of people per dwelling shrinks. Between 2020 and 2040, the number of UK households is set to rise by around 3.7m to 32.3m. Some 36% of the increase will comprise older households - over half of them one-person. A related issue is

the logistical difficulty of providing care services to so many older, often frail, people living alone in mainstream housing."

- 5.94 The growth of the older households was also recognised in a further report by the County Council Network and ARCO which set out in the foreword that

"The proportion of households where the oldest person is 85 or over will grow faster than for any other age group - by 2037 there are projected to be 1.42 million more such households in England."

- 5.95 The experience from existing schemes confirms the significant health and wellbeing benefits of Extra Care housing, its enabling effect, and improvements in quality of life. For most people it enables them to avoid moving again (for example to a care home), so they can eventually die in their own homes, something most people aspire to, but few achieve.

- 5.96 Providing the right type of housing therefore has significant benefits in terms of the release of the under occupied larger family housing, but also significant, health, social and welfare implications in relation to greater independence for older people and reduced social isolation.

- 5.97 In the context of the West Malling appeal [CD 6/1] the Inspector noted at paragraph 42 that:

"As the Government has recognised in paragraphs 4.42 to 4.44 of the White Paper 'Fixing our broken housing market', helping older people to move at the right time and in the right way can help their quality of life as well as freeing up more homes for other buyers. Under-occupied homes could then be released onto the market where they would be particularly attractive to those in younger age groups in need of larger houses to raise families. The provision of specialist housing more suited to the needs of older persons is likely to encourage them to move and would make a valuable contribution to overall housing needs which should be weighed in the balance."

- 5.98 When considering the balance, the Inspector concluded at paragraph 64 that:

"I accord significant weight to...the likely consequential release on to the market of family housing as older residents move to the proposed development."

- 5.99 In the Sonning Common appeal [CD 6/7] the Inspector commented at paragraph 111 that

"it is important to recognise the fact that extra care accommodation, together with all other forms of specialist housing for older people can assist in 'freeing up' existing family and other housing by allowing them to 'right size' by moving to more appropriate accommodation. This type of specialist housing could significantly contribute towards the easing of the present housing crisis in this District where under occupancy amongst older households is greater than for England as a whole. The sale of the 133 units in the appeal proposals would release 133 family houses of three bedrooms or more. The appeal scheme would be likely to free up 39 family dwellings locally but it could be as high as 64. Significant weight can be given to this."

5.100 In the Lower Shiplake appeal [CD 6/3] the Inspector concluded at paragraph 80 that:

"The benefits associated with the scheme are substantial, including the consequent benefits of freeing up under occupied properties..."

5.101 In the St Albans appeal [CD 6/4] the inspector concluded at paragraph 71 that:

"It is accepted that the provision of specialist accommodation for the elderly can free up other parts of the housing market including family-sized dwellings. This benefits other people on the property ladder. The previous Inspector acknowledged this benefit as part of her finding of substantial weight in favour of addressing general and specialist housing needs."

5.102 In the Bottisham appeal [CD 6/11] the inspector stated at paragraph 74 that:

"It is not possible at this stage to precisely predict the number of future occupiers of the proposed use class C2 accommodation that would come from current occupiers of these homes, but there would undoubtedly be some, and potentially a high proportion of the future occupiers would be drawn from this pool. The release of some of these family-sized homes would benefit other demographics in the housing market, and the overall fluidity of the market. I place significant weight on this benefit."

5.103 On the basis of the approach from previous appeals, and the recognition of such benefits within the NPPG, the matter of freeing up under occupied family housing is similarly capable of being afforded significant weight in favour of the proposals.

Wider landscape/ecology enhancements

5.104 In addition to the built development, the proposals for this site include the creation of a community orchard and beehives

- 5.105 This is a benefit that is capable of being afforded at the very least moderate weight in support of the proposals.

Employment creation

- 5.106 The proposed development offers further opportunities for local employment, and this represents a material planning benefit of the scheme. It is envisaged that the scheme will employ approximately 30 to 35 staff in a range of roles including management and administration, catering, housekeeping, gardeners, maintenance, and wellbeing navigator. Other roles include carers (employed by a care provider) providing care to residents, as well as sales staff. There will be a 24/7 staff presence on site providing safety and security to residents.
- 5.107 In addition, the development will create secondary employment opportunities, for example, during construction and through associated facilities and services to support the on-going operation of the home e.g., by sourcing local produce and specialist maintenance services. This job creation represents a significant planning gain and accords with the council's general employment policy objectives.
- 5.108 In the context of the Lower Shiplake appeal [CD 6/3] the Inspector commented at paragraph 61 that:

"The proposal would also result in wider economic benefits through construction jobs and local investment during construction, expenditure in the local economy following occupation, and employment at the facility. I give these benefits moderate weight given the nature and scale of development."

- 5.109 When considering the Sonning Common appeal [CD 6/7] the Inspector noted at paragraph 113 that:

"I do accept that the proposal would deliver economic benefits to the local economy and jobs as well".

- 5.110 I consider that this is a factor that is capable of being afforded moderate weight in favour of the application proposals.

Community access to on-site facilities

- 5.111 The proposed development will provide a comprehensive range of communal facilities within the village centre that are designed primarily to meet the needs of the future occupants. However, making such facilities available to the wider community through

a membership approach is a key component of ensuring greater inclusivity of such schemes.

5.112 Some of the facilities such as the shop, café/bar and restaurant will be available to all local residents irrespective of age whereas access to the wellbeing suite will be on a membership basis. Other facilities, such as treatment rooms and meeting space can also be made available, for example, the meeting space can be used by local clubs and societies.

5.113 This is a benefit that is capable of being afforded at the very least moderate weight in support of the proposals.

Conclusion

5.114 It is clearly established that the delivery of specialist accommodation for older people affords significant benefits in the overall planning balance. Indeed, that is a position that the council accept, as evidenced in the committee report ([CD 3/2](#) and paragraph 6.9) and again in the Statement of Case ([CD 1/4](#) and paragraph 5.28) albeit the degree of weight was not stated other than referring to "*a degree of weight*" (paragraph 6.9) committee report

Suitability of this location for this type of development

Section 6

- 6.1 The council has deemed the appeal site unsuitable due to its location outside of the built-up area of Elmswell, albeit recognising in the advanced Statement of Common Ground [CD 1/5] that the village is recognised as being a sustainable village due to the provision of a range of services and facilities including a railway station, Co-Op food store, pharmacy, library, community centre, pre-school and primary school.
- 6.2 It is important to also consider that when considering the position of settlements in the hierarchy and the scale of development which might be permitted at each level this was largely focussed on traditional residential development where such factors as school access and commuting for work.
- 6.3 However, this appeal relates to a specialist housing scheme for older people that requires a different approach to determining whether or not the location is suitable. Indeed, such an approach has been accepted previously in the context of numerous applications and a number of appeals for similar schemes such as in the consideration of Agates Yard, Faygate [CD 6/23].
- 6.4 This appeal related to a scheme for 148 retirement units together with communal facilities on a site outside of the built-up area boundary of a category 2 settlement where policy only allowed development to meet an identified local need. In terms of location therefore that appeal site shares very similar characteristics to the present appeal site.
- 6.5 The Inspector in that appeal stated at paragraph 42 that:
- “I further conclude that the scheme would not be unsustainable to the extent that would be the case were the site to be redeveloped for normal market housing, given the nature of the proposed development and the various measures proposed to enhance its sustainability in the S106 Undertaking. These two matters [the other being a significant need and no likelihood it being met] are considerations which, to my mind, should attract significant weight in the overall planning balance.”*
- 6.6 In the context of this appeal the council have not considered whether the particular nature of the appeal scheme mean that the site is more suited for the use than for

general market housing which was its focus for drawing up the settlement hierarchy and associated policy. Whilst in a different context, this same approach was also adopted by an Inspector when considering a mixed use development within Waverley [CD 6/24].

- 6.7 That scheme related to a new development of up to 375 dwellings, A1 and A3 uses with sports pitches and public open space and an extension to an existing care operation to create 80 extra care units and a care home. In this appeal the Inspector considered the suitability of the site for residential development and the specialist housing separately. In the context of the traditional residential development the Inspector concluded at paragraph 35 that:

“given the number of dwellings proposed, the limited range of facilities and services post-development, and the extent of out-commuting...Alfold Crossways does not represent a sustainable location for a large new housing development.”

- 6.8 When considering the specialist housing element, he stated at paragraph 36 that

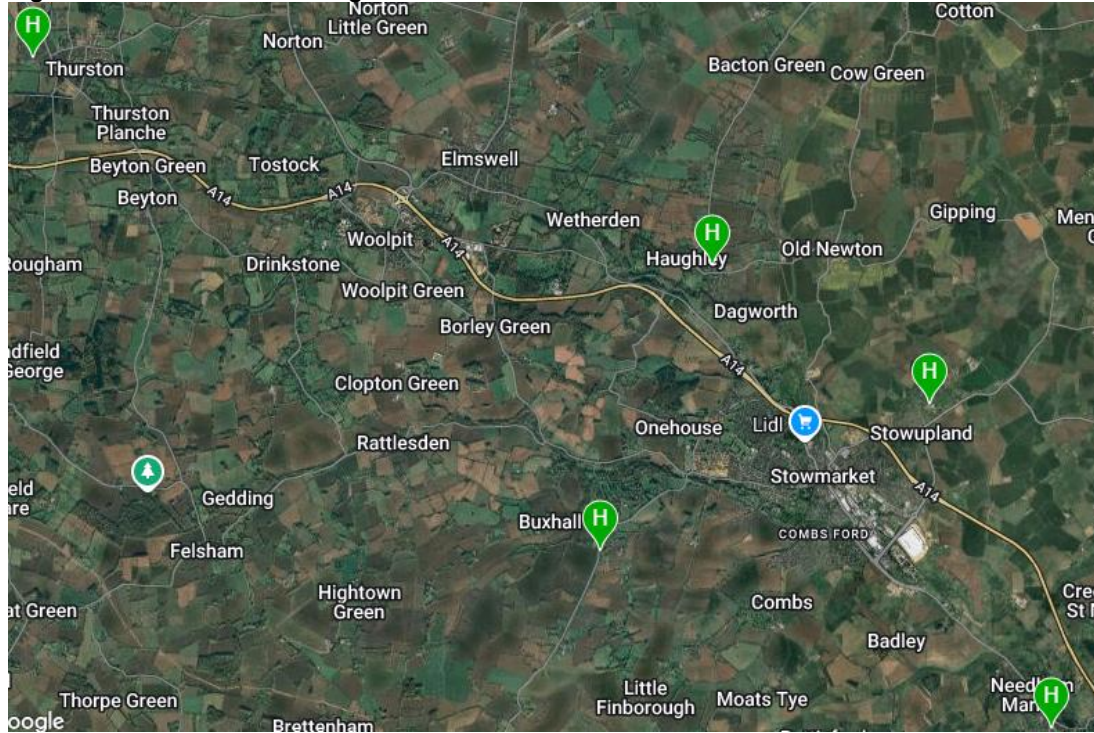
“I do not regard this scale of expansion [59 additional units given that the proposals were to replace an existing 21 unit scheme] as excessive, and, given the nature of the operation, the Springbok Estate is a sustainable location for the further development proposed by Care Ashore.”

- 6.9 Both appeals therefore clearly demonstrate the need to consider the matter of suitable sites, and with that sustainable location, differently when for such specialist housing proposals as opposed to more conventional residential developments.
- 6.10 One area to consider is how the current and pipeline supply sites would otherwise comply with the requirements of LP06 in being with defined settlements.
- 6.11 In relation to the current extra care and close care sites (those are listed in Appendix 2), the broad map below as Figure 6.1 identifies their locations.

| Scheme | Settlement Boundary | Neighbourhood Plan Settlement Boundary | Outside Settlement |
|------------------|---------------------|--|--------------------|
| Finborough Court | ✓ | - | - |
| Mere View Court | - | ✓ | - |
| Michaelmas Court | - | - | ✓ |
| Steeple View | - | ✓ | - |
| Uvedale Court | ✓ | - | - |

- 6.12 Only two of the existing schemes are within defined settlement boundaries, with two further schemes within a settlement boundary defined by a Neighbourhood Plan.

Figure 6.1: Location of existing extra care and close care schemes



- 6.13 Michaelmas Court in Thurston, the newest development scheme, is located immediately adjacent to the defined settlement boundary of Thurston. Planning was granted for this scheme in 2022 thus prior to adoption of the Part 1 local plan and therefore before policies SP03 and LP06 came into force. That application was therefore considered in the context of the previous Core Strategy, as well as a made Neighbourhood Plan for Thurston. It was the NP that was relevant in determining support due to the inclusion of a specific policy relating to “Meeting Specialist Care Needs” which tipped the balance when determining compliance with the then adopted Core Strategy.
- 6.14 It is however an example of a scheme coming forward in Mid Suffolk outside of a defined settlement boundary due to the difficulties of find appropriate sites otherwise capable of providing land to deliver the required development. The committee report (included as [Appendix 4](#)) is also helpful in listing the benefits that such a scheme provided in the context of sustainable development. These are set out below from the committee report where equally applicable to the appeal proposals:

“3.1.11 In terms of economic-sustainability it represents amongst other things:

- *a significant financial investment within the District*
- *an opportunity for short-term construction jobs and opportunities for local suppliers and contractors*

- an opportunity to create 16 FTE direct jobs in the healthcare sector
- an opportunity to support indirect jobs via local suppliers

3.1.12 In terms of environmental-sustainability it represents amongst other things:

- the chance to enhance biodiversity
- the occasion to plant additional landscaping [accepting that the development will itself introduce built-form into the landscape south of Heath Road and north of the railway line and that this will in any event require softening].
- The opportunity to include electric vehicle charging and energy and water conservation measures

3.1.13 In terms of social-sustainability it represents amongst other things:

- an opportunity to provide much needed specialist care in a safe and supportive environment to those who need it from the older community.
- the chance for the proposed development to include over time ancillary facilities such as a possible hairdressers and/or a small café facility that can also be used by the wider population helping to foster a sense of cohesion and integration between the new residents and the established community

...”

6.15 Whilst the other four schemes are indeed located within settlement boundaries, they are more historic schemes and also smaller in scale consisting largely of flats such that the land requirements are less than would otherwise be needed to deliver a modern scheme as evidenced by the Michaelmas Court development. This further supports the position that the likelihood of current policy LP06 delivering the required schemes to meet the identified need are slim at best.

6.16 In respect of the care homes the table below shows the relative location based on the online interactive mapping:

| Care Home | Settlement Boundary | Neighbourhood Plan Settlement Boundary | Outside Settlement |
|---------------------|---------------------|--|--------------------|
| Operational Schemes | | | |
| Barham Care Home | ✓ | - | - |
| Barking Hall | - | - | ✓ |
| Baylam Care Centre | - | - | ✓ |
| Cedrus House | ✓ | - | - |
| Chilton Court | ✓ | - | - |
| Chilton Meadows | ✓ | | |
| The Depperhaugh | | | ✓ |
| Finborough Court | ✓ | | |

| | | | |
|--|---|---|---|
| Hartismere Place | | ✓ | |
| Hillcroft House | ✓ | | |
| Stowlangtoft Hall | | | ✓ |
| The Limes | ✓ | | |
| Thurleston | | | ✓ |
| Uvedale Hall | ✓ | | |
| Westhorpe Hall | | | ✓ |
| Woodfield Court | ✓ | | |
| Yaxley House | ✓ | | |
| Potential pipeline sites (table 3.3 of Elderly Persons Needs Assessment) | | | |
| DC/19/01482 | ✓ | - | - |
| DC/25/00086 | ✓ | - | - |
| DC/25/00917 | ✓ | - | - |
| DC/25/01542 | ✓ | - | - |

- 6.17 From the available information for all forms of specialist housing it is therefore clear that there has been historic provision outside of the defined settlement boundaries that are favoured through policies SP03 and LP06, indicating the need for a more flexible approach to the constrained nature of the policies and/or inclusion of sites delivering against policy LP06 in table 5 of exceptions relative to policy SP03.
- 6.18 Given that need it is important to consider the specifics of this site. No objection has been raised on a highways ground following the submission of the technical evidence in support of the original application. The supporting Transport Assessment [CD 2/9] specifically noted at Figure 3.4 that the approved residential development to the north of the appeal site would be delivering improvements to the present footway and cycleway along School Road immediately abutting the appeal site. Similarly, the TA confirms the public transport provision locally under section 3.4 of the TA.
- 6.19 A review of road traffic accidents on School Road shows that there has only been one accident involving a pedestrian in the last five years. This was in 2021 to the north of Church Road and that section of footway has now been upgraded. There have been no road safety issues recorded on the narrower section of footway in the last 5 years and there is no reason to believe the existing footway is unsafe.
- 6.20 The residents of the proposed development will have a range of abilities in terms of mobility. For those unable to walk to the shops the provision of a minibus will address travel requirements without needing a private car. The provision of the minibus is to be secured through the s106 Agreement and would operate on a flexible schedule to meet residents demands as opposed to a specific timetable.
- 6.21 These matters all confirm that the site is in a suitable location for the specific development subject of this appeal.

Alternative locations

- 6.22 Given that the primary case for the council is not that there is no need for the appeal proposals but that the need can be met on more suitable sites it is relevant to have regard to the published 5-year supply paper (dated December 2024) which identifies those sites to meet housing needs over the relevant 5-year period through to March 2029).
- 6.23 The statement seeks to establish that the council has sufficient supply to meet 10.46 years of housing supply between April 2024 and March 2029.
- 6.24 Section 4 of the statement breaks down the components of supply, identifying a supply of 3,639 dwellings from major sites that have commenced and a further 536 dwellings on major sites not yet commenced with a further 519 dwellings from category B sites.
- 6.25 Appendix 4 of the statement provides the proforma returns for the sites relied upon to demonstrate the housing supply such that I have used these to consider whether any are destined to deliver extra care housing and/or care home beds as per the appeal proposals.
- 6.26 None of the identified sites in Category A are specifically stated to deliver extra care housing or care beds. Whilst therefore demonstrating delivery towards a 5-year supply of traditional housing the Category A supply will fail to provide any specialist older persons housing. That is entirely consistent with the review of potential pipeline supply considered in Appendix 2 to this Proof relating to the elderly persons needs assessment.
- 6.27 The identified category B major sites include the following:
- Land At Eye Airfield Castleton, Way Eye Suffolk – RM approved for 153 homes by Persimmon Homes and no reference to the provision for extra care;
 - Land To The East Of Ixworth Road, Thurston, Suffolk – RM approved for 210 homes by Barratt David Wilson Homes and no reference to the provision for extra care;
 - Land To The East Of Ely Road, Claydon, Suffolk – RM approved for 67 dwellings by Minster Property Group and no reference to the provision for extra care;
 - Former Bacton Community Middle School, Wyverstone Road, Bacton, Stowmarket – RM submitted for 50 by Edmundham Developments LLP and no reference to the provision for extra care; and

- Land South Of Old Stowmarket Road, Woolpit, Bury St Edmunds, Suffolk – RM approved for 40 dwellings by Orbit Group Ltd and no reference to the provision for extra care;
- Land North Of The Street, Stradbroke, Eye, Suffolk – RM approved for 28 dwellings by Burgess Homes Ltd and no reference to the provision for extra care; and
- Land Off Church Road Access Via Garden Of 'The Firs', Thurston – RM approved for 15 dwellings by AVT Developments Ltd and no reference to the provision for extra care.

6.28 It is therefore clear that none of the identified sites delivering towards the identified 5-year supply (or alternatively put those sites meeting 10 years of housing requirement) will make provision for the delivery of either extra care housing or care home beds. Therefore, given the acknowledged need for this specialist form of housing provision there is a failure of the adopted policy and approvals to date to deliver the appropriate provision. This further supports the appeal site being suitable for this proposed development.

The Planning Balance

Section 7

- 7.1 The starting point for determining this appeal is the Development Plan, as required by Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 7.2 Should it be found that the Appeal Proposals do not accord with the Development Plan as a whole then, as required by Section 38(6) it is necessary to consider if there are any material considerations which indicate that permission should still be granted.
- 7.3 When considered as a whole, it is my view that the Appeal Proposals are in accordance with the adopted Development Plan as demonstrated within my evidence and that of other witnesses, and so permission should be granted.
- 7.4 If, however, the Inspector's view is that there is some conflict with the Development Plan it is my view that there are other material considerations in this case that indicate that planning permission should be granted. These include:
- That the current development plan does not have appropriate policies in respect of meeting the need for specialist older persons housing and thus the spatial strategy is out of date as it fails to provide for the assessed needs as required by the Framework. Consequently, the Appeal Proposals have the benefit of paragraph 11(d)(i); and
 - That there are no adverse impacts in this case that would significantly and demonstrably outweigh the benefits.
- 7.5 Overall, I consider that there are substantial benefits in this case. I have not identified any conflict with the Development Plan when read as a whole. Where any conflict is found against individual policies then I consider that limited weight would likely need to be afforded to any such conflict when the Appeal Proposals are considered against the development plan as a whole. I consider the overall benefits and adverse impacts below in that order using a grading of neutral, limited, moderate, significant and substantial in the assessment.

Benefits

Sustainable Development

- 7.6 It is my opinion that the appeal proposals represent sustainable development as defined within the NPPF.
- 7.7 The NPPF sets out at paragraph 8 the three individual strands to sustainable development, being economic, social and environmental. The NPPF clearly sets out that these roles must not be taken in isolation due to their mutual dependence.
- 7.8 It has been established through appeal that for a development to meet the requirements of sustainable development there is no requirement that it must meet all three strands, it must be able to demonstrate that the benefits of the scheme significantly and demonstrably outweigh any adverse impacts.
- 7.9 Paragraph 59 of the NPPF is clear that delivering housing is central to the NPPF, along with specific reference to the significant boosting of housing supply.

Economic benefits

- 7.10 Paragraph 8, bullet point 1 of the NPPF explains the economic role of sustainable development.
- 7.11 The proposed development would result in the creation of both direct and indirect jobs associated in the construction of the development that can be considered to be a benefit. The growth in the construction industry through job creation further assists in creating a sustainable economy capable of delivering additional development and is therefore a cause and effect scenario. Additional jobs will be provided in the long term operation of the development across a board range of skills relating to the management of the facility, maintenance of the grounds etc.
- 7.12 The operation of the retirement scheme will also provide additional support and expenditure on local services and facilities both from residents and staff.
- 7.13 The provision of the specialist housing scheme for older people with a requirement for the provision of domiciliary care services to residents in their own home will assist in the reduction of pressures on the health service and social care budgets for local authorities.
- 7.14 I therefore attribute moderate weight to the economic benefits.

Social benefits

- 7.15 Paragraph 8, bullet point 2 of the NPPF explains the economic role of sustainable development.
- 7.16 The scheme will also deliver social benefits through the provision of specialist housing for older people, as well as the opportunity to release under occupied larger family housing. There is an identified local need for quality care accommodation in the local area, and the proposal will provide a valuable community resource as well as extending the job opportunities for local people.
- 7.17 I have set out in my evidence the wider benefits in regard to cost savings to the NHS and Adult Social Care, as well as the health and wellbeing benefits for older people. The on-site facilities will assist in boosting social activity of residents and tackling the issue of isolation.
- 7.18 The appeal proposals will promote further choice for specialist housing for older people in the area enabling them to stay in familiar surroundings. Given the identified need for the provision of this accommodation within the area, the provision of the specialist units would be a social benefit of considerable weight on its own.
- 7.19 The council accept in their statement of case that there is a clear need for provision of specialist housing schemes such as the appeal proposals but seek to argue that there are more suitable locations to deliver this. Given that my assessment identifies an absence of alternatives, moreover no sites within the identified 5-year supply of housing provided by the council, this should be given substantial weight in the planning balance.
- 7.20 I therefore attribute substantial weight to the social benefits.

Environmental benefits

- 7.21 Paragraph 8, bullet point 3 of the NPPF explains the economic role of sustainable development.
- 7.22 The proposals do not result in any harm to archaeology and would result in the effective use of a site that is suitably located. Furthermore, the proposals do not result in any harm to flood risk or highways. It has been agreed that the scheme does not cause ecological harm and that through biodiversity offsetting there will be no net loss.
- 7.23 Furthermore, the council also accept that the development would be unlikely to harm the wider landscape of the area. The harm to the landscape is localised, and the

council have accepted that the appeal site does not constitute or comprise part of a valued landscape.

- 7.24 The proposals provide for a community growing area, orchard, bee hives and open space to mitigate for the proposals.
- 7.25 The proposals will also provide for a village transport service to reduce reliance on the private car for linked trips, allowing for more sustainable modes of transport.
- 7.26 I therefore attribute moderate weight to the environmental benefits.

Harms

Conflict with the Development Plan

- 7.27 The development does not accord with the terms of policy SP03 in that it is located outside of the settlement boundary and is not one of the exceptions listed under criteria 2 or one of the policies in table 5. However, I consider that this closed list, particularly insofar as relevance to policy LP06, combined with the clearly identified failure to otherwise make provision for such suitable specialist housing schemes is such that the policy is failing and ought to be afforded limited weight.
- 7.28 Similarly, it is accepted that the proposals do not comply with all of the requirements of policy LP06 in that the appeal site is outside of a settlement boundary. Again, the conflict with the policy is solely restricted to the immediate location of the site and must be measured against a failure to otherwise deliver suitable schemes to meet an identified demand for such accommodation.
- 7.29 Limited weight should be afforded to any identified conflict with the Development Plan, in my view.

Heritage harm

- 7.30 It is noted that the Council's position as per the Statement of Case [[CD 1/4](#)] is that:

"a level of less than substantial harm was identified at a medium level in relation to the impact on the Church of St. John and at a low to medium level for the Almshouses and Elmswell Hall." (paragraph 5.17)
- 7.31 There is common ground that the appeal proposals result in a less than substantial harm, albeit where on the scale that harm sits is disputed, such that it is necessary to have regard to paragraph 215 of the NPPF, which states that:

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

7.32 The Proof of Evidence of Mr Copp has been consistent from the original submission and updated heritage note provided during consideration of the application itself that:

“any such harm has been mitigated and that the proposals respond to the setting and significance of the relevant heritage assets, with the core elements of the setting of the Church of St John retained.”

7.33 He concludes in his Proof of Evidence at paragraph 6.9 that:

“...harm to the significance of the heritage assets has been minimised, with any harm remaining less than substantial (as agreed with the Council) and, in my view, limited. Specifically, the harm to the significance of the Church of St John will remain low, while the harm to the significance of the Almshouses and Elmswell Hall will remain very low.”

7.34 We know from other appeals for specialist housing that the following factors have been considered to be public benefits:

- The provision of special care housing in a situation of critical shortage;
- The consequent release of existing housing stock;
- Social cohesion
- Enhanced recreational benefits through provision of countryside park
- Enhanced landscaping; and
- Employment provision.

7.35 None of these benefits are disputed by the council in either the original committee report [CD 3/1] or the subsequent Statement of Case [CD 1/4].

7.36 My evidence has already indicated that I afford significant weight to the first three bullets above. I afford no less than moderate weight to the remaining three bullets.

7.37 Accordingly, given the evidence of Mr Copp as to the degree of harm versus the clear public benefits that have been identified, I afford the heritage harm aspect moderate weight in the planning balance.

Landscape harm

7.38 It is noted that the Council are not advancing a case that the appeal site forms part of a valued landscape as per the advanced Statement of Common Ground on landscape matters [CD 1/8].

7.39 The original conclusion set out in the LVIA that supported the planning application [CD 2/18] noted at paragraph 8.30 that:

“Overall, it is considered that the Illustrative Layout for the Proposed Development incorporates a robust and extensive landscape mitigation strategy included as an inherent and well-integrated part of the scheme. This will avoid and minimise potential adverse effects. Furthermore, in the context of the limited and highly localised landscape and visual effects and the carefully designed and responsive landscape strategy, it is considered that the Proposed Development could be successfully integrated into the Site and its surrounding landscape.”

7.40 The Council's position has been, as per its Statement of Case [CD 1/4], that the appeal proposals conflict with policy ELM3 of the ENP (particularly in respect of View 4) as well as failing to have regard to the Ancient Plateau Claylands LCA.

7.41 Nevertheless, there is harm arising from the proposals which results in a conflict with the development plan policies, although the conflict is very limited at a localised level and the degree of harm mitigated for over term.

7.42 Whilst noting the council's position I have had regard to the landscape evidence of Mrs Ellinsfield who has concluded at paragraph 5.17 of their evidence that:

“through careful consideration of the constraints and opportunities presented by the Appeal Site, iterative design and the development of a responsive landscape strategy, the Appeal Scheme demonstrates a carefully developed layout and effective mitigation that reflects landscape character objectives, helps to integrate the development proposals into the landscape and delivers long-term landscape, biodiversity and recreational benefits.”

7.43 Given the limited, and highly localised nature of any harm, I afford this limited weight in the planning balance.

Loss of BMV

7.44 The council make reference in Reason for Refusal 4 to the loss of high quality agricultural land (Grade 2) and inadequate justification for this loss.

- 7.45 There was no further mention in the council committee report [CD 3/1] or its Statement of Case [CD 1/4] on this matter, indeed the Statement of Case was entirely silent on the matter. Nevertheless, the appellant relies on an Agricultural report provided by Kernon Countryside Consultants included as (Appendix 5) which concludes at paragraph 6.2 that:

“As a matter of fact, less than half the Site is Grade 2. The rest is a mixture of subgrades 3a and 3b.”

- 7.46 It is relevant to have regard to the overall Agricultural Land Classification map for the entire East Region (included as Appendix 6) demonstrating that the majority of land is categorised within Grades 1 to 3. It is therefore likely that development of sites outside of defined settlement boundaries will inevitably result in the loss of BMV.

- 7.47 The report notes at paragraph 6.3 that:

“The proposed development will not result in any significant economic or other impacts. The economic and other benefits of the BMV within the Appeal Site are limited. This will need to be assessed in the overall planning balance.”

- 7.48 Whilst the loss of agricultural land is regrettable, in this case I afford the loss limited harm given the requirement to deliver suitable sites to meet an identified need for specialist older persons accommodation and the inability to date of doing so within settlement boundaries.

- 7.49 I afford the loss of the agricultural land limited weight in the overall planning balance. Indeed, this view is consistent with the agricultural report at paragraph 6.6 that:

“Irrespective of whether poorer quality land could be found through extensive field survey, the Council has previously concluded that given the extensive amount of BMV land locally, only limited weight should be accorded the loss of small areas of BMV.”

- 7.50 And paragraph 6.7 noting:

“I agree with the Council’s previous assessment. This will need to go into the planning balance, but limited weight (at most) should be accorded to the use of BMV land, given the likelihood of it needing to be used wherever development is to go around Elmswell.”

Planning Balance Summary

- 7.51 If the Inspector were to find that the Appeal Proposals do conflict with the Development Plan when considered as a whole, in my opinion the above demonstrates that there remain significant and substantial benefits that represent material considerations.

| Positive benefits | Weight to be attributed |
|--|-------------------------|
| Provision of specialist older persons housing to address shortfall | Substantial |
| Economic benefits <ul style="list-style-type: none">- Jobs- Social care savings | Moderate |
| Social benefits <ul style="list-style-type: none">- Freeing up of under occupied housing- Improved housing choice- Greater social cohesion- Access to communal facilities | Substantial |
| Environmental benefits <ul style="list-style-type: none">- Landscape- Village transport | Moderate |
| Adverse effects | Weight to be attributed |
| Conflict with development plan | Limited |
| Heritage harm | Moderate |
| Landscape harm | Limited |
| Loss of BMV agricultural land | Limited |

- 7.52 Having undertaken the planning balance, I have reached the conclusion that any conflict with the development plan, heritage harm and landscape harms are clearly outweighed by the wider benefits.

Flat Balance

- 7.53 Notwithstanding that my primary case is firmly one of accordance with the Development Plan, were the Inspector to take a contrary view, I consider that the harms do not outweigh the benefits. Turning to Section 38(6) of the Planning and Compulsory Purchase Act 2004, I conclude that there are 'other material considerations' (these being the benefits which I have highlighted) which justify the grant of planning permission under the flat balancing exercise.

The Tilted Balance

- 7.54 Were the Inspector to find the proposal does ultimately conflict with the Development Plan when taken as a whole and that any conflict is not outweighed by material considerations, there is a need also for the Inspector to consider the proposal against the application of the tilted balance.

- 7.55 I do not consider that there is a “*strong*” reason for refusal as per paragraph 11d)i) which would otherwise dis-engage the tilted balance.
- 7.56 Applying a tilted balance, I consider that there are very few adverse impacts of the development whilst in contrast, the benefits would be extensive.
- 7.57 I give substantial weight to the benefits of the scheme in delivering much needed extra care housing to meet an identified shortfall in current provision. This delivery would provide both economic and social benefits in addressing the specific shortfall in specialist housing provision as well as freeing up under-occupied family housing.
- 7.58 It is therefore my opinion that the adverse impacts of the proposal do not outweigh the benefits of the proposal, moreover the do not do so significantly and demonstrably