

Speaking Notes to the Planning Appeal by Churchill Appeal ref  
APP/D1265/W/24/3337301

## **Introduction**

My name Steve Lees, I am a chartered planner RTPI since 1989. 40 yrs experience. Prior to 2015 worked in local government, most of that at TVBC policy and implementation later years Head of PP&T, responsible for policy (strategic and local), conservation, landscape, trees on/off street parking and capital programme

Post 2015 independent consultant, director of steveleesplanning.. advising public and private sector clients...currently external examiner for Leeds-Beckett planning school previously same role at UWE for 3 yrs.

I am familiar with the site and the planning policy background.

My instructions are to present the Society's case regarding the benefits of the scheme and how they sit in the balancing act as to the harm to designated heritage assets.

The Society is grateful to the inspector for stating in the pre-CMC note that 'Other matters raised by interested parties which are not informing any of the reasons for refusal will need addressing.

## **CMC Notes**

*Para 10 The Inquiry will also look at any other related planning matters and any benefits of the proposed development to be weighed in the planning balance.*

The Society's position in short is that:

- There is harm to designated heritage assets, that harm needs to be justified ref para 206 of the NPPF and that there needs to be a balancing act ref para 208
- The Society's view is that the benefits when set in a local context do not outweigh the harm. Ref paras 69-111 of submission to appeal

You have the Society's detailed submission , I would just touch upon points arising from Mr Shellum's evidence section 7 where refers to the Society's case

Context

The Society says there is harm .. that harm is experienced locally in Romsey reasonable to assess the benefits in the local context.

### **Para 7.3 Prematurity**

The Society's view is that it feels that the appeal site should be part of a bigger picture. It is not part of its case today that prematurity is a reason for refusal on grounds of a better scheme might be possible.

There is an elephant in the room ie south of Romsey town centre masterplan and for reasons set out in my paras 51-53 suggest the masterplan is not a relevant consideration, the weight Mr Shallum attributes to it in para 4.36 of his evidence should be set aside

### **Para 7.4 Community Engagement**

Take a different view regarding community engagement issue, a virtual consultation over 6 days in May 2023 with a submission in July 2023 = a stretch to say complied with the NPPF and been genuine engagement

### **Para 7.5 Inconsistency of Figures.**

Mr Shellum does not resolve the Society's issue of inconsistency set out in its submission, para 70, regarding the original planning application submissions in the Planning Statement( 47 units) and Design and Access Statement.(41 units), Silver Saviours (45 units)

Should be noted the Society taken the highest figures for purposes of assessing the scale of benefit,

The key point is that the economic impact presented is based on national data not local with no local context to assess the scale of any benefits

That the Society has done in its submission.

In taking this approach were guided by the Bewley Homes v SSLUHC and Waveley BC 2024 decision ref in our submission para 100 reference paras 59 and 64 of the judgement

Example

In terms of value to the local housing market, para 5.24 of Mr Shullum's evidence estimates it at £9m based on 40 units, should be net 22

Churchill offer regarding affordable housing is £164K agreed with TVBC, in current housing market that according to RightMove 29.7.24 would enable the purchase of a one-bed retirement flat or bungalow, lowest price home not a retirement home £180k.

Appeal at Arun in July 2022 inspector assessed the benefit of an affordable housing contribution is limited by its magnitude ref APP/C3810/W/22/3292333

### **Para 7.6 EMH**

Mr Shellum says that the EMH should be discounted in terms of the benefits of the scheme. If taking the established land use into account, as appellant has done on a number of matters

- Transport Assessment in terms of traffic generation table 7 ref CD1.16
- in the calculation of the Nutrient Balancing Assessment table 1 CD 1.30
- Affordable Housing Viability p20 CD1.19

Then entirely consistent to apply same approach to the assessment of impact.

### **Para 7.7-7.10 and 7.14 Alternatives**

Mr Shellum describes, in his para 7.7, the Society's approach of proposing other forms of development and the benefits they would generate, should not be considered.

That such an approach is contrary to case law. References caselaw from 2017 and 2023.

The cases quoted....different issue...

Here dealing with the balancing act of harm versus public benefit I think is appropriate to take as the starting point the planning use of the site and that benefits would accrue from other forms of development

I think am right in saying that was approach of the inspector at Tonbridge for a

Churchill scheme for 35 units which was dismissed ref para 23 of decision letter ref APP/H2265/W/20/3265741 November 2021. A decision Mr Shallum will be familiar with.

### **7.11 Housing land Supply**

Mr Shellum raises the issue of housing requirement being a moving target but does not seem to take issue with the Society's analysis that net gain of 22 is small beer in terms of the overall requirement.

Checked figures TVBC five year HLS assumed 40 on the site to get to 1317 take site out = 1277 = 3.6% at gross 47, at net gain 22 = 1.7%

### **7.12 Older Persons Housing Needs**

Mr Shellum refers to my paras 80-85

In those paras outline why the Society considers the output of the forecasting models should be treated with some caution.. He does not present a counter argument.

The appellant has commissioned research into local need ref Three Dragons report ref 5.9 of Mr Shallum's evidence... can't find it as a core doc.

Not sure the forecasting models are actually modelling need rather estimating demand

Need / demand appear to be interchangeable , certainly the case with the TVBC SHMAA and Three Dragons report

Churchill themselves take the view that they are seeking to meet demand ref LinkedIn post of July 2024.

Understand generally accepted in the housing sector that staying in own home is the best option

Age UK Report Disabled Facilities Grant April 2024

'Increasing the amount of accessible housing and providing easy access to appropriate aids and adaptations should be a core component of the UK's vision for the future of older people's housing.

The vast majority of older people will age in mainstream, not specialist, housing and surveys consistently show that they are keen to remain living independently without help.<sup>1</sup> Accessible housing, aids and adaptations are key to this independence. ' page 4

### **Para 7.13 Supply of Retirement Living Accommodation**

Mr Shellum questions the Society's assessment of the supply of retirement living accommodation. He relies upon a trade body web site and TVBC's planning portal to challenge the Society's analysis which shows an over-supply.

I have gone to the section 106 agreements signed for each of the 3 sites in question and contacted the sales teams of each site..... as a result now receiving numerous offers to buy a property.

- The section 106 agreements set out either age restrictions or physical, mental health issues or need personal care,
- Ampfield Meadows age is 65yrs, or where are 2
- Audley Village is 60 yrs or where are 2
- Grove Place 60yrs. Or where are 2
- In recent contact with the sales teams they have advised is no obligation to purchase care/support packages.
- All three establishments are members of trade body Association of Retirement Community Operators (ARCO) Members see themselves as sitting between sheltered housing with minimal support and care or nursing homes.

This suggests that the sector is more complex and sensitive to various needs of older people rather than to limit any modelling to three simple categories.

To exclude the three sites from the retirement living supply is to under-estimate the options available to healthy older people.

Including them shows that the need as estimated by the appellants own consultants is being met ie plus77-215

### **Para 7.15 Under-Occupied Stock**

Scheme results in a net gain of 22 in context of annual completions over last

three yrs of 267dpa is relatively small impact

Inspector at an appeal for 33 retirement units at Littlehampton attracted very limited weight in respect of this issue ref APP/C3810/W/22/3292333 July 2022

 **In Closing**

Mr Beasley presented the case regarding harm to designated heritage assets which is the starting point for decision-making, I have set out the limitations of the benefits which leads the Society to conclude they do not outweigh the harm.