



Hearing Statement – Matter 3(e): Homes for Older People

Horsham District Council - Examination in Public

Prepared on behalf of Inspired Villages Group Ltd

Prepared by:

SLR Consulting Limited

Mountbatten House, 1 Grosvenor Square,
Southampton SO15 2JU

SLR Project No.: 433.066713.00001

9 April 2026

Revision: 01

Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
00	31 March 2026	AWM	CL	CL
01	9 April 2026	AWM	CL	CL
	Click to enter a date.			
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1.0 Introduction

- 1.1 This statement has been prepared by SLR Consulting Ltd on behalf of Inspired Villages Group Ltd (“Inspired Villages”) in respect of the Horsham District Plan (2023 – 2040) Examination in Public. The Statement focuses on questions raised by the Inspector in their Agenda in relation to “Matter 3: Homes to meet the needs of all the community”, specifically point (e) “The plan’s approach towards homes for older people”.
- 1.2 By way of background, Inspired Villages has an interest in land to the south of the Arun Lea (‘the site’), which is located on the south-western edge of Broadbridge Heath and has outline planning permission for “erection of a continuing care retirement community of 141 units of accommodation (C2 Use) and community facilities”. The location of the site is shown in Appendix A.
- 1.3 Inspired Villages is a developer and operator of Integrated Retirement Communities (IRCs) across the UK. Inspired Villages have 9 operational sites with a further 4 under construction and 16 sites legally secured, which are in planning or consented. Inspired Villages IRC model is based on the concept of encouraging and facilitating wellbeing in older people, by providing a suitable, safe and secure environment where care and assistance tailored to suit individual needs can be provided within people’s homes. An IRC offers the choice for older people to live in a community specifically designed to maximise their wellbeing, whilst maintaining the dignity and privacy of having their own home.
- 1.4 The IRC model takes the form of a central building (the ‘village centre’) and surrounding purpose designed specialist accommodation. The village centre provides the communal facilities focused on facilitating wellbeing and can also provide accommodation. The facilities may vary but will always include a minimum provision and design standard. The specialist accommodation takes the form of ‘extra care’ units that have been carefully designed to incorporate features that allow for practical living for older people and the delivery of care and assistance safely within that setting, which can be increased over time if necessary.



2.0 Approach towards homes for older people

- 2.1 Matter 3 e) of the Inspector’s Agenda seeks comments on the plan’s approach towards homes for older people, as part of the wider Matter 3 subject on “Homes to meet the needs of all the community”.
- 2.2 Inspired Villages previously submitted representations to the reg.19 stage of the plan, specifically Policies 39 and 42. Those representations focussed on the affordable housing being sought from the retirement housing and specialist care sector and remain extant. Not wishing to repeat those representations, Inspired Villages directs the examiner to those comments previously submitted (also attached at Appendix B for ease). In light of the additional evidence now available relating to the additional viability testing of Extra-Care Housing, we make an additional point in respect to Policy 39.
- 2.3 These representations compliment and supplement the previous presentations. This statement addresses matters relevant to Agenda Matter 3 e). Inspired Villages sets out specific changes it proposes to Policies 39, 40 and 42.

Policy 39

- 2.4 Inspired Villages welcome and supports the proposed modification to Policy 39 that now excludes Extra-Care Homes needing to contribute to the delivery of affordable housing.
- 2.5 However, following the additional evidence in respect to the viability of Extra-Care Housing (ECH), we wish to supplement the comments previously made to Policy 39.
- 2.6 We note the additional viability assessment undertaken in respect to ECH. Having reviewed the updated assessment by Aspinall Verdi, we believe that there are a number of incorrect assumptions being used including care home build rates for ECH and the assumptions in table 2, which we believe are incorrect for IRCs/larger extra care schemes such as those developed by Inspired Villages. These are different products.
- 2.7 As such, we object to the Policy 39 where it continues to only exclude ECH. Other typologies, such as continuing care retirement housing, and Older People’s Housing experience the same viability constraints, as they are based on the same financial model. As such, Inspired Villages propose that a “C2 use” would be a more appropriate term for the typologies for exclusion in the policy, which would otherwise be inconsistent with national policy.

Policy 42 - Subsection 1

- 2.8 Subsection 1 sets out where retirement housing and specialist care can be provided. Inspired Villages acknowledges and supports that this class of development can be within or adjoining defined built-up areas.
- 2.9 We note that the term “retirement housing and specialist care” does not reflect the terminology now adopted by ARCO (Associated Retirement Community Operators) and the PPG. This uses 'older persons housing' or 'housing for older people' and we seek that the local plan terminology is updated accordingly (please see the ARCO definitions at Appendix C). Specifically, Inspired Villages are an 'Integrated Retirement Community' typology (known previously and on the B. Heath DN as a Continuing Care Retirement Community) comprised of 'Extra Care Units', or alternatively 'Housing-with-Care', which is also specified in the PPG.
- 2.10 However, additional flexibility is sought for the delivery of care homes. Policy 42 makes clear that retirement housing and special care will only be supported where they are next to “defined built-up areas”. As a starting point, the proposed allocations in the emerging plan are not within the “defined built-up areas”. This has the consequence that any housing for older people proposals next to an allocation cannot be supported by policy/local plan.



- 2.11 In addition, Inspired Villages are aware of existing housing for older people facilities that are not within the defined built-up area. Again, such facilities could not be easily expanded or extended where this policy does not support it. A further example is the inability for Inspired Villages to extend their own facilities due this policy, as currently worded. We believe that this is an unintended consequence of this policy.
- 2.12 In addition to the above, finding and securing sites next to the existing defined settlement boundary is all but impossible in Horsham district at the current time, where all the land is under option to residential land promoters and development companies, where residential land values far exceed the housing for older people sector land values.
- 2.13 As such, we believe that a special case should be made for the housing for older people sector to facilitate additional sites coming forward. The emerging local plan makes clear that “the need to provide suitable housing for older people in the district is very important” (para 10.57). The plan also clearly sets out the SHMA findings that the number of elderly people will increase during the Plan period. As such, the policy should be aiming to be as supportive as possible.
- 2.14 The second part of Policy 42 1. a) relates to the accessibility of retirement housing and specialist care facilities, where it states, “and is accessible by foot or public transport to local shops, services, community facilities and the wider public transport network”.
- 2.15 This policy fails to understand certain aspects of the sector. Inspired Villages’ schemes are considered sustainable in their own right, where a large number of the day-to-day needs are internalised.[EP1.1] This was accepted in the appeal decision for the Wellcross Farm, Broadbridge Heath site (APP/Z3825/W/20/3262938) (see Appendix E), where the inspector accepted the onsite facilities and an on-site on-demand shuttle bus service would improve the sustainability of the site to a suitable level (the appeal was allowed).
- 2.16 It is also worth noting that the type of accommodation to be provided and the degree of accessibility to public transport expected is different to standard residential scheme, where the accessibility needs can be managed in their own way, as can be seen from the appeal decision.
- 2.17 Inspired villages’ schemes all include areas of open space, communal and care facilities such as hairdressers, restaurant, café, health and wellbeing facilities and a shuttle bus catering for residents wishing to travel up circa 10 miles. As such, they do not need to be directly adjacent to the built-up area.
- 2.18 Pulling the above comments together, we believe that changes should be made to the existing proposed policy to grant additional support and flexibility for the retirement housing and specialist care sector. The following changes are proposed to Policy 42: 1. a):
- “a) It is located within or adjoining defined built-up areas, or as part of strategic housing allocations, **adjoining residential allocations, adjoining development with planning permission or new development not within the defined built-up areas, adjoining existing specialist housing for older people sector**, and is accessible by foot or public transport to local shops, services, community facilities and the wider public transport network **where this is not provided for onsite;**”

Policy 42 - Subsection 2

- 2.19 Subsection 2 relates to the acceptability of rural locations. The policy infers that only rural locations near larger settlements can be suitable. Whilst the policy includes a caveat of being able to demonstrate there are no other available or suitable sites, this is an extremely high bar, it fails to understand specialist housing for older people, such as that offered by Inspired Villages.



2.20 As set out above, Inspired Villages' schemes are considered sustainable in their own right, where a large number of the day-to-day needs are internalised, due to the on-site facilities. As such, this policy is considered unnecessarily punitive.

2.21 Taking the above points together, Inspired villages propose the following changes to Policy 42: 2.:

2. Where development is proposed in a rural location which is poorly related to any larger settlement, it must be demonstrated that alternative sites within or adjoining a defined built-up area are not available or are unsuitable, **except in cases where the day-to-day needs of residents can be catered for on site, where such locations are considered acceptable.**"

Policy 40: Improving Housing Standards in the District

2.22 These comments are made specifically in response to the second part of the policy that is headed "Standards for Accessible and Adaptable and Wheelchair User Dwellings". The requirement for "all" new dwellings to meet the Optional Standards for Accessible and Adaptable dwellings as set out in the Building Regulations Approved Document M4(2) M4(2) and 5% M4(3) exceeds that set out in the emerging NPPF of 40%.

2.23 Whilst the policy clearly says, "or any subsequent Government update", this should be updated now. Importantly, the emerging NPPF is clear that this needs to be vitality tested (see Appendix D for the detailed comments made).

2.24 In addition to the above points, it is important to note that not all developments are equal. Specialist housing for older people will not need as many parking spaces for example and will have communal landscaping/ gardens.

2.25 The homes themselves are also specialist in the first place and so do not have a same level of requirements as standard residential schemes. In particular, the homes are already designed for the end user in mind, and they have lower parking level requirements, where provision is communal.

2.26 Pulling these points together, Inspired Villages believe that Policy 40 should not be applied to all residential development in an equal application, rather, for specialist housing for older people the policy should facilitate the discussion at pre-application and application stage with the developer as to the specific accommodation being provided and the level of accessibility that development needs.

2.27 Policy 40 should therefore be updated to reflect the comments set out above. Suggested additional text is as follows:

"In respect to specialist housing for older people and accessibility needs and application of M4(2) and M4(3) standards will be agreed on a case-by-case basis with the developer, reflecting the accommodation needs of the proposals"



3.0 Conclusion

- 3.1 Further to Inspired Villages' previous representations in respect Policy 39, additional viability work has been undertaken. As such, Inspired Villages proposes that the typology should be extended to include all C2 uses.
- 3.2 In respect to Policy 40, Inspired Villages believe that this should not be applied to all residential development in an equal application. Additional text is therefore proposed to be added to Policy 40.
- 3.3 Inspired Villages supports Policy 42 in principle, subject to the proposed changes set out in section 2 above.





**Appendix A Land South of the
Arun Lea Broadbridge
Health Site Location
Plan**



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Urban Edge Architecture Limited
One Scotgate Mews, Scotgate,
Stamford, Lincolnshire, PE9 2FX.

Tel. ++44 (0)1780 755 665
Fax. ++44 (0)1780 755 360

DO NOT SCALE FROM THIS DRAWING - ALL DIMENSIONS TO BE CHECKED ON SITE, ANY DISCREPANCIES RAISED WITH URBAN EDGE

DRAWING TO BE READ IN COLOUR

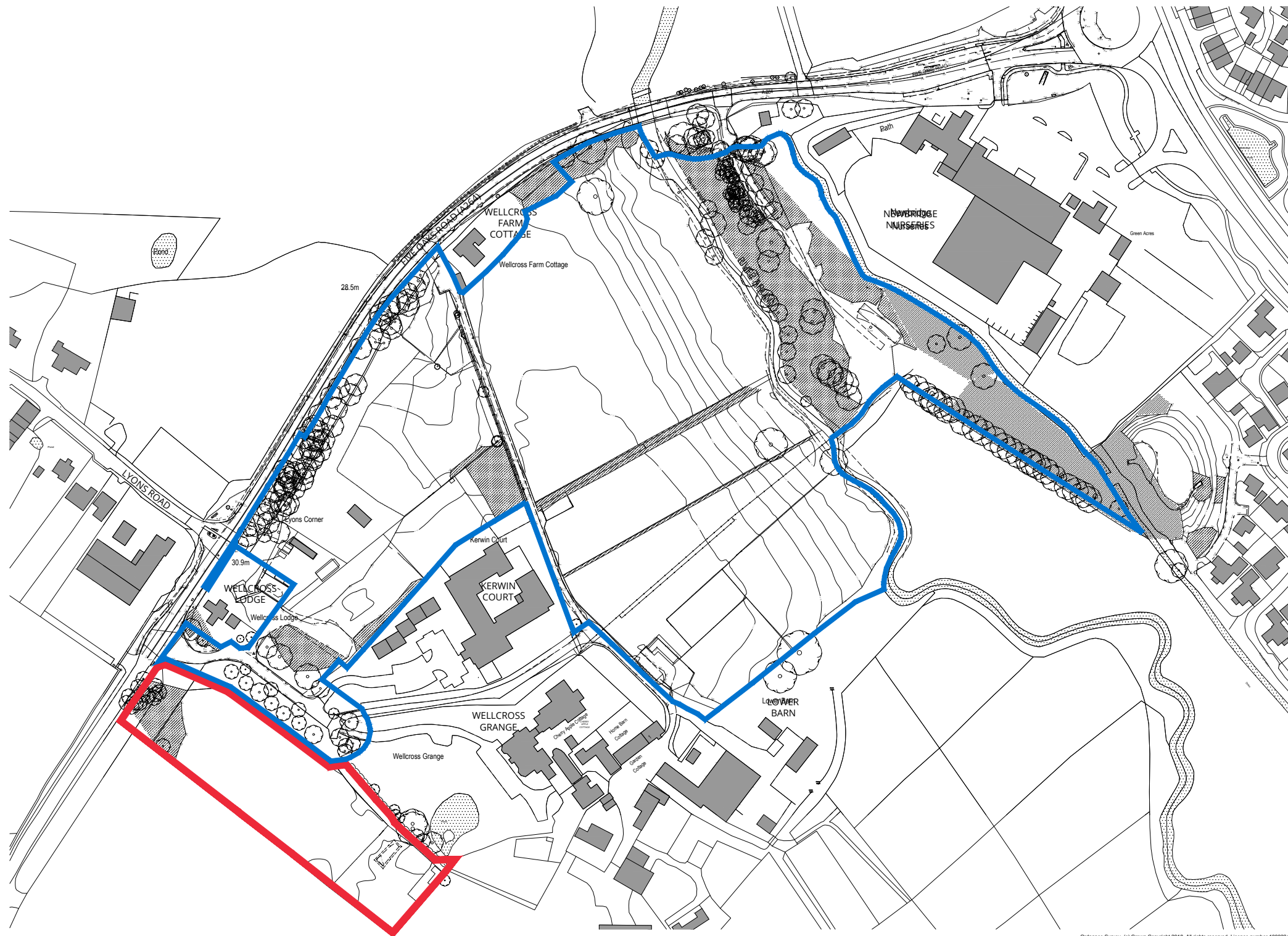
LEGEND:

- APPLICATION SITE BOUNDARY FOR PRE-APPLICATION ADVICE
- LAND SUBJECT TO PHASE 1-3 RESERVED MATTERS APPROVAL REF. DC/19/1897, DC/22/1503 & DC/24/0205

NOTE:
ALL SITE CONSTRAINTS INDICATED ARE SUBJECT TO DETAILED SITE SURVEYS.

THE SITE BOUNDARY (RED LINE) IS DEPICTED IN ACCORDANCE WITH THE GUIDELINES LAID OUT IN HM LAND REGISTRY PLANS, PRACTICE GUIDE 40, SUPPLEMENT 5.

THE OUTSIDE EDGE OF THE RED LINES DENOTE THE EXTENT OF THE SITE BOUNDARY. THE THICKNESS IS FOR GRAPHIC REPRESENTATION ONLY.



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P00	ISSUED FOR PLANNING	JE	05.08.22
Rev No	Description	Drawn By	Date



Client
**SENIOR LIVING
(BROADBRIDGE HEATH) LTD**

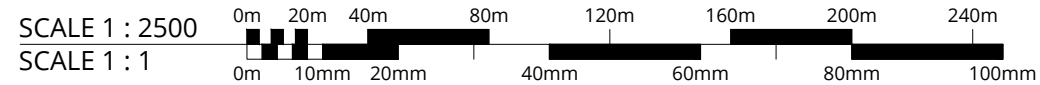
Project
**BROADBRIDGE HEATH
RETIREMENT COMMUNITY
EXPANSION LAND**

Drawing
SITE LOCATION PLAN

Issue Purpose
PLANNING

UE Proj No	Scale	Date	Drawn	Status	Revision
2716	1:2500@A3	AUG 2024	JE	-	P00

Project - Organisation - Volume/System - Level - Type - Role - Number
2716-URB-BHE-XX-DR-A-208900





Appendix B Previous Representations

29 February 2024

Online submission only

Strategic Planning
Horsham District Council
Parkside
Chart Way
Horsham
RH12 1RL

SLR Project No.: 433.000056.00001

Dear Strategic Planning,

RE: Representation to Horsham District Local Plan 2023-2040: Regulation 19 Consultation

Strategic Policy 39: Affordable Housing and Policy 42: Retirement Housing and Specialist Care

Introduction

On behalf of our client, Inspired Villages, we write in response to the Horsham District Local Plan consultation (January 2024).

Inspired Villages has obtained outline planning permission (ref. DC/19/1897) for the erection of a continuing care retirement community of up to 141 units of accommodation (C2 use) and community facilities including restaurant, café, shop, hairdressers, spa and clinical consultation / treatment suite, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access) at Land at Wellcross Farm, Broadbridge Heath ("the site"). Reserved Matters approval has also been granted for phase 1 of the development for 47 units (ref. DC/22/1503), with the remaining 2 phases currently under determination (ref. DC/24/0205).

There is an additional parcel of land to the south-west of the site ("expansion land"), which Inspired Villages have an option to develop, creating a 4th phase which could comprise approximately 15-20 cottages (C2 use).

This representation focuses on Strategic Policy 39: Affordable Housing and Policy 42: Retirement Housing and Specialist Care in the consultation document, in relation to the expansion land.

About Inspired Villages

Inspired Villages is a developer and operator of Integrated Retirement Communities (IRCs) across the UK. Inspired Villages have 9 operational sites with a further 4 under construction and 16 sites legally secured, which are in planning or consented. Inspired Villages IRC model is based on the concept of encouraging and facilitating wellbeing in older people, by providing a suitable, safe and secure environment where care and assistance tailored to suit individual needs can be provided within people's homes. An IRC offers the choice for older people to live in a community specifically designed to maximise their wellbeing, whilst maintaining the dignity and privacy of having their own home.

The IRC model takes the form of a central building (the 'village centre') and surrounding purpose-designed specialist accommodation. The village centre provides the communal facilities focused on facilitating wellbeing and can also provide accommodation. The facilities may vary but will always include a minimum provision and design standard. The specialist accommodation takes the form of 'extra care' units that have been carefully designed to incorporate features that allow for practical living for older people and the delivery of care and assistance safely within that setting, which can be increased over time if necessary.
















The Planning Practice Guidance (PPG) on 'Housing for Older and Disabled People' sets out four types of specialist housing to meet the diverse needs of older people¹:

- **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.

Inspired Villages is a full member of the Associated Retirement Community Operators (ARCO), which is the main body representing the IRC sector in the UK. IRCs may also be referred to as extra care and housing-with-care. Below is an extract from ARCO's website which distinguishes between retirement housing, IRCs and care homes.

¹ Paragraph 010 Reference ID: 63-010-20190626. Revision date 26 June 2019



 <p>Retirement Housing Also known as: • Sheltered housing • Retirement flats or communities</p>	 <p>Integrated Retirement Communities Also known as: • Extra care • Retirement villages • Housing-with-Care • Assisted living • Independent living</p>	 <p>Care Homes Also known as: • Nursing Homes • Residential Homes • Old People's Home</p>
 <p>Offers self-contained homes for sale, shared-ownership or rent</p>	 <p>Offers self-contained homes for sale, shared-ownership or rent</p>	 <p>Communal residential living with residents occupying individual rooms, often with an en-suite bathroom</p>
 <p>Part-time warden and emergency call systems. Typically no meals provided</p>	 <p>• 24-hour onsite staff • Optional care or domiciliary services available • Restaurant / Cafe available for meals</p>	 <p>24-hour care and support. Meals included</p>
 <p>Typical facilities available:</p> <ul style="list-style-type: none"> • Communal lounge • Laundry facilities • Gardens • Guest room 	 <p>Typical facilities available:</p> <ul style="list-style-type: none"> • Restaurant and Cafe • Leisure Club including: gym, swimming pool, exercise class programme • Communal lounge and/or Library • Hairdressers • Gardens • Guest room • Activity (Hobby) rooms • Social event programme 	 <p>Typical facilities available:</p> <ul style="list-style-type: none"> • Communal lounge • Laundry facilities • Gardens • Guest room
 <p>Typically 40 - 60 homes</p>	 <p>Typically 60 - 250 homes</p>	 <p>Sizes vary considerably</p>

Strategic Policy 39

The supporting text to Strategic Policy 39 explains that all qualifying residential developments will be subject to affordable housing requirements, including any retirement or assisted living accommodation within this use class as set out in Policy 42.

Strategic Policy 39 states that on **self-contained residential developments (C2 and C3, including retirement and other specialist care housing)** that are proposed for, or have capacity for, 10 or more homes (gross) or exceed 0.5 hectares, a proportion of the homes or units shall be provided as affordable homes (as defined in the glossary). The policy sets out the affordable housing thresholds and requirements. **For greenfield sites providing self-contained dwellings (houses and/or flats), a minimum 45% of the total is required. On sites providing continuing care retirement housing, retirement housing and other specialist care housing, a minimum 30% of the total as applies in accordance with Policy 42.**



Strategic Policy 42

Policy 42, part b) states “All units deemed self-contained dwellings provided as part of the development will, regardless of use class, comply with Policy 39: Affordable Housing, such that:

- i. For the retirement homes and extra-care housing element, the proposal will provide C3 self-contained affordable homes suited to specialist older people’s needs; and
- ii. **For elements of the proposal delivering self-contained units as part of a residential care scheme (C2 use class), the proposal will provide specialist on-site affordable housing tailored for occupation by C2 residents;**”

In comparison, the currently adopted Horsham District Planning Framework simply requires developments of 15 or more dwellings or on sites over 0.5 hectares to deliver 35% affordable housing under policy 16 and under adopted policy 18, it does not specify a percentage requirement of affordable housing but simply to include affordable provision to meet identified local needs, or where this is not possible, provide an appropriate commuted sum in lieu of on site units.

The supporting text to policy 42 explains that “Proposals that are deemed to provide self-contained dwellings or retain the essential characteristics of a self-contained dwelling, whether C2 or C3 use class, will be expected to provide affordable housing in accordance with Policy 39, regardless of whether or not an element of care is provided or the type of care provision unless it can be robustly demonstrated that meeting this requirement would make the scheme unviable. **It is however recognised that in some instances the form and level of contribution may differ from general mixed tenure development schemes**”².

Reading both policies together, the requirements are not entirely clear and would benefit from greater clarification and synergy between both policies, such as including use classes in the categories in strategic policy 39. In the case of the Wellcross Farm site and the expansion land, which would provide C2, self-contained accommodation, it isn’t clear whether this would fall into category a) greenfield sites, or category d) sites providing continuing care retirement housing, retirement housing and other specialist care housing, though it would be assumed to be the latter. Strategic policy 39 should therefore be amended and it is suggested that any affordable housing requirements for continuing care retirement communities should be dealt with solely within policy 42.

In addition, extra-care housing (also known as IRCs, as per the ARCO image above) should not be referred to as C3, as has been done in policy 42 b) i. The PPG states that “when determining whether a development for specialist housing for older people falls within C2 (Residential Institutions) or C3 (Dwellinghouse) of the Use Classes Order, consideration could, for example, be given to the level of care and scale of communal facilities provided³.” Given the PPG describes extra care housing as

² Paragraph 10.61

³ Paragraph 014 Reference ID: 63-014-20190626. Revision date: 26 June 2019



consisting of 'medium to high level of care available if required' and 'often extensive communal areas', this suggests extra-care housing/IRCs should be categorised as C2 use class.

Supporting text to strategic policy 39 states that the council will only accept a reduced amount of affordable housing due to lack of viability if exceptional circumstances have been demonstrated through a viability appraisal at the application stage⁴. However this is not explicitly stated in the policy, with point 5 only stating *"it is expected that affordable housing will be delivered on-site. In exceptional circumstances where it can be demonstrated that this is not viable, the Council will seek equivalent off-site provision, or financial contribution in lieu to provide for the full cost of the same number of units."* The reduced provision of affordable housing subject to exceptional circumstances as set out in the supporting text should therefore be included within the policy.

A further ambiguity of both policies, particularly policy 42, is how affordable housing delivery at a continuing care retirement community such as Wellcross Farm would work in practice, as the residential offering is more complex than standard self-contained residential schemes. For example, the Wellcross Farm continuing care retirement community includes a care package as part of the residence to each occupant or care unit. The care package allows for access to and use of the facilities and services at the community for an additional annual fee which is a significant expense, therefore it is questioned how an affordable care unit would be able to access or fund the care package or whether the affordable care unit occupants would be excluded from accessing the services and facilities, however this would create a sense of segregation and goes against the aims of inclusive communities.

Furthermore, the Local Plan Viability Study (November 2023) which forms part of the Council's Evidence base states: *"Older persons' accommodation is less viable than general needs accommodation due to the higher marketing costs, longer sales periods, reduced building efficiency and higher base build costs."*⁵ Any affordable offering should be subject to viability testing as the nature of IRCs are vastly different to regular housebuilding, with the former being more complex and have differing associated costs.

It is noted that policy 42 part b) ii. acknowledges that for elements of the proposal delivering self-contained units as part of a residential care scheme (C2 use class), the proposal will provide specialist on-site affordable housing tailored for occupation by C2 residents, and that the supporting text to the policy recognises that in some instances, the form and level of contribution may differ from general mixed tenure development schemes. However, neither the policy nor the supporting text goes any further in explaining what the specialist affordable housing requirement may comprise of. The policy should therefore be amended to provide further clarity on this matter.

⁴ Paragraph 10.46

⁵ Paragraph 9.3



For each of the categories in strategic policy 39, the term ‘minimum’ is used for the percentage requirements. This should be removed as it is too ambiguous, as should supporting text to the policy at paragraph 10.38 which suggests that it is expected that sites with low existing use value will be required to deliver more than the policy requirement.

In terms of locational requirements, policy 42 states that *“proposals for development which provides continuing care retirement housing, retirement housing and other specialist care housing will be supported provided that: a) It is located within or adjoining defined built-up areas, or as part of strategic housing allocations, and is accessible by foot or public transport to local shops, services, community facilities and the wider public transport network”*. However this is too narrow and restrictive, as it does not allow any scope for expansion of existing continuing care retirement communities, such as at Land at Wellcross Farm. The policy should therefore be amended to allow greater flexibility in enabling growth of existing continuing care retirement communities. This would help to ensure a sufficient supply of housing for older people, in line with the recently updated NPPF which now requires councils to establish the housing need *specifically* for older people, including those who require retirement housing⁶. This is particularly important given the significant growing demand for such housing, with 1.6 million people aged 85 and over in mid-2016, which is projected to double to 3.2 million by mid 2041⁷.

The draft local plan lacks in identifying such housing need and target numbers of specialist care and retirement units intended to be achieved over the plan period. This must be addressed, given the SHMA indicates that there is a higher proportion of older people in Horsham District when compared with the wider West Sussex region and nationally. The Council has already identified in its Local Plan Viability Study issues with viability and therefore not allocating sites will lead to significant under delivery of older persons accommodation.

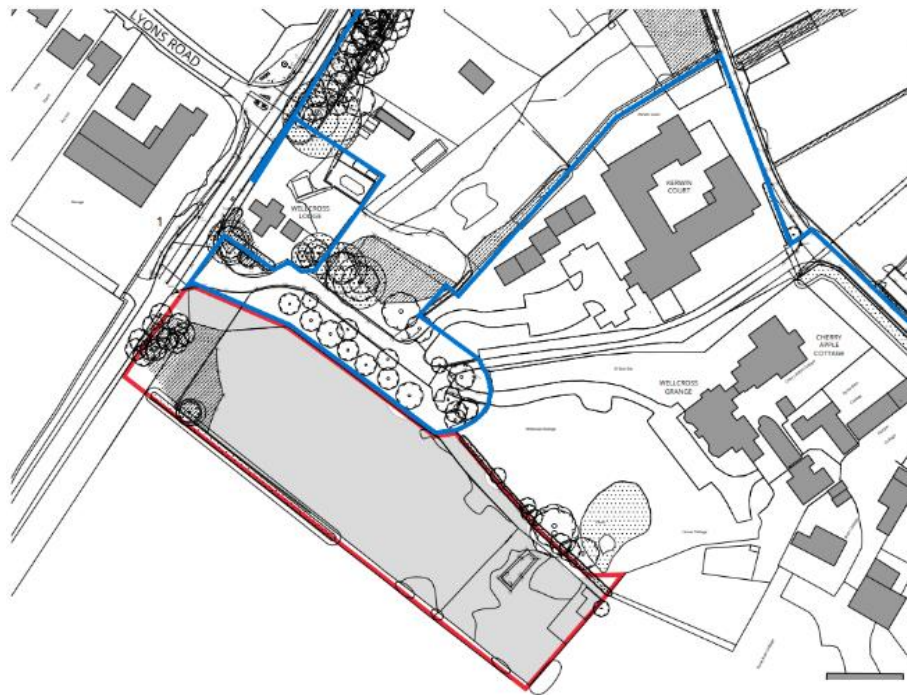
The Expansion Land

Therefore, the draft local plan should be more proactive in facilitating bringing forwards such developments, such as by allocating sites specifically for older people’s housing, including the expansion land at Wellcross Farm, which would provide much needed additional accommodation for older people and make efficient use of an already approved IRC development site. The location plan is shown below. This would be an ideal allocation in the local plan for older people’s housing and is in a logical location, which expands upon an existing IRC to the south-west of phase 3. There are no overriding constraints that would inhibit development and the proposals can be sensitively designed to fit in with the surrounding countryside, such as through lower-density, country-style cottage buildings.

⁶ NPPF paragraph 63

⁷ PPG paragraph 001 Reference ID: 63-001-20190626. Revision date: 26 June 2019





As it currently stands, the draft Local Plan policy on affordable housing, retirement housing and specialist care is unsound for the above reasons and should be amended accordingly to ensure clarity of expectations and requirements, flexibility on reduced provision in certain circumstances and broadening the scope for expansion of existing continuing care retirement communities, as well as identifying target numbers and allocations for retirement housing, extra care and specialist care, such as the expansion land at Wellcross Farm.

Should you wish to discuss further please do not hesitate to contact us.

Yours faithfully,

SLR Consulting Limited



Laura Black MRTPI
Associate Planner – Planning & ESIA





**Appendix C ARCO National
Development
Management Policy
for Older People's
Housing**



Setting Standards for
Retirement Communities

National Development Management Policy for Older People's Housing

ARCO Model Policy Proposal

November 2025

1 Introduction

With the UK's population ageing rapidly, the supply of new housing needs to adapt. Provision of specialist housing for older people has generally been low and the need for increased supply has become critical.

Specialist older people's housing can improve health and wellbeing, extend independence and healthy lives, as well as relieving pressures on the health and care systems. Conversely, under-supply of specialist housing can see older people unable to access suitable accommodation, resulting in negative consequences for their health and wellbeing, and preventing the freeing up of homes.

Within this context, proposals for specialist housing for older people that accord with the National Development Management Policy should be approved without delay.

The specific characteristics of proposals for specialist housing for older people should be taken into consideration when assessing them against other development plan policies including, for example, parking requirements, design standards and viability constraints. In all cases, the potential social, economic, and environmental benefits associated with such proposals should be given substantial weight in determining planning applications.

As part of their development plan preparation, all local authorities should undertake a robust assessment of existing and future needs in their area for all different forms of specialist housing for older people (as defined in the Glossary), taking account of the age, demographic, health and care characteristics of their older population. The assessment should take into account size, type and tenure of housing needed for older people.

Clear policies should be put in place to set out how any identified needs will be met, which could include targets and site-specific allocations. Measures should also be put in place to monitor provision as part of the Annual Monitoring Report.

Any policy requirements for financial contributions or affordable housing provision expected from proposals for specialist housing for older people should be informed by a robust and thoroughly tested viability assessment, which should also consider the different sizes, types and tenures of provision.

2 Policy Wording: Specialist Housing for Older People

1 Proposals for the different types of specialist housing for older people defined in the Glossary will be encouraged and supported, provided all the following criteria are met:

- a** It meets an identified need for the type and scale of housing proposed; and
- b** The development is well connected with good accessibility to shops, services, and amenity facilities appropriate to meet the requirements of residents and staff – either on-site, provided as part of the development; or off-site, accessible on foot or by existing or proposed transport services. Proposals for rural or edge of settlement sites should show how accessibility and integration will be addressed; and
- c** The scale, form, design, access arrangements, and range of amenities, open space, and landscaping proposed as part of the development meet the requirements of the specific type of housing proposed and the needs of the people the housing is intended for, whilst being adaptable and responsive to changing needs over the lifetime of the development.

2 The specific and unique characteristics of the type of specialist housing for older people proposed should be considered when assessing the proposal against relevant development plan policies. A flexible approach to some policy requirements (such as those relating to vehicle and cycle parking, housing mix, design standards and viability) may be appropriate, which takes account of the potential social, economic, and environmental benefits that the proposal can deliver.

3 Glossary

There are different types of specialist housing designed to meet the diverse needs of older, which can include:

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 integrated retirement communities (IRCs) 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.

For further information, please visit www.arcouk.org
Phone: 020 3697 1204 **Email:** info@arcouk.org **LinkedIn:** ARCO (Associated Retirement Community Operators)
BlueSky: @arcoposts.bsky.social **Instagram:** @ARCOPosts

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Registered in England and Wales. No. 08209801
Registered office: 167 -169 Great Portland Street, 5th Floor, London, W1W 5PF



Appendix D **ARCO response to
consultation on
proposed NPPF
reforms**



**Associated Retirement Community
Operators Limited**
167-169 Great Portland Street,
5th Floor, London, W1W 5PF

Telephone: 020 3697 1204
Email: info@arcouk.org
Website: www.arcouk.org

Matthew Pennycook MP
Minister of State for Housing and Planning
Ministry of Housing, Communities and Local Government
2 Marsham Street
London
SW1P 4DF

10 March 2026

By email only

Dear Minister,

Re: ARCO response to consultation on proposed NPPF reforms and other changes to the planning system

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

I am writing to provide a copy of ARCO's submission to the MHCLG consultation on proposed NPPF reforms and other changes to the planning system.

ARCO members variously offer social and affordable rent, private rent and leasehold units. The average age of moving into an IRC is 79 and the average duration of residence is eight years. IRCs typically comprise 24/7 onsite support, extensive communal facilities such as gyms and gardens, a restaurant/café/bistro, as well as guaranteed personal care if is required.

At around 0.6% of the older population in the UK, the prevalence of people living in IRCs is far lower than other countries, such as New Zealand and Australia. In such countries, the policy, regulatory and planning framework supports the development of IRCs. For example, in New Zealand, two of the three largest housebuilders by value of development plans are IRC operators.

ARCO members are SME developers and build complex operational developments, providing care and support for older people. Due to the extensive services provided, running costs for housing-with-care developments are much higher than for mainstream housing. However, a minimum scale is required to make housing-with-care schemes affordable on an ongoing basis – i.e. housing-with-care relies on economies of scale to make ongoing costs affordable to older customers on

restricted incomes (as costs are spread over a larger number of units). This trend can also be observed in other countries, where the average size of housing-with-care development (e.g. in New Zealand or Australia) is 150+ units (with some schemes having more than 250 units).

The development of IRCs supports multiple government policy goals. For example, a Homes England research report noted that living in an IRC results in savings to the NHS of £2,000 per person each year. For these reasons, various reviews have called for a major expansion of the supply of IRCs, such as the 'Mayhew Review' and the final report of the Older People's Housing Taskforce.

Our key proposed amendments to the draft NPPF and related policy are as follows:

1. **Existing Planning Practice Guidance (PPG) on housing for older and disabled people should be updated:** The need to provide housing for older people is described as 'critical' in national guidance¹. This guidance has not been updated since publication in 2019, despite significant policy and demographic change. We propose that the PPG update includes the following, as a minimum:
 - a. **A standardised needs methodology should be consulted on and referenced in PPG to calculate need for older persons housing.** The outdated SHOP@ needs methodology should be replaced with a more ambitious and rigorous methodology.
 - b. **A stronger requirement for allocations, minimum targets, and delivery measurement for housing for different groups where a need exists.** The guidance should clarify how Local Authorities should make allocations to best meet the needs in their areas and safeguard these to ensure delivery.
2. **Older Persons Housing NDMP:** NPPF Policy HO5 should be updated to include a positive policy on Older Persons Housing as an NDMP and be given statutory weight. This policy should explicitly state that proposals for different types of specialist housing for older people will be encouraged and supported providing certain criteria are met.
3. **Spatial Development Strategies:** ARCO believes Spatial Development Strategies should carefully consider how assessments of need and demographic trends are captured in the evidence base, and be required to set minimum requirements for housing for older people, as well as requirements to measure delivery of housing for different groups.
4. **Measuring and setting targets for housing and other accommodation for different groups:** NPPF Policy HO3 and Annex D should be amended to ensure that housing delivery measurement includes housing for different groups, assessed against specific needs evidence, including housing for older people.
5. **Allocations for older persons housing:** NPPF Policies HO1, HO2 and PM9 should be updated to require Local Authorities to identify a sufficient supply and mix of sites to meet evidenced need for housing and other accommodation for different groups, including for older persons housing. These policies should also require allocations to be made for specific sites to meet that need. According to

¹ Planning Practice Guidance Housing for older and disabled people, Paragraph: 001
Reference ID: 63-001-20190626

evidence from consultancy Lichfields², in 2024, just 9% of English development plans included allocations for housing for older people.

6. **Green Belt policy to support the delivery of housing needs for different groups:** Proposed NPPF Policy GB7 requires an “*evidenced unmet need*” to be demonstrated for proposals on grey belt land, however, the policy proposes to strictly limit the way evidenced unmet need can be demonstrated, excluding specialist housing. We propose that footnote 50 of the NPPF should be amended to also include an evidenced unmet need for older persons housing or housing for different groups to effectively address unmet housing, or other accommodation needs for different groups.
7. **Viability at Local Plan stage:** Viability is rarely fully assessed at Local Plan stage for housing for different groups. We propose that NPPF Policy PM12 should include a requirement to assess different types of housing as referenced elsewhere in the NPPF.
8. **Viability testing at decision making stage:** Housing for different groups should be allowed to undertake viability testing at decision making stage. NPPF Policy DM5(2) and the PPG on Viability (Paragraph 030) should be updated to explicitly clarify that older persons housing is a form of accommodation where it is suitable for viability assessments to be undertaken at decision taking stage.
9. **Viability review mechanisms:** Review mechanisms should not be automatically applied where a viability assessment has demonstrated it is not viable to make a policy requirement and the assessment has been undertaken in accordance with NPPF Policies DM5 and GB8, and specifically are not appropriate on schemes delivering housing for older people.
10. **Standardised viability assumptions:** Consultation should be undertaken and tested rigorously on the impact of standardised assumptions on viability - in particular, when considering different forms of accommodation and operational vs development only models for housing. The current proposed standard assumptions on Existing/ Alternative Use Values, Benchmark Land Values, Gross Development Value, developer profit, residual land values, and affordable housing are deeply concerning to ARCO members and will disincentivise landowners from releasing land for development and eradicate investment in housing in the UK if adopted.
11. **Medium site categories:** The intention of this policy is to provide positive policy direction to SME developers. However, the challenges SME developers face are not constrained to site size or unit thresholds, but rather, the number of employees and sites developed per year. ARCO members are SME developers, but as operators of housing-with-care, members typically target 100-250 units to ensure economies of scale in running costs that can be passed on to residents. We are concerned that the proposed policy currently excludes specialist housing for older people, and risks being discriminatory toward older people (with care needs), especially those on low-medium incomes. As such, we propose that any medium site category also includes a threshold of up to 150-250 units for specialist housing for older people falling within C2 use.
12. **M4(2) and M4(3) accessibility standards:** Including minimum percentages of new housing to deliver against accessibility building regulations will not lessen the need to provide specialist housing for different groups, including older people. Under these accessibility standards of building regulations, there is no requirement for any level of care, support or facilities to be provided and therefore benefits to

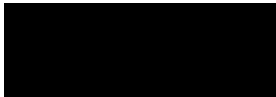
² Lichfields UK, [‘Solutions to an age old problem, Second Edition’](#) June 2024.

ARCO response to consultation on proposed NPPF reforms and other changes to the planning system

individuals and the wider community, would be reduced significantly. This policy cannot replace the requirement for specialist accommodation, including allocations to be developed through plan making, and decision making. These standards have not been viability tested and should not be imposed as part of the NPPF until further testing has been undertaken.

If MHCLG wishes to obtain further clarity on any point in this letter or ARCO's consultation response, we will of course be very happy to provide further information.

Yours sincerely,



Michael Voges
Chief Executive

Enc.

Questions on Proposed reforms to the National Planning Policy Framework and other changes to the planning system – ARCO RESPONSE

1) Do you have any views on how statutory National Development Management Policies could be introduced in the most effective manner, should a future decision be made to progress these?

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

ARCO believes NDMPs should hold the same weight as SDSs and Development Plans in decision making, as was the intention of the Levelling-Up and Regeneration Act - unless there are conflicts between the NDMP and the Development Plan, in which case the NDMP should take precedence.

It would speed up the LP preparation process as most generic policies would be removed, either due to the new policies in the NPPF or in the NDMPs

ARCO, in conjunction with its members, has developed a model National Development Management Policy to support the delivery of housing for older people, which can be found online at [ARCO's Planning Hub](#). This would allow for a consistent approach for older persons housing and enable the use of a standard positive policy on OPH. ARCO proposes the below policy is included within the NPPF as a National Decision Making Policy within Policy HO5:

“Proposals for the different types of specialist housing for older people defined in the Glossary will be encouraged and supported, provided all the following criteria are met:

a It meets an identified need for the type and scale of housing proposed; and

b The development is well connected with good accessibility to shops, services, and amenity facilities appropriate to meet the requirements of residents and staff – either on-site, provided as part of the development; or off-site, accessible on foot or by existing or proposed transport services. Proposals for rural or edge of settlement sites should show how accessibility and integration will be addressed; and

c The scale, form, design, access arrangements, and range of amenities, open space, and landscaping proposed as part of the development meet the requirements of the specific type of housing proposed and the needs of the people the housing is intended for, whilst being adaptable and responsive to changing needs over the lifetime of the development.

2 The specific and unique characteristics of the type of specialist housing for older people proposed should be considered when assessing the proposal against relevant development plan policies. A flexible approach to some policy requirements (such as those relating to vehicle and cycle parking, housing mix, design standards and viability) may be appropriate, which takes account of the potential social, economic, and environmental benefits that the proposal can deliver.”

Further guidance before adoption is required on how the tests set out in the Levelling-Up and Regeneration Act of ‘inconsistency’ and ‘repetition’ will be applied where local context may require

deviation from NDMPs. This is of particular relevance for housing for different groups where standard policy requirements may be irrelevant or not able to be complied with.

2) Do you agree with the new format and structure of the draft Framework which comprises separate plan-making policies and national decision-making policies? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

The new structure reflects policies as set out in Local Plans and provides clearer guidance on where relevant policies should be considered, either in decision making or plan making.

3) Do you agree with the proposed set of annexes to be incorporated into the draft Framework? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree

b) Please provide your reasons, particularly if you disagree.

We have the following comments on the proposed set of annexes:

- Annex C is titled 'information requirements' however, this reads as a national validation list and therefore duplicates the 'Making an application' Planning Practice Guidance. ARCO queries whether it is necessary to have an annex on information requirements where this is already covered in Planning Practice Guidance.
- Further consultation is required on Annex X, comprising the standardised viability assumptions, please refer to comments in this consultation on standardised viability assumptions.

4) Do you agree with incorporating Planning Policy for Traveller Sites within the draft Framework? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

c) Please provide your reasons, particularly if you disagree.

5) Do you agree with the proposed approach to simplifying the terminology in the Framework where weight is intended to be applied? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree*

Partly agree

d) Please provide your reasons, particularly if you disagree

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

ARCO agrees the simplified terminology on weighting, However the NPPF should clarify in a Glossary or Appendix that there is no higher weighting than 'substantial' for clarity in decision making. Setting a clear weighting scale in the NPPF will ensure that the magnitude of substantial weight in the delivery of housing, and in particular housing for older people would not be lost.

6) Do you agree with the role, purpose and content of spatial development strategies set out in policy PM1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree

a) Please provide your reasons, particularly if you disagree.

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

Spatial development strategies should carefully consider how assessments of need, and demographic trends are captured and fit with other relevant budgetary and cross functional requirements. For example, demographic trends and housing for older people directly impact other Local Authority services, such as adult social care budgeting, and NHS resourcing. There appears to have been little consideration of these factors when preparing policy wording for Spatial Development Strategies. ARCO would encourage a requirement to be included in forthcoming guidance on Spatial Development Strategies to consider cross-functional service delivery.

7) Do you agree that alterations should be made to spatial development strategies at least every 5 years to reflect any changes to housing requirements for the local planning authorities in the strategy area? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree

a) If not, do you think there should be a different approach, for example, that alterations should only be made to spatial development strategies every five years where there are significant changes to housing need in the strategy area?

Policy DM2(2) i) iii) requires a replacement no later than 10 years after the current version was adopted, or earlier “to respond to significant change, or new evidence of needs, opportunities or development constraints”. There is no onus on Local Authorities to positively plan for, or measure the delivery of, housing for different groups, such as older people, for which the need is “Critical”¹ according to Planning Practice Guidance. ARCO would suggest that housing needs under Policy DM2(2a) should explicitly reference housing for different groups, and under Policy HO3, a supply of specific deliverable sites should be set out for older persons housing.

8) If spatial development strategies are not altered every five years, should related policy on the requirements used in five year housing land supply and housing delivery test policies, set out in Annex D of the draft Framework, be updated to allow housing requirement figures from spatial development strategies to continue to be applied after 5 years, so long as there has not been a significant change in that area’s local housing need? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree

a) Please provide your reasons, particularly if you disagree.

As above, under the current drafting of Policies DM2 and HO3, there is no requirement for housing for different groups to be measured, including housing for older people. Under Annex D paragraph 8, Local Authorities must demonstrate “a minimum of five years’ worth of housing, assessed against their housing requirement in the development plan, or against their local housing need (calculated using the standard method) where the development plan requirement is more than five years old.”. Whilst self-contained specialist housing does contribute toward five-year housing land supply targets and can be

¹ Planning Practice Guidance Housing for older and disabled people, 001 Reference ID: 63-001-20190626

measured in this way, the inclusion of a specific target for housing for different groups will ensure delivery and allocation of specialist housing, where a need exist.

We propose that the wording of Policy HO3 and Annex D should be amended to: “a *minimum of five years’ worth of housing, including housing for different groups, assessed against their housing requirement in the development plan, specific needs evidence, or against their local housing need (calculated using the standard method) where the development plan requirement is more than five years old.*”

9) Do you agree with the role, purpose and content of local plans set out in policy PM2? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

10) Do you think that local plans should cover a period of at least 15 years from the point of adoption of the plan? Yes/No

Partly agree

a) If not, do you think they should cover a period of at least 10 years, or a different period of time. Please explain why.

Whilst 15 years provides a positive framework for strategic planning, it is a significant time period when considering demographic changes - the evidence base should be updated at least every 5 years for relevant topics such as housing need for different groups, particularly when assessing the needs of housing for different groups.

11) Do you agree with the principles set out in policy PM6(1c), including its provisions for preventing duplication of national decision-making policies? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly agree

a) Please provide your reasons, particularly if you disagree.

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

ARCO believes the policies contained within the NPPF should inform plan making. Local plan policies often repeat national policies, and guidance. Avoiding duplication will enable decision making to be undertaken in a more streamlined and faster way without repeating policies which can exist at a national level, on the basis that National Decision Making Policies should be given statutory weight. Otherwise, the weight to be given to these policies will be dependent upon either decision-maker.

We would suggest that PM6(1c) is amended to also include Planning Practice Guidance, as follows: “*Not duplicate, substantively restate or modify the content of national decision-making policies, or relevant Planning Practice Guidance, unless directed by other policies in this Framework;*”

However, there are proposed National Decision Making Policies contained within the draft NPPF which should be amended or removed, as set out in this consultation response.

12) Do you agree with the approach to initiating plan-making in PM7? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree

13) Do you agree with the approach to the preparation of plan evidence set out in policy PM8? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

14) Do you agree with the approach to identifying land for development in PM9? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree

a) Please provide your reasons, particularly if you disagree.

As well as a supply of specific deliverable sites for five years for general needs housing, and traveller sites as set out in PM9 and HO3, there should also be a requirement under PM9 and HO3 to identify a sufficient supply and mix of sites to meet the requirement for older persons housing and for allocations to be made for specific sites to meet that need. Otherwise the delivery of older persons housing must fall to windfall sites, or as part of mixed use developments which will not guarantee delivery against a very significant demographic change.

Evidence from consultancy, Lichfields' 2024 report, '*Solutions to an age old problem*' shows that as of 2019, just 14% of development plans in England had policies that identified a requirement for housing for older people and just 8% of English development plans included allocations for housing for older people. The 2024 update showed an improvement in identified specialist housing requirements within development plans to 48% but the number of plans with allocations for specialist housing remained largely static at 9%. Whilst policy at a national level has changed significantly since 2019, the proportion of Local Authorities allocating land for housing for older people remains very low at less than one in ten. This will not change unless national policy requires allocations to be made for housing for different groups in Local Plans, using up to date needs evidence.

15) Do you agree with the policies on maintaining and demonstrating cross-boundary cooperation set out in policy PM10 and policy PM11? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

16) Do you agree that policy PM12 increases certainty at plan-making stage regarding the contributions expected from development proposals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree

a) Please provide your reasons, particularly if you disagree.

In general clarity over affordable requirements is positive as it can aid negotiation with landowners during land acquisition. However, different housing typologies are rarely factored into Local Plan viability assessments and will be even less likely to be considered following the publication of the new NPPF, due to the tighter 30-month LP production timeline. Further, the details of many costs are often unknown at plan making stage, making it more challenging to provide certainty on expected contributions.

Where housing for different groups, and in particular older persons housing, is considered in viability testing at Local Plan stage, this is often based upon outdated typologies and does not reflect the types of housing now being delivered in the market. The basis for assessment needs to be updated to reflect the current market. For example, sheltered housing is a rarely delivered typology, and newer forms of housing such as Integrated Retirement Communities (part of the Extra Care typology) are not considered.

In addition, where housing for different groups, and older persons housing, is considered it is often done so by practitioners with insufficient knowledge of the sector. Local Planning Authorities need to ensure that they employ surveyors having full knowledge and that all the viability concerns relating to the sector are considered, and that responses to Local Plan viability responses are considered fully. For example, build costs need to be correctly assessed when considering housing for different groups as there are rarely defined BCIS categories for these typologies, and therefore 'catch-all' typologies, like retirement housing or care homes, are often applied which do not reflect real world costs. Other areas for specific consideration include sales periods and the empty property costs during sales neither of which are currently reflected in local plan work.

Under PM12 (2c), a requirement should be included to assess different types of housing and cross reference to the typologies as set out in HO1(2): Assessing the need for homes. Ensuring the following list of housing or other accommodation needed for different groups is included in the assessment of contributions as a minimum will ensure consideration of different viability challenges and encourage the preparation of positively prepared policies for these groups:

- a. Those who require affordable housing (including Social Rent) as defined in the glossary;
- b. Older people (including those who require retirement housing, housing-with-care and care homes);
- c. Disabled people;
- d. People who rent their homes;
- e. Families with children;
- f. Looked after children (evidence of need for which can be found in the relevant local authority's Children's Social Care Sufficiency Strategy);
- g. Specialist community-based accommodation (where evidence of need is available for the relevant local authority);
- h. Students;
- i. Travellers; and
- j. People wishing to commission or build their own homes

17) Do you agree that plans should set out the circumstances in which review mechanisms will be used, or should national policy set clearer expectations? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree

a) Please provide your reasons, particularly if you disagree.

Review mechanisms should not be automatically applied where a viability assessment has demonstrated it is not viable to make a policy requirement and the assessment has been undertaken in accordance with DM5 and GB8. Further, review mechanisms should only apply to large multi-phase residential development delivered over a long (10+) year period. They are not appropriate on non-strategic scale proposals and specifically are not appropriate of schemes delivering housing for older people, which carry higher risk to delivery and have different viability challenges to traditional housing, namely;

- Design efficiencies - less saleable space as a result of communal areas;
- Minimum scheme sizes – in order to provide communal facilities;

- Larger gross internal area, as a result of communal areas, attracting higher Community Infrastructure Levy (CIL) and section 106 charges;
- Sales rates – longer sales process and lack of pre-sales (the communal areas must be complete and operating before anyone moves in);
- Little or no phasing - any apartment block must be fully constructed before the sale of a single unit can be completed. As a result, the capital cost of the block/ phase must be financed in its entirety;
- Empty property costs - a cost to the operator when units remain unsold as they must maintain all services; and
- Higher construction costs.

Introducing widespread mandatory review mechanism policies would:

- Cause major planning delays (in negotiating s106 agreements / officer resource);
- Cause major delivery delays (sites with review mechanisms are challenging to trade onwards);
- Add risk, complexity and uncertainty of returns, particularly in an environment where delivery is already lagging;
- Make funding challenging for developers/operators as investors have uncertainty over viability of future, risking delivery. The lending criteria for funders is often stricter than the developer's own financial criteria.
- Deter SME builders from taking on sites for the reasons listed above.

Review Mechanisms effectively ensure that schemes proven to have marginal viability are almost never delivered. This is because there is insufficient share of the upside being returned to the developer if the market improves. For example, in London circa 80% of any upside is captured by the review mechanism which isn't enough of an incentive for a developer to take the risk of starting an unviable project. Review mechanisms are key reason why development in London has stalled despite the London having the highest demand and house prices in the country.

In our experience, review mechanisms rarely yield any uplift and ultimately result in lower delivery of private and affordable homes because schemes stall. A review mechanism should only apply to larger, phased, long-term schemes where market changes over time can be captured. They should not be considered on apartment-led schemes, or in proposals for housing for different groups, where the viability is significantly constrained. If a national policy on review mechanisms in viability is to be introduced, it should be consulted on, and, as a minimum it should specify that viability review mechanisms should only apply to strategic scale schemes to be delivered over a long period of time. Review mechanisms should not apply to single phase or medium scale schemes.

18) Do you agree with policy PM13 on setting local standards, including the proposal to commence s.43 of the Deregulation Act 2015? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree

a) Please provide your reasons, particularly if you disagree.

Accessibility standards are referenced in relation to M4(2) and M4(3) of building regulations, however Part 1 of Policy PM13 accepts that development plan policies can set parking and design and placemaking standards. These requirements set at a national standard, in particular, on accessibility standards, have not been viability tested, and will add significant cost to housing delivery. Further there is no evidence that the accessibility standards proposed will address care and support requirements of people with different needs. Under Policy PM12 and DM5 there should be an explicit requirement for Local Plan viability assessments, and viability assessments at decision making stage, to include the cost of meeting any national accessibility standards.

PM13 should also include wording to acknowledge that some quantitative standards will not apply to different forms of housing, for example, parking and design standards may not apply to housing for older people where lower parking levels are required, and landscaping/ garden provision is communal.

19) Do you agree that the tests of soundness set out in policies PM14 and PM15 will allow for a proportionate assessment of spatial development strategies, local plans and minerals and waste plans at examination? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, please explain how this could be improved to ensure a proportionate assessment, making it clear which type of plan you are commenting on?

20) Do you have any specific comments on the content of the plan-making chapter which are not already captured by the other questions in this section?

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

ARCO believes consideration should be given to the existing PPG and how this may need to be updated, or included within the NPPF, with particular reference to qualifying the different types of housing for different groups. For example, PPG on Housing for older and disabled people, under Paragraph: 010 Reference ID: 63-010-20190626, defines housing for older people in a different way than it is defined in the appendix of the NPPF. PPG should be updated to align with the NPPF where there are inconsistencies.

21) Do you agree with the principles set out in policy DM1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

22) Do you agree with the policy DM2 on information requirements for planning applications? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

23) Do you have any views on whether such a policy could be better implemented through regulations?

24) Do you agree with the principles set out in DM3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

25) Do you agree that policy DM5 would prevent unnecessary negotiation of developer contributions, whilst also providing sufficient flexibility for development to proceed? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly disagree

a) Please provide your reasons, particularly if you disagree.

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

ARCO believes DM5 provides clarity on how, and crucially *when*, viability assessments are appropriate in decision making. It defines *the circumstances in which viability assessments are justified* and notes that this includes situations where “*the development is significantly different from any typology assumed in the development plan viability assessment*”.

Further clarity should be given on how the word substantially should be applied when considering whether a typology is different to that which have been assessed as part of the viability assessment produced with the Local Plan.

As an example, housing-with-care (also known as extra care / Integrated Retirement Communities) are rarely assessed in Local Plan viability assessments, despite representations often being made by ARCO members requesting they are assessed in addition to care homes, and retirement housing schemes. As a result, affordable housing policies are often introduced during local plan making stage, which are not justified in the level of affordable housing apportioned to specialist housing. This will only be worse in the future, where the local plan making timeline has been reduced to a 30-month period and pressure to produce evidence will be similarly squeezed.

There are conflicts with the Viability PPG and Policy DM 5. Under paragraph 008² (formerly paragraph 007) of the Viability PPG older persons housing is still identified as a type of development which may significantly vary from standard models of development for sale, and resultingly, where viability assessments may be accepted at decision making stage. Build to Rent is also identified under paragraph 008, however, there is significant additional guidance in relation to Build to Rent viability within the PPG. There is no such clarification in relation to older persons housing. Under paragraph 030 (formerly paragraph 029) there remains a blanket ban on viability assessments in order to meet the golden rules, as such developers and operators proposing specialist accommodation for older people on grey belt sites are unfairly penalised due to the conflict within the PPG and will still need to meet the higher bar of Very Special Circumstances until the PPG is updated again in line with the new NPPF.

Policy DM5(2), and the PPG on Viability (paragraph 030) should be reviewed, and explicitly clarify that older person's housing is a form of accommodation where it is suitable for viability assessments to be undertaken at decision taking stage. Suggested amended policy wording is as follows:

NPPF DM5(2e) The development is for a form of housing or other accommodation needed for different groups³ or significantly varies from standard models of development for sale.

*Planning Practice Guidance on Viability Paragraph 030 Where development takes place on land situated in, or released from, the Green Belt and is subject to the 'Golden Rules' set out in [paragraph 156](#) of the National Planning Policy Framework, site specific viability assessment should not be undertaken for the purpose of reducing developer contributions, including affordable housing, **unless***

² Planning Practice Guidance Viability Paragraph: 008 Reference ID: 10-008-20190509

³ As defined in Policy HO1(2)

particular types of development are proposed which may significantly vary from standard models of development for sale.

26) Do you have any further comments on the likely impact of policy DM5: Development viability?

Consultation should be undertaken and tested rigorously on the impact of standardised assumptions on viability. In particular, when considering different forms of accommodation, and operational vs development only models for housing. If pragmatism is not applied to the inputs proposed in 'Annex X' then housing delivery could be further constrained.

Standardised assumptions may not be applicable to different forms of accommodation, and operational vs. development models. This is particularly relevant for housing to meet the needs for different groups, and specialist housing.

The suggestion of standardised assumptions is concerning in the context of land values and profit margins. Landowners do not sell land based on a Benchmark Land Value (BLV) approach, instead, they sell land based on the most viable form of development available to them, (often from major housing schemes delivered by PLC volume housebuilders). SME developers, including specialist housing developers and operators need to pay prices which are somewhat competitive with alternative uses, particularly where allocations are not safeguarded for our uses as part of the local plan process.

For this reason, ARCO strongly disagrees with the statement that extant consents should not be assumed to be sufficient proof of an Alternative Use Value (AUV). Extant consents clearly illustrate an underlying value of any site and should therefore inform the assumed BLV. BLVs must be calculated on a site-specific basis because both the Existing Use Value (EUV) and premium need to reflect site specific considerations and local market. Suggestions of a BLV for greenfield land being any lower than EUV x20 is not realistic. This can lead to an artificially low land value which in many instances is lower than the cost required to secure planning permission.

Removing or reducing landowner premiums in viability assessments will not improve viability; it would result in landowners receiving an insufficient return and would prevent development land coming forward.

In terms of profit margins, ARCO members do not agree developer profit levels should be reduced. The planning system cannot dictate unrealistic profit margins, as these are set at an institutional level where projects must compete for funding with alternative investments. Developer returns need to demonstrate a clear risk premium above the profitability of lower risk investments, like bonds, otherwise projects will stall. The generally accepted Developer Returns of 20% on GDV for market housing as set out in previous versions of viability PPG must remain.

27) Do you have any views on how the process of modifying planning obligations under S106A, where needed once a section 106 agreement has been entered into, could be improved?

Section 106A should be amended to remove the ability for Local Planning Authorities to decline to accept a Deed of Variation application within the first five years of planning permission being granted. The principle of a modification to a legal agreement should be acceptable in principle with the merits to be assessed through an application.

a) If so, please provide views on specific changes that may improve the efficacy of S106A and the main obstacles that result in delay when seeking modification of planning obligations.

Yes, policy should continue to encourage the use of the Discount Market Sale (DMS) or Discount Market Rental (DMR) tenure, because the developer can self-deliver this product without reliance on an RP market which has now been passive for +3 years. The DMS and DMR tenures are often unreasonably

undervalued in policy. It is highly flexible, and the product affordability can be customised by increasing the discount proposed. It is especially valuable for small sites / SMEs where Registered Provider interest is minimal and developments can stall or require Section 106 agreements to be renegotiated.

28) Do you have any views on how the process of modifying planning obligations could be improved in advance of any legislative change, noting the government's commitment to boosting the supply of affordable housing.

The supply of affordable homes (delivered by private capital) cannot increase without creating an environment where all residential development (private and affordable) is financially investible. The best way to do this is to allow schemes to be modified to realistic levels where there is sufficient evidence that the tenure / typology / proportion previously proposed was unsuitable, not developable, or has no market interest. In such cases ARCO members would be supportive of a cascade mechanism where there is limited interest from Registered Providers, to allow developer contribution, or an alternative on-site provision such as Discount Market Sale or Discount Market Rental.

29) Do you agree with the approach for planning conditions and obligations set out in policy DM6, especially the use of model conditions and obligations? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree. ARCO members agree that planning conditions and obligations should be standardised to enable decisions to be issued more quickly, given there are often significant delays due to the negotiation of wording in obligations in particular. ARCO has developed a model [Section 106](#) agreement for Integrated Retirement Communities, a form of housing-with-care / extra care, which has been utilised by its members for several years. This provides a framework and suggested wording for obligations relevant to the sector, such as minimum care requirements, and qualifying persons criteria necessary to secure C2 use. Any standard obligations or conditions developed at a national level should not be applied to housing for different groups, in particular, where a standard model may already exist, unless the national model conditions and obligations include specific standards for different forms of housing, such as housing for older people and consult on the content of these standards.

DM6(4) should be amended as follows:

“Planning obligations should only be used where it is not possible to address potential unacceptable impacts through a planning condition. Where national model planning obligations are relevant to the development, they should be used unless a different planning obligation is more appropriate, for example, for different forms of development than that which are considered in the national model planning obligations.”

Further, ARCO members would support maximum time limits to be imposed to agree conditions and planning obligations and to ensure the current delays from reaching a resolution to grant permission, to the decision being issued are reduced.

30) Do you agree that policy DM7 clarifies the relationship between planning decisions and other regulatory regimes? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

31) Do you agree with the new intentional unauthorised development policy in policy DM8? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

32) Are there any specific types of harm arising from intentional unauthorised development, and any specific impacts from the proposed policy, which we should consider?

a) If so, are there any particular additions or mitigations which we should consider?

33) Do you agree with the new Article 4 direction policy in policy DM10? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

34) Do you agree with the proposed approach to setting a spatial strategy in development plans? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

35) Do you agree with the proposed definition of settlements in the glossary? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

36) Do you agree with the revised approach to the presumption in favour of sustainable development? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

37) Do you agree to the proposed approach to development within settlements? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

38) Do you agree to the proposed approach to development outside settlements? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree

a) Please provide your reasons, particularly if you disagree.

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

ARCO supports the proposed approach to development outside settlements under Policy S5, however, we request that the policy wording is clarified to acknowledge that evidenced unmet needs can form housing to meet an identified need for different groups as defined under Policy HO1. Providing this clarification would allow housing to be accommodated outside of settlements where there is an identified need, not solely for general needs housing. ARCO proposes that Policy S5(j) is updated as follows:

*“j. Development which would address an evidenced unmet need (including, but not limited to, development proposals involving the provision of housing where the local planning authority cannot demonstrate a five year supply of deliverable housing sites²⁷, scores below 75% in the most recent Housing Delivery Test²⁸ or **provides a form of housing, or other accommodation to address specialist housing need for different groups⁴**, and where the development would:*

- i. be well related to an existing settlement²⁹ (unless the nature of the development would make this inappropriate) and be of a scale which can be accommodated taking into account the existing or proposed availability of infrastructure; or*

⁴ As defined in Policy HO1(2)

ii. *comprise major development for storage and distribution purposes which accords with policy E3.*”

39) Do you have any views on the specific categories of development which the policy would allow to take place outside settlements, and the associated criteria? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree

a) Please provide your reasons.

ARCO members agree with the provisions of S5(1j), which acknowledges development addressing an evidenced unmet need, and as worded this policy does not limit this to a five-year supply of deliverable housing land or Housing Delivery Test, or supply of gypsy and traveller sites, and would therefore allow for evidence demonstrating need for different groups. However, this policy could be strengthened, and policy GB7, specifically footnote 50 should be updated to align with Policy S5, please see response to Questions 38.

40) Do you agree with the proposed approach to development around stations, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree.

a) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics.

A density of 40 – 50dph may impact the minimum height that can be proposed, and therefore impact the viability and deliverability of housing for different groups. Consideration should be given to whether it is appropriate to apply a blanket assumption of density where alternative / mixed uses are proposed. Whilst the intentions of this policy are clearly positive, in our experience, flatted development have greater viability challenges than low-rise housing developments despite the higher densities achievable.

41) Do you agree that neighbourhood plans should contain allocations to meet their identified housing requirement in order to qualify for this policy? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, please provide your reasons

42) Do you agree with the approach to planning for climate change in policy CC1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

43) Do you agree with the approach to mitigating climate change through planning decisions in policy CC2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, what additional measures could be taken to ensure climate change mitigation is given appropriate consideration?

44) Do you agree with the approach to climate change adaptation through planning decisions in policy CC3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) What additional measures could be taken to ensure climate change adaptation is given appropriate consideration?

45) Does the policy on wildfire adaptation clearly explain when such risks should be considered and how these risks should be mitigated? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons

46) How should wildfire adaptation measures be integrated with wider principles for good design, and what additional guidance would be helpful?

47) Do you have any other comments on actions that could be taken through national planning policy to address climate change?

48) Do you agree the requirements for spatial development strategies and local plans in policy HO1 and policy HO2 are appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree

a) Please provide your reasons, particularly if you disagree.

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

As national PPG notes, the need for housing for older people is ‘critical’⁵, and as such, the assessment of housing need for older people should be required as part of wider need assessments, and used to inform housing targets for these user groups and specific safeguarded allocations. This should include requirements and allocations to be made for the typologies of specialist housing for older people identified in PPG⁶, where an evidenced need, based on an up-to-date assessment, exists:

“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

⁵ Planning Practice Guidance Housing for older and disabled people, Paragraph: 001 Reference ID: 63-001-20190626

⁶ Planning Practice Guidance Housing for older and disabled people, Paragraph: 010 Reference ID: 63-010-20190626

include support services for independent living. This type of housing can also include dementia care homes.”

Further information is also needed regarding the cross functionality of different services such as NHS services and Adult Social Care with Spatial Development Strategies, and Local Plans. The requirement for housing needs to be addressed at Spatial Development Strategy scale could result in a link between different services, working at local authority (or similar) scale, being ineffective and missing an opportunity for these services to be involved in the decision making and plan making process, particularly when setting housing targets for different groups.

Policy HO1(2) should be amended as follows: **“At the most appropriate level, development plans should also assess the need for, and allocate sites where a need exists, for housing or other accommodation needed for different groups This assessment should include an assessment of the size, type, and tenure of housing or other accommodation needed for different groups.** These groups include, but are not limited to:”

Policy HO2 should include text as follows: **“(6) Where an evidenced need for housing or other accommodation for different groups exists, housing requirement figures should be established setting minimum targets for these groups in accordance with Policy HO1(2).”**

49) Is further guidance required on assessing the needs of different groups, including older people, disabled people, and those who require social and affordable housing? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly agree

a) If so, what elements should this guidance cover?

Planning Practice Guidance on housing for older and disabled people has not been updated since 2019, despite the need to provide housing for older people being ‘critical’ as described in Paragraph: 001 Reference ID: 63-001-20190626 of the Planning Practice Guidance on Housing for Older and Disabled People.

The guidance should be updated, with particular relevance to emerging demographic evidence and market data on the changes to the needs and wants of older people and their requirements, as well as the guidance on how Local Authorities should approach applications to replace or retrofit outdated housing provided for older people.

The guidance should be updated to remove reference to the Strategic Housing for Older People Analysis Tool (SHOP@) tool referenced at Paragraph: 004 Reference ID: 63-004-20190626 of the PPG. SHOP@ is an outdated tool previously used to calculate need for housing for older people. The methodology of the tool uses existing provision to forecast future provision rates, effectively exacerbating historic under delivery of specialist housing. There are examples at appeal where Inspectors have acknowledged the failures of this methodology with Inspector Harold Stephens stating at paragraph 44 of appeal reference APP/Q3115/W/20/325861 *“The Council sought to undermine the Appellant’s need case with reference to earlier data from Housing LIN and the @SHOP tool. This on-line tool is highlighted in the PPG as a basis for calculating need. But the fact is it only provides a figure based on existing prevalence and then seeks to project that forward with a proportion increase based on the increase in the 75+ age group in the District. ***This is not a measure of need.***”* (emphasis added).

Further, the [Mayhew Review](#) published in 2023, recommends that the Government must build 50,000 new homes for older people each year to tackle the UK’s housing and social care crisis. In Mayhew’s key recommendations set out in the report he urges a significant expansion in the number of Integrated Retirement Communities built each year, and an accelerated programme of retirement housing construction with up to 50,000 new retirement units per year. Whilst an ambitious target, this evidence demonstrates an increase in provision is required, and an updated methodology would facilitate an

increase in specialist housing to meet identified needs and replace the outdated SHOP@ methodology referenced in PPG.

ARCO would urge that the PPG is updated, and a new standardised assessment methodology should be developed and consulted on to ensure consistency in decision making, setting an aspirational target for housing for older people, and requiring that Local Planning Authorities measure and report on delivery.

The guidance should update paragraph 013 Reference ID: 63-013-20190626 to clarify that Local Planning Authorities must, rather than “*should*”, make allocations for specialist housing for older people in accordance with needs evidence, including requirements for different tenures and typologies of housing for older people, such as extra care and housing-with-care.

50) Do you agree with the approach to incorporating relevant policies of Planning Policy for Traveller Sites within this chapter? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

51) Is further guidance needed on how authorities should assess the need for traveller sites and set requirement figures? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If so, what are the key principles this guidance should establish?

52) Do you agree the new Annex D to the draft Framework is sufficiently clear on how local planning authorities should set the appropriate buffer for their local plan 5-year housing land supply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

53) Do you agree the new Annex D to the draft Framework is sufficiently clear on the wider procedural elements of 5-year housing land supply, the Housing Delivery Test and how they relate to decision-making? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

54) Do you agree the requirements to establish a 5 year supply of deliverable traveller sites and monitor delivery are sufficiently clear? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

55) Do you agree the plan-making requirements, for both local plans and spatial development strategies, in relation to large scale residential and mixed-use development are sufficiently clear? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree

a) Please provide your reasons, particularly if you disagree.

Policy HO4(2c) should be amended to ensure the delivery of housing to meet the needs of different groups. In particular, site allocations for large-scale development should include assessments and incorporate market analysis on deliverability of uses within each site, prior to allocation. Once the sites are allocated, there should be a requirement for those specific uses to be delivered as part of any forthcoming application.

The suggested amended wording for Policy HO4(2c) is as follows: “*Supporting delivery by setting **minimum targets** for an appropriate mix of tenures which would meet the needs of different groups. This can include a mixture of ownership and rental tenures, including Social Rent, other rented*”

*affordable housing and build to rent, as well as housing designed for specific groups such as older people's housing and student accommodation and plots for custom or self-build. **The inclusion of minimum targets should be based on market evidence and be safeguarded for that use.***

56) Do you agree our proposed changes to the definition of designated rural areas will better support rural social and affordable housing? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

57) Do you agree with our proposals to ask authorities to set out the proportion of new housing that should be delivered to M4(2) and M4(3) standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree

58) Do you agree 40% of new housing delivered to M4(2) standards over the plan period is the right minimum proportion? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree

a) Please provide your reasons, and would you support an alternative minimum percentage requirement?

Policy HO5(1b) requires 40% of all new housing to be delivered to M4(2) or M4(3) standard of building regulations. Whilst ARCO operators already deliver specialist housing to M4(2) standards, this is currently an *optional* requirement for dwellings to be accessible and adaptable (which is M 4(2)) or wheelchair accessible (which is M4 (3)). Under these accessibility standards of building regulations, there is no requirement for any level of care, support or facilities to be provided and therefore benefits to individuals and the wider community, would be reduced significantly. This policy cannot replace the requirement for specialist accommodation, including allocations to be developed through plan making, and decision making.

We are concerned this minimum provision will also increase build costs further for all developers, and there is no indication that this requirement has been viability tested as a national policy requirement. ARCO recommends that any minimum accessibility standards should be applied only following consultation with market on deliverability, viability and consultation with specialist housing providers and housebuilders. As such, part b of Policy HO5 should be removed from the NPPF and delayed to form part of an update to PPG. Instead, Policy HO5 should include the proposed NDMP wording as set out in our response to Question 1, and repeated below:

ARCO, in conjunction with its members, has developed a model National Development Management Policy to support the delivery of housing for older people, this can also be found at [ARCO's Planning Hub](#). This would allow for a consistent approach for older persons housing and enable the use of a standard positive policy on OPH. ARCO proposes the below policy is included within the NPPF as a National Decision Making Policy within Policy HO5:

"Proposals for the different types of specialist housing for older people defined in the Glossary will be encouraged and supported, provided all the following criteria are met:

a It meets an identified need for the type and scale of housing proposed; and

b The development is well connected with good accessibility to shops, services, and amenity facilities appropriate to meet the requirements of residents and staff – either on-site, provided as part of the development; or off-site, accessible on foot or by existing or proposed transport services. Proposals for rural or edge of settlement sites should show how accessibility and integration will be addressed; and

c The scale, form, design, access arrangements, and range of amenities, open space, and landscaping proposed as part of the development meet the requirements of the specific type of housing proposed and the needs of the people the housing is intended for, whilst being adaptable and responsive to changing needs over the lifetime of the development.

2 The specific and unique characteristics of the type of specialist housing for older people proposed should be considered when assessing the proposal against relevant development plan policies. A flexible approach to some policy requirements (such as those relating to vehicle and cycle parking, housing mix, design standards and viability) may be appropriate, which takes account of the potential social, economic, and environmental benefits that the proposal can deliver.”

59) Do you agree the proposals to support the needs of different groups, through requiring authorities to identify sites or set requirements for parts of allocated sites are proportionate? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree

a) Please provide your reasons, particularly if you disagree.

Policy HO5(1c) does now positively state that the development plan should include policies identifying sites where there is an identified need, including specialist housing for older people, but there is no requirement to set targets or measure delivery. Further, ARCO members anticipate that every Local Authority will have an identified need for housing for older people, given the nationally described “critical” need as per PPG⁷. However, without an updated and agreed methodology to calculate need, there will be significant time expended at plan making and decision-making stage determining the appropriate provision rates. As per our response to question 49 of this consultation, the PPG should be updated to incorporate a new methodology.

60) Do you agree with our proposals to ask authorities to set out requirements for a broader mix of tenures to be provided on sites of 150 homes or more? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree

a) Please provide your reasons and indicate if an alternative site size threshold would be preferable?

Rather than site threshold, the requirement for mix of tenures should be deliverable, particularly on strategic sites, where mixed tenure sites are positive and can work well, if operators and developers are involved early enough and the sites are suitable and/or ring fenced for that use.

For example, the St Albans local plan which is due to be adopted later in 2026, does include some allocation for extra care on strategic sites, however, it is doubtful they will be delivered at such small scale of circa 70 units on each site and with no operator involved in the local plan process. Integrated Retirement Communities are an average size of around 150 units, with a minimum unit quantum required in order to provide the communal facilities, and level of care and support on site without significant service charges.

61) Do you agree with proposals for authorities to allocate land to accommodate 10% of the housing requirement on sites of between 1 and 2.5 hectares? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly Agree

⁷ Planning Practice Guidance Housing for older and disabled people, Paragraph: 001 Reference ID: 63-001-20190626

a) Please provide your reasons

This policy will help SME developers who struggle to compete with larger volume housebuilders. However, the definition of a SME developer is not exclusive to the size or number of units that a developer may propose on any given site; instead, there are SME developers who do develop beyond the medium site size category, such as specialist operators and developers of Integrated Retirement Communities. In general, ARCO is supportive of this policy, which should encourage local authorities not to prioritise meeting its housing need via fewer larger allocations in more remote locations.

62) Are any changes to policy HO7 needed in order to ensure that substantial weight is given to meeting relevant needs?

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

ARCO believes this policy is an improvement to the previous NPPF, particularly around substantial weight being given to the benefits of providing accommodation toward meeting evidenced needs of the local community. However, we would make two points:

- First, the word 'evidenced' should be clarified, particularly in relation to older persons housing needs assessments and the various prevalence rates and methodologies in existence, as referenced in our response to Question 49.
- Second, the word 'local' as above should be clarified in terms of scope. With Spatial Development Strategies likely forming the evidence base on housing need, ARCO members are concerned that need evidence may be assumed to have to look into micro location of neighbourhoods, or otherwise look too widely at county level. We question to what extent can a local need be addressed through delivery if scale is not agreed?

63) Do you agree that proposals to add military affordable housing to the definition of affordable housing, and allow military housing to be delivered as part of affordable housing requirements, will successfully enable the provision of military homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

64) Do you agree flexibility relating to the size of market homes provided will better enable developments providing affordable housing? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

65) Would requiring a minimum proportion of social rent, unless otherwise specified in development plans, support the delivery of greater number of social rent homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If so, what would be an appropriate minimum proportion and development size threshold taking into account development viability?

66) Are changes to planning policy needed to ensure that affordable temporary accommodation, such as stepping stone housing, is appropriately supported, including flexibilities around space standards?

a) If so, what changes would be beneficial?

67) Do you agree that applicants should have discretion to deliver social and affordable housing requirements via cash payments in lieu of on-site delivery on medium sites? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly agree

a) If so, would it be desirable to limit the circumstances in which cash contributions in lieu of on-site delivery can be provided – for example, should it not be permitted on land released from the Green Belt where the Golden Rules apply? Please explain your answer.

No, applicants should be able to deliver cash contributions in lieu of on-site delivery on all kinds of sites, particularly where different forms of accommodation are proposed, as these may not be suitable for on-site delivery. The real barriers to the provision of on-site affordable will be:

- The size of site, where if a site is too small it will not easily attract a Registered Provider to take a small number of homes.
- Whether the existing use value is high, for example a Green Belt site might already comprise a large house or existing buildings. In this case it will have a higher existing use value than a vacant field. The development's land value may not always exceed the existing use value.

All sites have different constraints and costs which can impact viability. It is not pragmatic to introduce a policy which prohibits a council's flexibility to accept cash payments in any circumstance where the applicant has clearly demonstrated why it is unable to deliver the homes on site. Please refer to responses to Question 25 in relation to site specific viability assessments under Policy DM5.

b) If you do not believe applicants should have blanket discretion to discharge social and affordable housing requirements through commuted sums, do you think cash contributions in lieu of on-site delivery should be permitted in certain circumstances – for example where it could be evidenced that onsite delivery would prevent a scheme from being delivered? Please explain your answer

Yes, certain circumstances would be for housing types where it is challenging for on-site delivery due to operational constraints. For example, specialist housing for older people. Another circumstance could be when the agreed number of affordable housing units will be of a quantum so low that Registered Providers are not interested in acquiring them.

68) What risks and benefits would you expect this policy to have? Please explain your answer. The government is particularly interested in views on the potential impact on SME housing delivery, overall housing delivery, land values, build out rates, overall social and affordable housing delivery, and Registered Providers (including SME providers).

Any policy designed to remove flexibility would reduce delivery of housing, in particular, under the proposed viability assumptions and policies, the delivery of older persons housing delivery would significantly reduce.

The government must recognise there are constraints to development and must provide a flexible solution where reasons have been clearly demonstrated by the applicant. In the current market Registered Providers are generally not interested in acquiring schemes of sub-50 affordable units, secured via Section 106 agreements. This may change over time with government incentives, but is unlikely to drop to less than 10 homes in the medium term. The government must allow flexibility for developers to provide alternative routes to delivery of homes. The two logical alternatives are either cash payments or Discount Market Sale Tenure or Discount Market Rental, which can be self-delivered.

69) What guidance or wider changes would be needed to enable Local Planning Authorities to spend commuted sums more effectively and more quickly? Please explain your answer.

70) Would further guidance be helpful in supporting authorities to calculate the appropriate value of cash contributions in lieu?

a) If so, what elements and principles should this guidance set out? Please explain your answer. For example, guidance could make clear that contributions in lieu should be an amount which is the equivalent value of providing affordable housing on site, based on a comparison of the Gross Development Value of the proposed scheme with the Gross Development Value of the scheme assuming affordable housing was provided onsite.

71) Do you support proposals to enable off site delivery where affordable housing delivery can be optimised to produce better outcomes in terms of quality or quantity? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly agree.

a) Please provide your reasons, particularly if you disagree.

This is particularly relevant where residents are living in managed accommodation as there are challenges to deliver care and support to differently managed parts of sites. To support this, in a recent appeal decision at St Albans, St Albans, (Appeal Decision APP/B1930/W/21/3279463 the inspector, Tom Gilbert-Wooldridge clearly recognised the issues affecting Integrated Retirement Communities, stating: Para 68. *“The Council continues to argue that C2 accommodation for the elderly can be disaggregated across smaller sites within urban and non-Green Belt locations, as demonstrated by the recent approval at appeal of 63-bed care home at Chelford House in Harpenden. I accept that C2 accommodation for the elderly can vary significantly in size and nature. However, smaller sites are less likely to provide the range of integrated facilities alongside a large number of bungalows and apartments designed for independent living with on-site care and support. This is partly due to space but also site viability. The Council could not point towards any other known planning proposal within the district for a comparable scale and range of C2 accommodation for the elderly. I am not persuaded from the evidence before me that the absence of other proposals is due to the Covid pandemic. It is more likely due to the viability and site availability issues highlighted by the appellant and not disputed by the Council, where specialist housing developers have difficulties in competing for sites with general housing developers.”*

72) Do you agree the with the criteria set out regarding the locations of specialist housing for older people? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree

a) Please provide your reasons, particularly if you disagree.

ARCO members broadly support Policy HO9(1a) which requires older persons housing to be located where residents will be able to access frequently-used services easily and safely, and acknowledges on-site services. This is a positive improvement on current policy. Many specialist schemes will deliver many of the day-to-day facilities needed by residents on-site as part of the care and support on offer. However, these facilities are often open and accessible to the local community and therefore provide locational sustainability in the form of community benefits, this should be acknowledged in Policy HO9(1a).

In relation to locational sustainability more generally, most operators are actively seeking sites within settlements or edge of settlements however, where allocations are not specifically made, and ring fenced for these uses within Local Plans, proposals for housing for older people must come forward on sites which carry higher planning risk and may be viewed as less sustainable (e.g. Green Belt or outside of settlements).

73) Do you agree with the criteria set out regarding the locations of community-based specialist accommodation, including changes to the glossary? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

74) Do you agree with the criteria set out regarding the locations of purpose-built student accommodation and large-scale shared living accommodation, including changes to the glossary? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

75) Do you agree the proposals provide adequate additional support for rural exception sites? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, including what other changes may be needed to increase their uptake?

76) Do you agree with proposals to remove First Homes exception sites as a discrete form of exception site? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

77) Do you agree proposals for a benchmark land value for rural exception sites will help to bring forward more rural affordable homes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If so, which approach and value as set out in the narrative for policy HO10 of the consultation document is the most beneficial for government to set out?

78) Do you agree the proposals to set out requirements for traveller sites at policy HO12 adequately capture relevant aspects from Planning Policy for Traveller Sites, whilst ensuring fair treatment for traveller sites in the planning system? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

79) Please provide your reasons, particularly if you disagree.

80) Do you agree the proposals in policy HO13 will help to ensure development proposals are built out in a reasonable period? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree.

a) Please provide your reasons, particularly if you disagree.

Policy HO13 states that “*Consideration should be given to whether to impose a planning condition requiring that development begins within a timescale shorter than the relevant statutory default period, where this would expedite the development without threatening its implementation or viability*”.

ARCO members would strongly disagree with this suggestion. Three years to implement a permission is not a significant time period, particularly if the building has a period before vacant possession can be achieved, developer funding needs to be sourced, building regulation approval is needed (e.g. fire assessment) or a contractor needs to be procured, or re-procured following insolvency.

81) Do you agree the requirements to take a flexible approach to the consenting framework for large scale residential and mixed-use development is sufficient to ensure the opportunities of

large scale development are supported? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

82) Are any more specific approaches or definitions needed to support the delivery of very large (super strategic) sites, including new towns? *Yes, no*

a) Please provide your reasons.

83) Do you agree with the proposed changes to the Housing Delivery Test rule book? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

84) Do you agree that more emphasis should be placed on relevant national strategies and the need for flexibility in planning for economic growth, as drafted in policy E1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

85) Do you agree with the approach to meeting the need for business land and premises in policy E2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

86) Do you agree with the proposed new decision-making policy supporting freight and logistics development in policy E3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

87) Do you agree with the approach to rural business development in policy E4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

88) Do you agree with the proposed changes to policy for planning for town centres? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

89) Do you agree with the approach to development in town centres in policy TC2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, please explain how you would achieve this aim differently?

90) What impacts, if any, have you observed on the operation of planning policy for town centres since the introduction of Use class E?

91) Do you believe the sequential test in policy TC3 should be retained? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

92) Do you agree with the approach to town centre impact assessments in policy TC4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

93) Do you agree that the updated policies provide clearer and stronger support for the rollout of 5G and gigabit broadband? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

94) Do you agree the requirements for minimising visual impact and reusing existing structures are practical for applicants and local planning authorities? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

95) Do you agree the supporting information requirements are proportionate and sufficient without creating unnecessary burdens? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

96) Do you agree with the approach to planning for energy and water infrastructure in policy W1? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree, what alternative approach would you suggest?

97) Do you agree with the amendments to current Framework policy on planning for renewable and low-carbon energy development and electricity network infrastructure in policy W2? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

98) Do you agree with the proposed approach to supporting development for renewable and low carbon development and electricity network infrastructure in policy W3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree, and any changes you would make to improve the policy.

99) Do you agree with the proposed approach to supporting development for water infrastructure in policy W4? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

100) Do you agree with the proposed prohibition on identifying new coal sites in policy M1, and to the removal of coal from the list of minerals of national and local importance? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

b) Please provide your reasons, particularly if you disagree.

101) Do you agree with how policy M1 sets out how the development plan should consider oil and gas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

102) Do you agree with the proposed addition of critical and growth minerals to the glossary definition of 'minerals of national and local importance'? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

103) Do you agree criteria b of policy M2 strikes the right balance between preventing minerals sterilisation and facilitating non minerals development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

104) Do you agree policy M3 appropriately reflects the importance of critical and growth minerals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

105) Do you agree with the exclusion of development involving onshore oil and gas extraction from policy M3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

106) Please provide your reasons, particularly if you disagree.

107) Do you agree policy M4 sufficiently addresses the impacts of mineral development, noting that other national decision-making policies will also apply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

108) Please provide your reasons, particularly if you disagree.

109) Do you agree with approach to coal, oil and gas in policy M5? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

110) Are there any other exceptional circumstances in which coal extraction should be permitted? Yes/No

111) If yes, please outline the exceptional circumstances in which you think coal extraction should be permitted.

112) Do you agree policy M6 strikes the right balance between preventing the sterilisation of minerals reserves and minerals-related activities, and facilitating non-minerals development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

113) Does policy M6 provide sufficient clarity on the role of Minerals Consultation Areas? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

114) Do you agree policy L1 provides clear guidance on how Local Plans should be prepared to promote the efficient use of land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

115) If not, what further guidance is needed?

116) Do you agree policy L2 provides clear guidance on how development proposals should be assessed to ensure efficient use of land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

117) Do you agree policy L2 identifies appropriate typologies of development to support intensification? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) If not, what typologies should be added or removed and why?

118) Do you agree the high-level design principles provided in policy L2(d) appropriate for national policy? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

119) Do you agree policy L2 (d)(i) achieves its intent to enable appropriate development that may differ from the existing street scene, particularly in cases such as corner plot redevelopment and upwards extensions. *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

120) Do you agree with the proposed safeguards in policy L2 that allow development in residential curtilages? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

121) Do you agree policy L3 provides clear guidance on achieving appropriate densities for residential and mixed-use schemes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree

a) If not, please explain how guidance could be clearer?

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

ARCO believes the guidance should clarify how the minimum densities will respond to local context, or local development plans or spatial development strategies. Mixed use schemes should acknowledge there will be variable densities dependent upon the different types of housing provided. Policy L3(1) should include acknowledgement of the type of housing proposed when determining the density deemed to be acceptable. In our experience, flatted developments have greater viability challenges than low-rise housing developments despite the higher densities achievable. Density doesn't necessarily correlate with improved viability because apartment schemes are more expensive to deliver per saleable square foot. The application of minimum densities is admirable, but flexibility on CIL and affordable housing may be needed to ensure those densities are met.

One example might be where development in the Green Belt is subject to the golden rules, but is also near a station and subject to minimum densities. In the current economy, it is highly unlikely that 50% affordable housing can be viably delivered from an apartment only scheme, even with zero land value.

Policy L3 should be amended as follows: "(4) Development proposals that do not make efficient use of land in accordance with this policy should be refused, **unless material considerations, such as development typology, justify an alternative higher or lower density.**"

122) Do you agree with the minimum density requirements set out within policy L3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

b) Could these minimum density requirements lead to adverse impacts on Gypsies and Travellers and other groups with protected characteristics? Please provide your reasons, including any evidence

123) Do you agree that using dwellings per hectare is an appropriate metric for setting minimum density requirements? Additionally, is our definition of 'net developable area' within the NPPF suitable for this policy? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

124) Do you agree with the proposed definition of a 'well-connected' station used to help set higher minimum density standards in targeted growth locations? In particular, are the parameters we're using for the number of Travel to Work Areas and service frequency appropriate for defining a 'well-connected' station? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons and preferred alternatives.

125) Are there other types of location (such as urban core, or other types of public transport node) where minimum density standards should be set nationally? *Yes/No*

a) If so, how should these locations be defined in a clear and unambiguous way and what should these density standards be?

126) Should we define a specific range of residential densities for land around stations classified as 'well-connected'?

127) If so, what should that range be, and which locations should it apply to?

128) Do you agree policy L4 provides clear high-level guidance on good design for residential extensions? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

129) Please provide your reasons, particularly if you disagree.

130) Do you agree that policy GB1 provides appropriate criteria for establishing new Green Belts? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

131) Please provide your reasons, particularly if you disagree.

132) Do you agree policy GB2 gives sufficient detail on the expected roles spatial development strategies and local plans play in assessing Green belt land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

133) Do you agree with proposals to better enable development opportunities around suitable stations to be brought forward? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

134) Do you agree the expectations set out in policy GB5 are appropriate and deliverable in Local Plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

135) Please provide your reasons, particularly if you disagree.

136) Do you agree policies GB6 and GB7 set out appropriate tests for considering development on Green Belt land? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly disagree

a) Please provide your reasons, particularly if you disagree.

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

GB7(1g) ii) requires an “*evidenced unmet need*” to be demonstrated for proposals on grey belt land, however, footnote 50, relates solely to Housing Delivery Test, five year supply of deliverable housing sites, or a five year of deliverable traveller sites and directly contrasts with the requirement for policy S5.(j) please refer to our response to question 38 for proposed amendments to policy S5. Footnote 50 should be amended to also include an evidenced unmet need for older persons housing or housing for different groups to effectively address unmet housing, or other accommodation needs for different groups. We propose footnote 50 is amended as follows:

*50) Which, in the case of applications involving the provision of housing, means the lack of a five year supply of deliverable housing sites, including the relevant buffer where applicable, or where the Housing Delivery Tests was below 75% of the housing requirement over the previous three years; and in the case of traveller sites means the lack of a five year supply of deliverable traveller sites or **provides a form of housing, or other accommodation to address specialist housing needs for different groups**⁸,*

137) Do you agree policy GB7(1h) successfully targets appropriate development types and locations in the Green Belt, including that it applies only to housing and mixed-use development capable of meeting the density requirements in chapter 12? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree, mixed use development should specify that the tenure and mix proposed on mixed-use development should meet the needs of different groups as defined under HO1 to maximise the effectiveness of this policy.

138) Please provide your reasons, including any evidence that this policy would lead to adverse impacts on Gypsies and Travellers.

139) Do you agree that site-specific viability assessment should be permitted on development proposals subject to the Golden Rules in these three circumstances? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree

a) Please provide your reasons, particularly if you disagree.

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

Please refer to Question 25. ARCO members would similarly propose that Policy GB8(3) is amended as follows:

⁸ As defined in Policy HO1(2)

(d.) *The development is for a form of housing or other accommodation needed for different groups⁹ or significantly varies from standard models of development for sale.*

140) With regards to previously developed land, are there further changes to policy or guidance that could be made to help ensure site-specific viability assessments are used only for genuinely previously developed land, and not predominantly greenfield sites?

No. Any viability assessment undertaken must be on a site-by-site basis in accordance with the Viability PPG and the NPPF.

141) Do you agree with setting an affordable housing 'floor' for schemes subject to the Golden Rules accompanied by a viability assessment subject to the terms set out? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly agree

142) Please explain your answer, including your view on the appropriate approach to setting a 'floor', and the right level for this?

Specialist types of housing, given the nature of the facilities provided and the service charges that flow from that, means that often provision of any level of affordable housing whether on site or by way of a commuted sum for off-site provision is not viable, and as such, the imposition of a floor (unless it is nil) would lead to no schemes coming forward.

A floor may be appropriate for standard C3 residential housing but should not apply to other residential typologies including housing for older people which are subject to greater viability issues. There are also insufficient practitioners with the knowledge to properly test housing for older people and therefore there has to be the option for the testing to be at the decision taking point for these other typologies.

143) Do you agree with local planning authorities testing viability at the plan-making stage using a standardised Benchmark Land Values scenario of 10 times Existing Use Value for greenfield, Green Belt land? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree

a) Please explain your answer.

Again, a standardised Benchmark Land Value (BLV) would be challenging to apply to different forms of housing other than C3 residential. ARCO members would be concerned that the metrics used for an Integrated Retirement Community are specific to the sector and other metrics, including build cost and sales rates would need to be considered and fully reflected.

Landowners may not be incentivised to release land for development at lower BLVs, particularly given precedent in recent times for higher values, this may result in landowners holding potential development land in anticipation of future policy change.

144) Do you have any other comments on the use of nationally standardised Benchmark Land Values for local planning authorities to test viability at the plan-making stage?

Benchmark Land Values should consider the typology of development proposed in the relevant viability assessment. Local authorities should also be designating sites specifically for housing for older people. Unless specific sites are safeguarded for specialist housing, the developer will not have to pay the base existing use value but will need to compete with housebuilders and the price housebuilders can pay for land while delivering full policy compliance. Therefore, when testing sites for housing types other than

⁹ As defined in Policy HO1(2)

standard general needs residential (for example extra care, and housing-with-care) an alternative use value based upon residential assuming full policy compliance should be adopted as the Benchmark Land Value.

145) Do you agree that proposed changes to the grey belt definition will improve the operability of the grey belt definition, without undermining the general protections given to other footnote 7 areas? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly agree

a) Please provide your reasons, particularly if you disagree.

Footnote 7 areas are still protected under different policies including Policy S5(5) which states that “where development is not inappropriate in the Green Belt (as set out in policy GB7), proposals should also be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in this Framework.” Therefore, any adverse effects arising through conflict with Footnote 7 areas would be dealt with in the overall planning balance.

146) Do you agree that policy DP1 provides sufficient clarity on how development plans should deliver high quality design and placemaking outcomes? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

147) Do you agree with the approach to design tools set out in policy DP2? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

148) Do you agree policy DP3 clearly set out principles for development proposals to respond to their context and create well-designed places? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

149) Do you agree with the proposed approach to using design review and other design processes in policy DP4? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) If not, what else would help secure better design and placemaking outcomes?

150) Do you agree that policy TR1 will provide an effective basis for taking a vision-led approach and supporting sustainable transport through plan-making? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

151) Do you agree that policy TR2 strikes an appropriate balance between supporting maximum parking standards where they can deliver planning benefits, and requiring a degree of flexibility and consideration of business requirements in setting those standards? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

152) Do you agree with the changes proposed in policy TR3(1a), including the reference to proposals which could generate a significant amount of movement, and the proposed use of the Connectivity Tool? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

a) Please provide your reasons, particularly if you disagree.

153) Do you agree that proposed policy TR4 provides a sufficient basis for the effective integration of transport considerations in creating well-designed places? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

154) Do you agree with policy TR5 as a basis for supporting the provision and retention of roadside facilities where there is an identified need? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

155) Do you agree that the amended wording proposed in policy TR6 provides a clearer basis for considering when transport assessments and travel plans will be required, and for considering impacts on the transport network? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

156) Do you agree the proposed text in policy TR7 provide an effective basis for assessing proposals for marine ports, airports and general aviation facilities? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

157) Do you agree with the additional policy on maintaining and improving rights of way proposed in policy TR8? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

158) Do you agree with the approach to planning for healthy communities in policy HC1, including the expectation that the development plan set local standards for different types of recreational land, drawing upon relevant national standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

159) Do you agree that Local Green Space should be 'close' to the community it serves? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

160) Do you agree that the proposed policies at HC3 and HC4 will support the provision of community facilities and public service infrastructure serving new development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

161) Do you have any views on whether further clarity is required to improve the application of this policy, including the term 'fast food outlets', and the types of uses to which it applies?

162) Do you agree with the proposed approach to retaining key community facilities and public service infrastructure in policy HC6? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

163) Do you agree with the approach taken to recreational facilities in policy HC7, including the addition of 'and/or' with reference to quantity and quality of replacement provision? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

164) Do you agree with the clarification that Local Green Space should not fall into areas regarded as grey belt or where Green Belt policy on previously developed land apply? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

165) Do you agree with policy P1 as a basis for identifying and addressing relevant risks when preparing plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

166) Are any additional tools or guidance needed to enable better decision-making on contaminated land?

167) Do you agree with the criteria set out in proposed policy P3 as a basis for securing acceptable living conditions and managing pollution? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

168) Do you agree policy P4 makes sufficiently clear how decision-makers should apply the agent of change principle? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

169) Do you agree policy P5 provides sufficient basis for addressing possible malicious threats and other hazards when considering development proposals? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

170) Do you agree that substantial weight should be given to the benefits of development for defence and public protection purposes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

171) Do you agree with the proposed changes set out in policy F3 to improve how Coastal Change Management Areas are identified and taken into account in development plans? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

172) Do you agree with the proposed clarifications to the sequential test set out in policy F5? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

173) Do you agree with the proposed approach to the exception test set out in policy F6? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree

174) Do you agree with the proposed requirement in policy F8 for sustainable drainage systems to be designed in accordance with the National Standards? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

175) Do you agree with the proposed new policy to avoid the enclosure of watercourses, and encourage the de-culverting and re-naturalisation of river channels? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

176) Do you agree with the proposed changes to policy for managing development in areas affected by coastal change? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

177) The National Coastal Erosion Risk Map sets out where areas may be vulnerable to coastal change based on different scenarios. Do you have views on how these scenarios should be applied to ensure a proportionate approach in applying this policy?

178) Do you agree with the proposed new additions to Table 2: Flood Risk Vulnerability Classifications? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Should any other forms of development should be added? Please give your reasoning and clearly identify which proposed or additional uses you are referring to.

179) Do you agree that the proposed approach to planning for the natural environment in policy N1, including the proposed approach to biodiversity net gain, strikes the right balance between consistency, viability, deliverability, and supporting nature recovery? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

180) In what circumstances would it be reasonable to seek more than 10% biodiversity net gain on sites being allocated in the development plan, especially where this could support meeting biodiversity net gain obligations on other neighbouring sites in a particular area?

181) Do you agree policy N2 sets sufficiently clear expectations for how development proposals should consider and enhance the existing natural characteristics of sites proposed for development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

182) Do you agree the policy in Policy N4 provides a sufficiently clear basis for considering development proposals affecting protected landscapes and reflecting the statutory duties which apply to them? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, including how policy can be improved to ensure compliance.

183) Do you agree policy N6 provides clarity on the treatment of internationally, nationally and locally recognised site within the planning system? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

184) Are there any further issues for planning policy that we need to consider as we take forward the implementation of Environmental Delivery Plans?

185) Do you agree the government should implement the additional regard duties under Section 102 of the Levelling-Up and Regeneration Act? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons.

186) Do you have any evidence as to the impact of implementing the additional regard duties for development?

187) Do you agree with the approach to plan-making for the historic environment, including the specific requirements for World Heritage Sites and Conservation Areas, set out in policies H1 – H3? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

188) Do you agree with the approach to assessing the effects of development on heritage assets set out in policy H5? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

189) Do you agree with the approach to considering impacts on designated heritage assets in policy HE6, including the change from "great weight" to "substantial weight", and in particular the interactions between this and the statutory duties? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

190) Do you agree with the new policies in relation to world heritage, conservation areas and archaeological assets in policies HE8 – HE10? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

191) Do you have any other comments on the revisions to the heritage chapter?

192) Do you agree with the transitional arrangements approach to decision-making? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

193) Do you have any further thoughts on the policies outlined in this consultation?

194) Do you agree with the list of Written Ministerial Statements set out in Annex A to the draft Framework whose planning content would be superseded by the policies proposed in this consultation? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

195) Do you consider the planning regime, including reforms being delivered through the Planning and Infrastructure Act, provide sufficient flexibility for energy generation projects co-located with data centres to be consented under either the NSIP or TCPA regime? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please give reasons.

196) Would raising the Planning Act 2008 energy generation thresholds for renewable projects that are co-located with data centres in England (for the reason outlined above) be beneficial?
Yes/No

a) If so, what do you believe would be the appropriate threshold? Please provide your reasons.

197) Do you have any views on how we should define 'co-located energy infrastructure'? Please provide your reasons.

198) Do you think the renewable energy generation thresholds under Section 15 of the Planning Act 2008 for other use types of projects should be increased, or should this be limited to projects co-located with data centres? *Yes/No*

a) Please provide your reasons.

199) What benefits or risks do you foresee from making this change? Please provide your reasons.

200) Would you support the use of growth testing for strategic, multi-phase schemes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

201) Would you support the optional use of growth testing for regeneration schemes? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

202) Do you agree greater specificity, including single figures, which local planning authorities could choose to diverge from where there is evidence for doing so, would improve speed and certainty? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Strongly disagree

a) Please explain your answer. If you agree, the government welcomes views on the appropriate figure – for example, whether 17.5% would be an appropriate reflection of the industry standard for most market-led development.

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs).

The current Viability PPG sets out an acceptable developer profit range of 15-20% of GDV (for viability testing). The range is intended to reflect the varying levels of risk associated with different typologies. This acknowledges that risk varies depending upon the proposal. In some cases, 20% may not be enough to attract investment on a higher risk project.

The planning system cannot dictate a profit margin which is not reflective of the risks involved. In reality, developer returns are set at an institutional level where projects must compete for funding with alternative investments. Developer returns need to demonstrate a clear risk premium above the profitability of lower risk investments like bonds, otherwise projects will stall. This has been clearly evidenced in London where artificially low profit margins have rendered the capital un-investable for development.

For example, in the current economy a 5-year UK gilt (government backed bond) will return the investor approximately 4.38% per annum fixed. Over 5 years this is equivalent to 21.9% profit, and the initial investment is returned at maturity with no risk. A 5-year horizon is a similar timescale for the land acquisition, construction and sale of medium sized residential development, except that a residential developer is carrying significantly more market and planning risk, and needs to commit ever growing levels of financial and personnel resource to actively manage the development (unlike a bond which requires no management).

If the NPPF seeks to emulate the policy position taken by the Greater London Authority (unrealistically low profit margins trapped from growth potential by a late-stage review) then development outside of London will also collapse.

203) Are there any site types, tenures, or development models to which alternative, lower figures to 15-20% of Gross Development Value might reasonably apply?

No

a) Please explain your answer. The government is particularly interested in views on whether clarifying an appropriate profit of 6% on Gross Development Value for affordable housing tenures would make viability assessments more transparent and speed up decision-making.

The 6% profit on Affordable Gross Development Value is not realistic. A developer has to deploy capital to build homes, and that capital is either interest-bearing (at debt finance rates which are well in excess of 6%), or has an opportunity cost attached to it. 6% is an insufficient return compared to risk free assets like bonds.

The rationale that has been used to justify only a 6% profit margin on affordable homes is tenuous. The homes still need to be built, and the developer does not have price certainty from a Registered Provider until after planning permission has been achieved.

For affordable housing we recommend a developer's return of 20% on GDV should be adopted, in line with the returns needed for market led property development. The risk profile is not substantially different between the two that there should be a differential. Setting an artificially low profit margin will not deliver more affordable homes, it will ensure that private capital is invested elsewhere and delivery of all homes, market and affordable, will reduce.

204) Are there further ways the government can bring greater specificity and certainty over profit expectations across landowners, site promoters and developers such that the system provides for the level of profit necessary for development to proceed, reducing the need for subjective expectations?

Yes

a) Please explain your answer.

The NPPF cannot prescribe unrealistic profit margins, otherwise further development will be discouraged. Developer returns are set at an institutional level where projects must compete for funding with alternative investments. The only way for profit margins to be reduced is to create an environment which reduces risk to the developer. This can be achieved through reducing planning risk, reducing pre planning costs, and building confidence across the economy that the product will sell quickly to the end users, investors and Registered Providers.

205) Existing Viability Planning Practice Guidance refers to developer return in terms a percentage of gross development value. In what ways might the continued use of gross development value be usefully standardised?

It is impossible to standardise GDV because every site and design is different.

206) Do you agree there circumstances in which metrics other than profit on gross development value would support more or faster housing delivery, or help to maximise compliance with plan policy? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Partly disagree.

a) Please explain your answer.

Other metrics for developers exist, such as Internal Rate of Return for operational businesses, however, the inclusion of these in standardised assessments will not support faster housing delivery.

207) Are there types of development on which metrics other than profit on gross development value should be routinely accepted as a measure of return e.g. strategic sites large multi-phased schemes, or build to rent schemes?

a) Please explain your answer.

As set out in our response to Question 205), ARCO members do not consider that alternative metrics will impact faster delivery of housing.

208) Do you agree that guidance should be updated to reflect the fact a premium may not be required in all circumstances? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly disagree

a) In what circumstances might a premium, or the usual premium, not be required?

As set out in our response to Question 142), a premium to Existing Use Value is essential for land to be repurposed from its existing use. There is no circumstance for any exception.

b) What impact (if any) would you foresee if this change were made?

Landowners would not be incentivised to sell sites or pay for securing planning permission and housing delivery would collapse. In many cases the cost of the application can already exceed the EUV plus method.

209) Do you agree that extant consents should not be assumed to be sufficient proof of alternative use value, unless other provisions relating to set out in plans are met? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly disagree

a) Please explain your answer.

ARCO members strongly disagree with the statement that extant consents should not be assumed to be sufficient proof of an Alternative Use Value (AUV). Extant consents clearly illustrate an underlying value of any site and will therefore inform the assumed Benchmark Land Value and how much a reasonable landowner will require to dispose of their site for development.

210) If extant consents were not to be assumed as sufficient proof of alternative use value, should this be at the discretion of the decision-maker, or should another metric (e.g. period of time since consent granted) be used? Decision maker discretion / Another metric / Neither

Neither

a) If another metric, please set out your preferred approach and rationale.

Extant consents should be not be discounted for calculating the Alternative Use Value unless the consent has lapsed or was never implemented and are demonstrated to be undeliverable as per existing guidance.

211) What further steps should the government take to ensure non-policy compliant schemes are not used to inform the determination of benchmark land values in the viability assessments that underpin plan-making?

The government should not seek to discount the value of extant consents which are proven to be deliverable. Landowners and land promoters have paid money to secure consents, or more recently

bought land at a price which reflects the value of the extant consent. For the government to suggest that this value should be discounted is neither fair nor realistic. The result will be that landowners will either not sell or build out old consents.

212) Do you agree that the residual land value of the development proposal should be cross-checked with the residual land values of comparable schemes; to help set the viability assessment in context. Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Strongly disagree

a) Please explain your answer.

We strongly oppose using comparable residual land transactions in viability testing. Viability assessments should not be cross-checked with residual land values from comparable schemes. A key principle of all existing viability guidance is that viability assessments must be standardised assessments; they are not market transactions, which invariably reflect what housebuilders pay for site in a competitive bidding scenario. For this reason, market transactions invariably reflect what the most competitive individual housebuilder can afford to pay for a site, and housebuilders undertaking viability assessments cannot be expected to achieve the same levels of land values for schemes which could be completed differently from the comparables sites. If this approach was considered appropriate, in order to carry-out an accurate comparison, it would be necessary to understand the exact details of the comparable transaction, including the infrastructure, abnormal and Section 106 costs. For example, if there were two identical sites, one with £2m of contamination costs, and one with no contamination costs, the residual land values will be extremely different, but a comparison of the land values would suggest something was amiss. It is not possible to accurately analyse land on a like-for-like basis, even if guidance required it.

Residential Land Value cross checking was commonly pursued by the Greater London Authority (GLA) (albeit there is some level of support in the RICS albeit subject to caveats). The consultation is proposing the use of market evidence (in the form of land prices) to be cross checked to residual land values that are incorporated in viability assessments with the general premise adopted by the GLA being that if a residual land value adopted in a viability assessment was materially below a market value (i.e. the price paid for land in the vicinity) then there must be an error with the residual land value approach and the viability is understated (i.e. the GLA would seek to arbitrarily change the inputs to increase the residual). Whilst the RICS supports the approach in part, the guidance is heavily caveated given the opaque nature of (brownfield) land transactions (two flats next door to each other of a similar size and condition may be deemed comparable, but two parcels of land next to each other could for a multitude of reasons both pertinent to the land itself, the buyer and anticipated end use, be very different). As such, any reliance on land evidence must be weighted appropriately and the risk with such an approach, is that that certain organisations simply start applying land comparables without any interrogation on differentials.

213) Do you agree that a 2.5 hectare threshold is appropriate? Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.

Partly agree

a) Please provide your reasons, particularly if you disagree.

ARCO is the national membership body for charity, not-for-profit and private operators of modern housing-with-care (extra care) schemes for older people – known as Integrated Retirement Communities (IRCs). ARCO members are SME developers. Given the additional ongoing and living costs of IRCs to residents of the services and facilities provided, operators typically seek to build schemes of up to 100-250 units in order to achieve economies of scale in running costs that can be passed on to residents.

While cautioning against implementing policy 'cliff edges' which might significantly prejudice a site which is only slightly larger, ARCO believes a medium site category of 2.5 hectares is logical – but we are deeply concerned that the proposed policy currently excludes specialist housing for older people, and risks being discriminatory toward older people (with care needs), particularly where densities differ from traditional housing for sale. In addition, we understand that the intention of this policy is to provide positive policy support to SME developers - however, SME developers are not constrained to site size or unit thresholds, but rather the number of employees and sites developed per year.

As such, ARCO proposes that the medium site category is updated to take account of the characteristics of developers of housing-with-care for older people, and the schemes they bring forward, focused as they are on ensuring affordability and access to the health and wellbeing benefits of this type of housing. We note that MHCLG has already proposed adapting the policy for younger generations (purpose-built student accommodation).

We therefore propose that any medium site category also includes a threshold of up to 150-250 units for specialist housing for older people falling within C2 use.

214) Do you agree that a unit threshold of between 10 and 49 units is appropriate? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

Agree

a) Please provide your reasons, particularly if you disagree.

See response to Question 213.

215) Do you foresee risks or operability issues anticipated with the proposed definition of medium development? *Yes/No.*

See response to Question 213.

216) If so, please explain your answer and provide views on potential mitigations.

See response to Question 213

217) Do you have any views on whether the current small development exemption should be extended to cover a wider range of sites – indicatively to sites of fewer than 50 dwellings, or fewer than 120 bedspaces in purpose-built student accommodation?

a) Please provide your reasons.

See response to Question 213.

218) If the exemption were to be extended, do you have any views on whether the development of 120 purpose-built student accommodation bedspaces is an appropriate equivalent to a development of 50 dwellings for the purposes of the levy exemption?

a) Please provide your reasons.

See response to Question 213.

219) If the exemption were to be extended, do you have any views on whether the exemption should be based solely on the existing metrics (dwellings/bedspaces) or whether there should also be an area threshold.

220) If you do have views on possible changes to the small developments levy exemption, please specify the potential impact of the possible change of the levy exemption on people with protected characteristics as defined in section 149 of the Equality Act 2010.

221) What do you consider to be the potential economic, competitive, and behavioural impacts of possible changes to the levy exemption? Please provide any evidence or examples to support your response.

222) Do you agree with the proposal to extend the Permission in Principle application route to medium development? *Strongly agree, partly agree, neither agree nor disagree, partly disagree, strongly disagree.*

a) Please provide your reasons, particularly if you disagree.

223) Do you have views about whether there should be changes to the regulatory procedures for these applications, including whether there should be a requirement for a short planning statement?

224) Do you have any views on the impacts of the above proposals for you, or the group or business you represent and on anyone with a relevant protected characteristic?

a) If so, please explain who, which groups, including those with protected characteristics, or which businesses may be impacted and how.

225) Is there anything that could be done to mitigate any impact identified?



Setting Standards for
Retirement Communities

National Development Management Policy for Older People's Housing

ARCO Model Policy Proposal

November 2025

1 Introduction

With the UK's population ageing rapidly, the supply of new housing needs to adapt. Provision of specialist housing for older people has generally been low and the need for increased supply has become critical.

Specialist older people's housing can improve health and wellbeing, extend independence and healthy lives, as well as relieving pressures on the health and care systems. Conversely, under-supply of specialist housing can see older people unable to access suitable accommodation, resulting in negative consequences for their health and wellbeing, and preventing the freeing up of homes.

Within this context, proposals for specialist housing for older people that accord with the National Development Management Policy should be approved without delay.

The specific characteristics of proposals for specialist housing for older people should be taken into consideration when assessing them against other development plan policies including, for example, parking requirements, design standards and viability constraints. In all cases, the potential social, economic, and environmental benefits associated with such proposals should be given substantial weight in determining planning applications.

As part of their development plan preparation, all local authorities should undertake a robust assessment of existing and future needs in their area for all different forms of specialist housing for older people (as defined in the Glossary), taking account of the age, demographic, health and care characteristics of their older population. The assessment should take into account size, type and tenure of housing needed for older people.

Clear policies should be put in place to set out how any identified needs will be met, which could include targets and site-specific allocations. Measures should also be put in place to monitor provision as part of the Annual Monitoring Report.

Any policy requirements for financial contributions or affordable housing provision expected from proposals for specialist housing for older people should be informed by a robust and thoroughly tested viability assessment, which should also consider the different sizes, types and tenures of provision.

2 Policy Wording: Specialist Housing for Older People

- 1** Proposals for the different types of specialist housing for older people defined in the Glossary will be encouraged and supported, provided all the following criteria are met:
 - a** It meets an identified need for the type and scale of housing proposed; and
 - b** The development is well connected with good accessibility to shops, services, and amenity facilities appropriate to meet the requirements of residents and staff – either on-site, provided as part of the development; or off-site, accessible on foot or by existing or proposed transport services. Proposals for rural or edge of settlement sites should show how accessibility and integration will be addressed; and
 - c** The scale, form, design, access arrangements, and range of amenities, open space, and landscaping proposed as part of the development meet the requirements of the specific type of housing proposed and the needs of the people the housing is intended for, whilst being adaptable and responsive to changing needs over the lifetime of the development.
- 2** The specific and unique characteristics of the type of specialist housing for older people proposed should be considered when assessing the proposal against relevant development plan policies. A flexible approach to some policy requirements (such as those relating to vehicle and cycle parking, housing mix, design standards and viability) may be appropriate, which takes account of the potential social, economic, and environmental benefits that the proposal can deliver.

3 Glossary

There are different types of specialist housing designed to meet the diverse needs of older, which can include:

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 integrated retirement communities (IRCs) 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.

For further information, please visit www.arcouk.org

Phone: 020 3697 1204 Email: info@arcouk.org LinkedIn: ARCO (Associated Retirement Community Operators)

BlueSky: [@arcoposts.bsky.social](https://bsky.app/profile/arcoposts.bsky.social) Instagram: [@ARCOposts](https://www.instagram.com/ARCOposts)

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Registered in England and Wales. No. 08209801

Registered office: 167 -169 Great Portland Street, 5th Floor, London, W1W 5PF



Setting Standards for
Retirement Communities













Model Section 106 Agreement for Integrated Retirement Communities

Introduction

- 1 The UK population is ageing. Specialist housing can improve the outcomes of older people, for example, their wellbeing and levels of loneliness. However, despite these benefits, there is an under-supply of specialist housing for older people as demonstrated by multiple studies, such as the 2022 Mayhew Review of older people’s housing.
- 2 The shortage of supply has been recognised by government, which launched the cross-departmental Older People’s Housing Task Force in June 2023 to examine barriers to supply.

Integrated Retirement Communities

- 3 Over the last 20 years, housing-with-care provision for older people has evolved and grown. In recent years, the sector has adopted a specific term – Integrated Retirement Community (IRC) – to delineate modern forms of provision from wider retirement housing and schemes with more limited services and facilities.
- 4 The key features of an IRC are 24-hour on-site support, extensive provision of communal facilities such as restaurants and wellbeing spaces, and the availability of personal care if it is required.
- 5 The following diagram sets out the specific features of IRCs and how they differ from retirement housing and residential care homes.

Where do IRCs sit?		
Retirement Housing Also known as sheltered housing or retirement flats	Retirement Communities Also known as extra care, retirement villages, housing-with-care, assisted living or independent living	Care Homes Also known as Nursing Homes, Residential Homes, Old People’s Home
 Self-contained homes for sale, shared-ownership or rent	 Self-contained homes for sale, shared-ownership or rent	 Communal residential living with residents occupying individual rooms, often with an en suite bathroom
 Part-time warden and emergency call systems	 24-hour onsite staff with optional care and domestic services available	 24-hour care and support (including meals)
 Usually have a lounge, laundry facilities, gardens and a guest room	 Range of facilities including a restaurant or café usually alongside leisure and wellness facilities such as gyms, hairdressers, activity rooms, residents’ lounges and gardens	 Range of facilities and activities, including gardens, lounges and dining rooms
 Typically 40 - 60 units	 Typically 60 - 250 units	 Sizes vary considerably

6 ARCO is the national membership body for charitable/not-for-profit and private operators of IRCs. ARCO has more than 30 members who collectively operate over 250 IRCs across England, providing more than 20,000 homes to over 30,000 residents. To be identified as an ARCO registered IRC under the ARCO Consumer Code, an IRC must offer the services and facilities set out in the following diagram:



A Model S106 for the IRC sector

7 There are many planning issues that impact on the supply and operation of IRCs. These often arise due to:

- A lack of understanding of the IRC model concept and its Use Class
- Lack of consistency of approach between local planning authorities
- A lack of up-to-date, and/or unsubstantiated policy specifically dealing with IRCs.

8 To address some of these issues, ARCO and its members have developed a Model S106 agreement to be attached to planning permissions for IRCs. The aim is to encourage a consistent approach among operators, and to present a consensus view to local planning authorities on the key operational terms and definitions that are used in planning agreements for IRCs; specifically those relating to use, occupancy and the provision of care services¹.

9 The terms and definitions contained in the Model S106 set out at the end of this document have been prepared to ensure that the accommodation provided as part of a consented scheme fulfils the minimum levels of service delivery, and incorporates the occupancy and operational principles necessary to meet the ARCO definition of an IRC (defined as a Class C2 use in planning terms).

10 The Model S106 provides certainty to local planning authorities that schemes will operate as genuine IRCs and ensures that there is a mechanism for enforcement of key aspects of those schemes in perpetuity.

11 While applicants and local planning authorities may wish to tailor specific S106 agreements to reflect local / scheme circumstances, any such changes should be kept to the minimum and should not undermine the overall purpose of the document to ensure that long-term service delivery is at the heart of specialist housing schemes following the IRC model.

12 Examples where changes might be acceptable could include: the exact definition of the Transport Services that are provided by an operator, which will depend upon the location of the scheme and its accessibility; or the extent of the Communal Facilities and the extent to which they are available to visiting members of the public, provided that schemes should always meet the minimum requirements for Occupants set out in the Care and Wellbeing Package definition.

¹ For the avoidance of doubt, the reference to “care services” in the Model S106 and the use of the term “personal care” in the definition of care provided in Section 2 of The Town and Country Planning (Use Classes) Order 1987 are not synonymous with the Regulated Activity of “Personal Care” as defined in health and social care legislation, regulations and guidance.

Model Section 106

Approved by ARCO Board 26 April 2022

Definitions relating to Use, Occupancy, and the provision of Care Services

Care and Wellbeing Package	<p>Means the minimum level of care wellbeing and support services that the [Owner / Operator] is required to provide to each Qualifying Person at a cost to be agreed between the [Owner / Operator] and the Qualifying Person and includes the following:</p> <ul style="list-style-type: none">• Provision of at least 2 hours a week of Care Services, as defined in this agreement;• Access to care or other member of staff on site 24 hours a day to provide an immediate response in an emergency;• The provision of 24-hour security, including detection and call systems;• On-site delivery of the Regulated Activity of Personal Care by a Care Quality Commission Registered Service Provider to those who need it (subject to a separate contract) provided that this does not affect the right of the Qualifying Person to choose their own care provider;• A regular review and update of the Care and Wellbeing Plan to ensure care and support needs are met;• Access to daily meals to Occupiers who need them – which can be taken in one of the Communal Facilities or the Occupier’s Unit;• Access to and use of the Communal Facilities;• Access to pre-arranged activities and classes to encourage health and wellbeing and to promote social interaction; and• Access to such further wellbeing and support staff and services as may be required from time to time, which might include domestic support (such as cleaning, laundry, ironing, making beds); housekeeping; property maintenance; shopping; assistance with correspondence, personal and business affairs; companionship; pet care; and arranging transport services.
Care and Wellbeing Plan	<p>Means an individual plan prepared for each Qualifying Person on or immediately following Occupation based on the findings of the Health Assessment, which is regularly reviewed, and its findings implemented to ensure that the Qualifying Person continues to receive an appropriate level and type of care and support as their needs change</p>
Care Services	<p>Means the care services provided to each Qualifying Person as part of the Care and Wellbeing Package, which may include any or all of, but are not confined to, the following:</p> <ul style="list-style-type: none">• Provision and delivery and / or preparation of meals, drinks, and snacks• Advice on food hygiene, nutrition, and menu planning• General health advice including encouragement to undertake physical and cognitive activity• Regular welfare calls and wellbeing checks such as blood pressure• Collection of prescriptions and benefits• Chaperone service to attend clinical and other appointments• Advice on activities to encourage health and wellbeing and promote social interaction, and supervision of such activities• Diabetes management• Use of on-site transport services for external activities and appointments• Hospital discharge support• Organised rehabilitation following a hospital visit or health event• Assistance with getting into and out of bed and dressing• Assistance with personal hygiene activities• Administration of / prompting to take / supervision of medication• Assistance with eating and drinking <p>For the avoidance of doubt the care services provided by the [Owner / Operator] as part of the Personal and Wellbeing Plan are not synonymous with the term Personal Care as defined in health and social care legislation, regulations and guidance. The Regulated Activity of Personal Care is organised and paid for as part of a separate contract between the Qualifying Person and their chosen Registered Service Provider, depending on the individual needs of each Qualifying Person.</p>

Care Quality Commission (CQC)	Means the independent regulator of health and social care services in England or any successor body or organisation
Communal Facilities	Means (1) the Health and Wellbeing Facilities (which may include but are not restricted to hydrotherapy pool, sauna, steam room, gym, exercise rooms, and treatment rooms) and (2) the Other Communal Facilities (which may include but are not restricted to restaurant, bistro and bar, meeting rooms, hobbies room, lounge and hair salon) to be provided in conjunction with the C2 Integrated Retirement Community Units as part of the Development to be made accessible to visiting members of the public in accordance with the provisions to be agreed between the [Owner / Operator] and the Local Planning Authority
Health Assessment	Means an assessment of the health care and wellbeing needs of potential residents to be undertaken on or before occupation of a C2 Integrated Retirement Community Unit by an appropriately qualified person and which is used to determine an appropriate Care and Wellbeing Plan for the Qualifying Person; and any further health assessment to be undertaken when the Care and Wellbeing Plan is reviewed
Occupation	Means the occupation of the Development or any part thereof for use as an Integrated Care Community in accordance with the provisions of Class C2 of the Town and Country Planning (Use Classes) Order 1987 as amended and Occupy and Occupied shall be construed accordingly
Qualifying Person	Means: <ul style="list-style-type: none"> • Persons who are (or, where two share accommodation together, at least one is) aged 65 years or more at the date of occupation; OR • Persons who are (or, where two share accommodation together, at least one is) suffering from a permanent physical or mental illness or disablement; OR • Persons whose occupancy has first been approved in writing by the local planning authority; AND <p>in addition to meeting at least one of the above criteria a Qualifying Person must have entered a contract to receive the Care and Wellbeing Package throughout their Occupation</p>
Qualifying Person Assessment	Means an assessment to be undertaken by the [Owner / Operator] prior to exchange of contracts to ensure that occupation of each C2 Integrated Retirement Community Unit is restricted to Qualifying Persons and any cohabitee, spouse, or dependant of a Qualifying Person only
C2 Integrated Retirement Community Unit	Means a unit within Use Class C2 to be constructed pursuant to the Planning Permission and C2 Integrated Retirement Community Units shall be construed accordingly. For the avoidance of doubt any guest accommodation provided as part of the Planning Permission is not a C2 Integrated Retirement Community Unit
Registered Service Provider	Means a body registered as a service provider under Chapter 2 of the Health and Social Care Act 2008 (or any comparable register established under any statutory system replacing that chapter) in respect of at least the provision of Personal Care as defined by the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 or any modification or amendment or substitution thereof
Transport Services	Means the transport services to be provided by the [Owner / Operator] for the use of Occupiers, their guests and staff as agreed with the Local Planning Authority
Use Class C2	Means the use defined as C2 in Part C of Schedule 1 of the Town and Country Planning (Use Classes) Order 1987 as amended) or other such successor legislation

Obligations relating to Occupancy and Use

The **[Owner / Operator]** hereby covenants with the Council as follows:

- 1** To restrict the use of the C2 Integrated Retirement Community Units to Use Class C2 of the Town and Country Planning Use Classes Order 1987 as amended or any replacement of such Order at any time;
- 2** To restrict Occupation of the C2 Integrated Retirement Community Units to Qualifying Persons and any cohabitee, spouse, or dependant of a Qualifying Person;
- 3** Prior to Occupation to procure the services of a Registered Service Provider which might be the [Owner / Operator] or a third party to operate and have an office at the Property;

For the avoidance of doubt the cohabitee, spouse or dependant of a Qualifying Person is also permitted to live at the Property, and in the event of the death of the Qualifying Person the cohabitee, spouse or dependant of that Qualifying Person is permitted to remain in Occupation, irrespective of their age or dependency. In the event of the death of that cohabitee, spouse, or dependant the new Occupier must meet the Qualifying Person criteria.

Obligations relating to Care Services

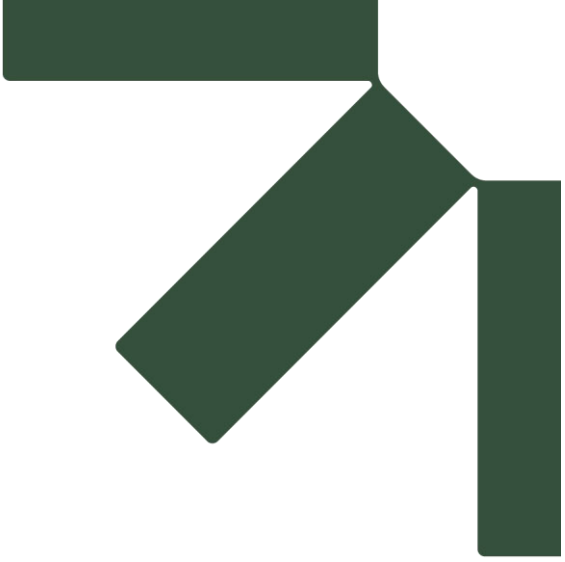
The **[Owner / Occupier]** hereby covenants with the Council as follows:

- 1** To ensure that a Health Assessment is undertaken for each Qualifying Person on or before Occupation to identify the level and type of care and other support and assistance they require;
- 2** On or before Occupation to put in place a Care and Wellbeing Plan for each Qualifying Person which shall be reviewed and updated on a regular basis to ensure the Qualifying Person continues to receive the most appropriate level and type of care and support as their needs change;
- 3** To make available on reasonable request of the Council evidence to show that its commitments in terms of Qualifying Person Assessments and Care and Wellbeing Plans are being met provided that such evidence shall not breach confidentiality commitments or obligations to the Qualifying Person;
- 4** At all times to provide the minimum level of care wellbeing and support services set out in the Care and Wellbeing Package;
- 5** To make arrangements for such additional care and support services as may be required over and above the Care and Wellbeing Package, either on its own or through a Registered Service Provider or through a combination of services to be provided by the **[Owner / Occupier]** and Registered Service Provider subject to the payment of additional fees by the Qualifying Person on commercial terms to be agreed and further subject to the right of that Qualifying Person to procure such additional care and support from their chosen provider. [Owner / Occupier] and Registered Service Provider subject to the payment of additional fees by the Qualifying Person on commercial terms to be agreed and further subject to the right of that Qualifying Person to procure such additional care and support from their chosen provider.

For further information, please visit www.arcouk.org

Phone: 020 3697 1204 Email: info@arcouk.org LinkedIn: ARCO (Associated Retirement Community Operators)

BlueSky: [@arcoposts.bsky.social](https://bsky.app/profile/arcoposts.bsky.social) Instagram: @ARCOposts



**Appendix E Wellcross Farm
Appeal Decision**



Appeal Decision

Site visit made on 6 May 2021

by **M Shrigley BSc (Hons) MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 May 2021

Appeal Ref: APP/Z3825/W/20/3262938

Land at Wellcross Farm, Broadbridge Heath

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Legal & General Senior Living Ltd against the decision of Horsham District Council.
 - The application Ref DC/19/1897, dated 12 September 2019, was refused by notice dated 7 August 2020.
 - The development proposed is an outline application for the erection of a continuing care retirement community of 146 units of accommodation (C2 Use) and community facilities including restaurant, café, shop, hairdressers, spa and consultation / treatment suite for use by GP's and primary healthcare providers, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access).
-

Decision

1. The appeal is allowed and outline planning permission is granted for the erection of a continuing care retirement community of 141 units of accommodation (C2 Use) and community facilities including restaurant, café, shop, hairdressers, spa and consultation / treatment suite for use by GP's and primary healthcare providers, with access, infrastructure, open space, landscaping and associated works (all matters reserved except for access) at Land at Wellcross Farm, Broadbridge Heath in accordance with the terms of application reference DC/19/1897, dated 12 September 2019, subject to the conditions set out in the Schedule at the end of this decision.

Procedural Matters

2. The original description of the development as stated on the application form and subsequently quoted in the above banner has been subject to an agreed change by the main parties, during the planning application process. This reduced the number of units. As a result, the proposal entails 141 units of accommodation, with the remaining parts of the description unchanged. Accordingly, I have applied the revised number of units to my decision.
3. Access is the only detailed matter applied for. All other details are reserved for subsequent approval. Therefore, outside of access provision I have taken all other submitted details to be indicative only. That said, the main parties refer to wider technical plans/information for the purpose of setting out relevant parameters to inform the reserved matters for subsequent approval, owing to the sensitivity of the site. I have considered the information before me in that context.

4. Additional information for access and road safety audit matters also forms part of the appellant's bundle. Because highway safety is not a reason for refusal in the Council's decision notice and given the potential for conditions and the application of separate highways consent, I have taken that into account in reaching my decision. In doing so I am satisfied there is no material disadvantage to parties.

Main Issue

5. The effect of the development on the character and appearance of the open countryside.

Reasons

6. The appeal site is predominantly an undeveloped area of open fields. Along with neighbouring land it comprises of attractive open greenery at the settlement edge of Broadbridge Heath. The open character of the site is an important visual component of the settlements setting. The River Arun cuts across the site not far from the built-up settlement edge as a further noticeable characteristic. The openness of the land also has a distinctive visual connection with the open countryside further to the south.
7. In terms of local planning policy provision, Policy 18 of the Horsham District Planning Framework, November 2015 (HDPF) supports proposals for retirement housing and specialist care accommodation subject to it being within an appropriate location, normally within built up areas with good levels of accessibility.
8. Policies 25 and 26 of the HDPF also in dispute do not prevent all development in the countryside, but they do require that inappropriate development be avoided. This is generally consistent with the wording of 170 (b) of the National Planning Policy Framework (the Framework) which sets out the need to recognise the intrinsic character and beauty of the countryside when considering new development.
9. I recognise that the high degree of intervening landscape openness relative to the river corridor at the settlement edge generates an attractive rural environment. There is existing development to the south of the site, but relative to the overall landscape, existing buildings are largely infrequent and sporadic. Given the total number of units involved there would be substantial intrusion into the rural landscape where greenery presently dominates. Accordingly, factoring the size of the scheme it would result in significant urbanisation of the land comparative to the current levels of openness evident outside of the settlement edge.
10. However, wider public vantages of the appeal site to a large extent would be restricted by intervening landscape features and existing buildings. Although there would be encroachment into the countryside, there would also be a great deal of latitude within the overall site boundary for substantial amounts of landscaping provision to be agreed. This would include separation from the River Arun, and adequate scope to prevent the perception of visual parcellation of the landscape.
11. Therefore, considering existing landscape features there is no convincing basis to conclude that the appeal scheme would not be able to sensitively address existing rural surroundings, should suitable details be agreed at reserved

matters stages. Whilst there would undoubtedly be urbanisation arising from the size and permanence of the scheme, significant areas of landscaping and greenery could still be accommodated relative to the river corridor and other areas of visual sensitivity around the periphery of the overall appeal site.

12. In that context, I find that there would be visual harm arising from urbanisation of the land. The effect would conflict with Policies 18, 25 and 26 of the HDPF. There would also be conflict with the elements of the Framework which entail protecting the intrinsic beauty of the countryside from harm.

Other considerations

13. The appeal scheme would provide important niche market retirement/care accommodation as well as affordable housing provision within the district. There would be significant benefits arising from the provision of specialist housing for the local population which also has support in the development plan. The homes would cater for older residents enabling them to continue to live locally, which could free up existing family size homes within the district. This in turn has the potential to alleviate the pressure elsewhere within rural locations to deliver general housing. There would also be benefits for elderly people currently living in unsuitable accommodation achieved through increased housing choice within the district.
14. Thus, I give the benefits arising from specialist housing provision together with the proposed affordable on-site provision substantial weight in my decision. Further benefits also arise from landscape and ecological enhancements which would be able to be provided, based on the evidence submitted.
15. Outside of the main issue of the case I have carefully considered the range of objections to several other issues suggested as weighing against the scheme. With respect to site accessibility matters, Broadbridge Heath is a Tier 2 Settlement (Small Towns and Larger Villages) as set out within Policy 3 of the HDPF. The settlement is recognised as containing a range of services accommodating resident's needs. The contributions proposed to upgrade nearby bus stops and Public Rights of Way will improve linkages to the settlement and beyond.
16. I note that neither the northern crossing point close to the Newbridge Roundabout or to the north of the site access were deemed as essential to make the development acceptable in the views of the Highway Authority. I have no substantive evidence to disagree with that advice. I also acknowledge that the development is to provide an on-demand shuttle bus service. This also relates to the type of accommodation to be provided and the degree of accessibility to public transport expected.
17. Whilst there would be some limited improvements to existing pedestrian connectivity there is no convincing evidence that highway safety detriment would arise. Although a pedestrian bridge over the river has scope to further improve wider connectivity, I do not find it is not an essential requirement. Moreover, access to public bus stops and the proposed shuttle bus service planned would allow an appropriate level of transportation mode choice for residents if they needed access to services outside of those planned within the development.

18. I accept that widening existing pavements on Five Oaks Road for pedestrian movements has the potential to result in some additional ecological impacts. This would arise from cutting back existing vegetation close to the highway verge. However, the amount of vegetation involved would be modest and I am satisfied that suitably worded planning conditions would be able to successfully manage that issue in line with safeguarding wildlife interests.
19. I note that an Appropriate Assessment (AA) was completed by the Council as the site is within the wider conservation area identified as a habitat for bats in the Sussex Bat Special Area of Conservation (SAC) Protocol and is close to other nearby SACs (namely the Mens SAC and Ebernoe Common SAC). On the advice of Natural England (NE), the Council's recommendation was informed by a static bat survey carried out in May 2020, on the site. NE have considered the AA undertaken by the Council, and the measures proposed to mitigate for any adverse effects. The advice of NE was that it concurred with the findings and raised no objection during the determination period of the planning application.
20. I have considered the range of avoidance and mitigation measures proposed. Alongside those there is no substantive evidence that there would be an adverse effect on the integrity of the habitats listed, either alone or in combination with other projects. As a result, I agree there is no conflict with regulation 63 of the Conservation of Habitats and Species Regulations 2017. I note that given only one bat survey has been undertaken during spring that seasonal change is possible. Nonetheless, considering the site is largely open fields and because tree loss is avoided there are reasonable assurances that if protected species were encountered relevant licences could be obtained. Moreover, there is no strong evidence that birds or reptiles would be negatively impacted upon, alongside scope for conditions to protect flora and fauna.
21. In addition, there are several issues raised in relation to the proximity of Slinfold aerodrome concerning: noise from aircraft; potential increases in the bird population from tree planting associated to the scheme; that no independent body has been consulted on safety. I have considered all of those points. Whilst there would be noise at selected periods it would not be long lasting. I am unconvinced flights would be of a frequency which would make the proposed residential use incompatible with its surroundings bearing in mind mitigation measures can also be provided within the buildings of the scheme.
22. I accept there may be an uplift in bird biodiversity associated to the appeal development. However, existing wildlife corridors close to the river are an existing part of the natural environment. In such surroundings bird biodiversity could increase irrespective of the development. Beyond that point there is also flexibility to calibrate future landscaping so that it minimises any conflict with flight paths. There is also impetus on operators of the aerodrome to ensure its activities are safely undertaken. Considering all those elements I do not find that the proximity of the aerodrome relative to the appeal site is a strong basis to reject the development.
23. Localised flooding problems from the river adjacent to the site are reported, especially at times of high rain fall and as a result there should be a defensible area to prevent such problems affecting built up areas. Nevertheless, there is adequate scope within the boundary of the site for mitigation to ensure flood risks can be managed to an appropriate level.

24. The development would generate increased levels of traffic and noise. This is relevant to patient care interests at Kerwin Court Rehabilitation Centre as well as other nearby residents. Whilst there would be some uplift in traffic and noise levels from what is presently experienced the advice of the Council's technical consultees do not support that those changes would harm surrounding living conditions. I give significant weight to those conclusions. Subject to appropriately worded planning conditions I do not find the resultant level of change would be harmful. Furthermore, there is no evidence that odour arising from the development could not be suitably controlled.
25. I appreciate that the proximity of the nearest hospital is some distance way at Redhill. Although closer proximity to a hospital would be an advantage, I do not find it a strong reason for not accommodating the scheme in this location. This is largely because there would remain a great deal of scope to support residential care needs by future operators, as well as the choice available to potential residents based on their own individual needs.
26. An alternative residential scheme at Lyons Farm (planning application DC/19/1723) is referenced in the evidence alongside suggested inconsistencies in local decision making. There may be some similar arguments as to why the alternative scheme could be beneficial, but it is not the scheme before me. As a result, I give little weight to any comparison exercise. Moreover, in a decision-making context the Framework sets out that prematurity arguments linked to new plan development seldom are justified. I do not consider there is a convincing justification with respect to this appeal case to take a different approach.
27. I am cognisant that Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as amended, requires me to have special regard to the desirability of preserving the setting of listed buildings in the vicinity. I am satisfied that the separation distances involved as well as intervening landscape features would mean that there is no harm to the setting of a listed building.

Planning Obligation

28. A planning obligation by way of Unilateral Undertaking (UU) has been submitted by the appellant dealing with affordable housing, residential services/ facilities, highway and rights of way infrastructure improvements and ecological enhancements. The Council have indicated agreement with its content.
29. I am satisfied the terms of the UU are in accordance with the relevant legal tests stated within the Framework and associated Planning Practice Guidance. I accept that the provisions within it are able to extinguish the Council's second reason for refusal given within the Decision Notice in relation to an unmet legal agreement and subsequent conflict with Policies 18, 25, 31, 39 and 40 of the HDPF.

Planning Balance

30. Section 38 (6) of the Planning and Compulsory Purchase Act, 2004 requires that in making any determination under the Planning Acts, Local Authorities shall make the determination in accordance with the policies of the Development Plan unless material considerations indicate otherwise.

31. I have found there would be conflict with the Council's development plan by virtue of intrusion into the countryside which would lead to greater levels of urbanisation. However, the level of harm arising from the degree of urbanisation that the scheme involves is offset by several other factors which could inform the design of the scheme at reserve matters stages.
32. I note that accessibility is more limited relative to other urban and village locations the development plan directs residential schemes towards, having regard to Policy 18 and other parts of the HDPF. Nonetheless, accessibility would be improved by pedestrian footpath/bus stop improvements and the onsite bus service to be provided. Planned onsite facilities would also reduce the need to travel. In tandem with those points, there are several important benefits arising from the scheme in terms of niche residential accommodation for elderly members of the district alongside affordable housing provision, where there is an identified need. There is no evidence before me that the scheme could be successfully accommodated within the existing built up areas.
33. Bringing all relevant points together, I find that the benefits of the scheme outweigh the conflict with the development plan and the visual harm that would arise from intrusion into the open countryside. There is adequate scope to ensure the development is not positioned too close to the defensible barrier of the River Arun and that flood risks can be appropriately managed.

Conditions

34. I have considered the suggested conditions put forward by the Council should the appeal be allowed. Subject to minor modification standard conditions relating to the approved plans, time limit and the reserved matters requiring consent are necessary to properly define the development benefiting from consent in accordance with Section 92(2) of the Town and Country Planning Act 1990 (as amended).
35. Conditions setting out phasing and a range perimeter information contained within the planning application documentation for landscaping; wetlands; massing and access provision are necessary given ecological sensitivity to the development and having regard to protected species.
36. Conditions for securing ecological/biodiversity mitigation and enhancement implementation are required for defined phases to ensure wildlife is protected and sufficient enhancement takes place. The prior approval and implementation of a Construction Environmental Management Plan is required to ensure ecological impacts of the scheme are properly managed throughout all phases.
37. Approval of lighting design for each phase is required to protect natural habitats of protected species and other wildlife. Conditions requiring reptile and separate dormouse mitigation strategy approval and implementation are necessary in the interests of species protection.
38. Conditions seeking biodiversity mitigation and enhancement measures for each phase are needed to ensure wildlife is properly protected. I am satisfied that a condition ensuring vegetation removal being subject to adequate licensing enquiries is necessary and complementary to other regimes outside of the planning system. Conditions requiring tree protection is implemented throughout construction and agreed tree removal/constraints are also

necessary to protect visually significant trees and to further safeguard wildlife interests.

39. Conditions for noise mitigation/ construction management plan approval and implementation are necessary to protect living conditions. The prior approval and implementation of Archaeological investigations along with an appropriate reporting mechanism are necessary given the potential for archaeological finds on the site.
40. Conditions requiring suitable drainage strategy implementation for both foul and surface water, along with finished levels are appropriate to ensure the development is properly drained and flood risk is managed.
41. Standard conditions suggested relating to land contamination; travel plan implementation; a suite of conditions for highway safety issues: access, parking, cycle parking, and high speed broad band provision are also necessary in the interests of ensuring public safety and contamination risks are properly dealt with; highway safety and sustainable travel measures are applied, and to ensure the site is adequately serviced.

Conclusion

42. Overall, the benefits of the scheme would outweigh the harm arising to the character of the countryside in this location subject to appropriately worded planning conditions.
43. For the reasons given above the appeal succeeds.

M Shrigley

INSPECTOR

Schedule of conditions

1. The approved plans to which this outline planning permission relates are: Site Location Plan 2738_001 Rev C / Main and Construction Access 13808 H-02 Rev P2/ Emergency Access 13808 H-05 Rev P1.
2. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last reserved matters as defined in condition 3 whichever is the later.
3. The permission hereby granted is for outline consent and subject to the following:
 - (a) Approval of the details of the layout of the development, the scale of each building, the appearance of each building, and the landscaping for each phase of the development (hereinafter called "the reserved matters") shall be obtained from the Local Planning Authority in writing before any development within that phase is commenced;
 - (b) Plans and particulars of the reserved matters referred to in condition (a) above, relating to the layout of the development, the scale of each building, the appearance of each building, and the landscaping for each phase of the

development, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved;

(c) Applications for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission;

(d) The development hereby permitted shall be begun either before the expiration of 3 years from the date of this permission, or before the expiration of 2 years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

4. Prior to or in conjunction with, the submission of the first reserved matters application, a Phasing Plan shall be submitted to and approved in writing by the Local Planning Authority and the development shall thereafter be implemented in accordance with the approved Phasing Plan.
5. The submission of reserved matters applications pursuant to the outline application hereby approved shall demonstrate substantial compliance with the following parameter plans to fix the development principles, unless otherwise agreed to and approved in writing by the Local Planning Authority:- 04 REV E – Landscape Strategy received 20 January 2020; SK005 S2 REV P1 – Wetland Scrape Levels date received 16 January 2020; 2738-006 REV E Proposed Site Plan date received 20 December 2019; 2738-009 REV A Massing Strategy date received 20 December 2019; 2738_002 REV E Parameters Plan date received 20 December 2019 2738_001 REV C Location Plan date received 16 September 2019; H-02 REV P2 Main and Construction Access date received 16 September 2019; H-05 REV P1 Emergency Access date received 16 September 2019.
6. The submission of reserved matters applications pursuant to the outline application hereby approved shall demonstrate that all ecological and biodiversity mitigation and enhancement measures and/or works required for each Phase shall be carried out in accordance with the details contained in the Ecological Impact Assessment (EcIA) by BWB dated August 2019 and the Ecological Addendum (BWB, January 2020), as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.
7. The reserved matters applications pursuant to the outline planning application hereby permitted shall be accompanied by a Noise Mitigation scheme against external noise. The scheme shall have regard to the recommendations set out in the Peter Moore Assessment of aircraft noise Repot reference 191001/2 dated 27 May 2020. The approved sound attenuation works shall be completed before the dwellings are occupied and be retained thereafter.
8. The reserved matters applications pursuant to the outline planning application hereby permitted shall be accompanied by a Landscape and Ecological Management Plan (LEMP). The content of the LEMP shall include the following: a) Description and evaluation of features to be created and

managed (i.e. bats, dormouse and badger); b) Ecological trends and constraints on site that might influence management (i.e. bats, dormouse and badger); c) Aims and objectives of management; d) Appropriate management options for achieving aims and objectives; e) Prescriptions for management actions; f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period); g) Details of the body or organisation responsible for implementation of the plan; h) Ongoing monitoring and remedial measures. Where the reserved matters relate to a phase of the development hereby permitted, the LEMP may relate to that individual phase. The LEMP(s) shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objective of the LEMP(s) are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The LEMP(s) shall also detail the long-term design objectives, management responsibilities, a description of landscape components, management prescriptions, maintenance schedules and accompanying plan delineating areas of responsibility for all communal landscape areas. The landscape areas shall thereafter be managed and maintained in accordance with the approved details unless otherwise agreed to in writing by the Local Planning Authority.

9. The reserved matters applications pursuant to the outline planning application hereby permitted shall be accompanied by a lighting design scheme for each phase. The schemes shall identify those biodiversity features on site that are particularly sensitive for nocturnal species (in particular bats, dormice and badgers) and that are likely to cause disturbance along important routes used for roosting, shelter, foraging and / or commuting; and show how and where external lighting will be installed (through the provision of appropriate technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent nocturnal species using their territory both during construction and operation. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.
10. The following approved works within each phase to clear vegetation on site shall not in any circumstances commence unless the local planning authority has been provided with either of the following in relation to that phase: a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 authorising the specified activity/development to go ahead; or b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.
11. No development within a phase shall take place until a Reptile Mitigation Strategy addressing the mitigation and translocation of reptiles in that part of the site, has been submitted to and approved in writing by the local

planning authority, to be guided by appropriate surveys and good practice guidance. The Reptile Mitigation Strategy shall include the following: a) Results of presence / absence reptile surveys; b) Purpose and conservation objectives for the proposed works; c) Review of site potential and constraints; d) Detailed design(s) and/or working method(s) to achieve stated objectives; e) Extent and location/area of proposed works on appropriate scale maps and plans; f) Type and source of materials to be used where appropriate, e.g. native species of local provenance; g) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development; h) Persons responsible for implementing the works; i) Details of initial aftercare and long-term maintenance of the Receptor area(s); j) Details for monitoring and remedial measures; k) Details for disposal of any wastes arising from works. The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

12. Prior to commencement of development a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) may relate to the development hereby permitted as a whole, or specific phases. The CEMP (Biodiversity) shall include the following: a) Risk assessment of potentially damaging construction activities; b) Identification of "biodiversity protection zones"; c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements); d) The location and timing of sensitive works to avoid harm to biodiversity features; e) The times during construction when specialist ecologists need to be present on site to oversee works; f) Responsible persons and lines of communication; g) The role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person; h) Use of protective fences, exclusion barriers and warning signs. The approved CEMP(s) shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.
13. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work and before any reserved matters are agreed. No development or preliminary groundworks shall commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors. The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within three months of the completion of fieldwork, unless otherwise agreed in advance with the Local Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

14. No development shall take place, including any works of demolition, until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter the approved CMP shall be implemented and adhered to throughout the entire construction period unless otherwise agreed to and approved in writing by the Local Planning Authority. The CMP shall provide details as appropriate but not necessarily be restricted to the following matters: • the anticipated number, frequency and types of vehicles used during construction, • the method of access and routing of vehicles during construction • the parking of vehicles by site operatives and visitors, • the loading and unloading of plant, materials and waste, • the storage of plant and materials used in construction of the development, • the erection and maintenance of security hoarding, • the provision of wheel washing facilities and other works required to mitigate the impact of construction upon the public highway (including the provision of temporary Traffic Regulation Orders, if required), • hours of works, • A site compound plan, • details of public engagement both prior to and during construction works, • Noise and dust mitigation, including vibration from any groundworks.
15. No development shall commence within each phase until a drainage strategy detailing the proposed means of foul water disposal to serve that phase has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.
16. Notwithstanding details previously submitted, no development within a phase shall commence until a detailed surface water drainage scheme for that phase including a Surface Water Drainage Statement, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The submitted details shall be fully coordinated with the landscape scheme (to be submitted with reserved matters applications) and shall be designed to prevent the discharge of water onto the public highway. The surface water drainage scheme for each phase shall subsequently be implemented prior to first occupation of that phase in accordance with the approved details and thereafter retained as such.
17. No phase of the development shall commence until precise details of the existing and proposed external ground levels and finished floor levels of the development within that phase in relation to adjacent datum points on land adjoining the application site have been submitted to and approved by the Local Planning Authority in writing. The development shall be completed in accordance with the approved details, unless otherwise agreed to and approved in writing by the Local Planning Authority.
18. No phase of the development shall commence until a Biodiversity Mitigation and Enhancement Layout for that phase, providing the finalised details and locations of the mitigation and enhancement measures contained within the Ecological Impact Assessment (EcIA) by BWB dated August 2019 and the Ecological Addendum (BWB, January 2020), shall be submitted to and approved in writing by the local planning authority. The enhancement measures for each phase shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

19. Prior to the commencement of development (of each phase of the development hereby permitted) the following components of a scheme to deal with the risks associated with contamination, including asbestos contamination, of the site shall each be submitted to and approved, in writing, by the local planning authority: a) A preliminary risk assessment for each phase which has identified: • all previous uses • potential contaminants associated with those uses • a conceptual model of the site indicating sources, pathways and receptors • potentially unacceptable risks arising from contamination at the site; b) A site investigation scheme for each phase, based on (a) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site; c) The site investigation results and the detailed risk assessment (b) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken within each phase. The development shall be completed in accordance with the approved details, unless otherwise agreed to, and approved in writing, by the Local Planning Authority.
20. Prior to the first occupation (or use) of each phase of the development hereby permitted, a verification report demonstrating that the SuDS drainage system for that phase has been constructed in accordance with the approved design drawings shall be submitted to and approved by the Local Planning Authority. The development shall be maintained in accordance with the approved report.
21. Prior to the first occupation (or use) of any part of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved Travel Plan shall thereafter be implemented in full as specified. The Travel Plan shall be completed in accordance with the latest guidance and good practice documentation as published by the Department for Transport or as advised by the Highway Authority.
22. No part of the development shall be first occupied until such time as the vehicular access serving the development has been constructed in accordance with the details shown on the drawing titled MAIN AND CONSTRUCTION ACCESS -A264 FIVE OAKS ROAD and numbered H-02 rev P2. The works shall be undertaken in strict accordance with the approved details, and shall thereafter be maintained as such, unless otherwise agreed to and approved in writing by the Local Planning Authority.
23. No part of the development shall be first occupied until the access restrictions to the existing Wellcross Cottage/A264 access has been provided on site in accordance with the approved plans and details submitted and approved to the Local Planning Authority before provision. Thereafter, the access once provided shall not be used by residents, staff or visitors of the development, including deliveries, other than for emergency access.
24. No dwelling shall be first occupied until the car parking serving the accommodation/facilities of the relevant phase of the development has been constructed in accordance with plans and details to be submitted to and approved in writing by the Local Planning Authority. Once provided the spaces shall thereafter be retained at all times for their designated purpose.

25. No dwelling shall be first occupied until covered and secure cycle parking spaces serving the accommodation/facilities of the relevant phase of the development have been provided in accordance with plans and details to be submitted to and approved by the Local Planning Authority. Once provided the spaces shall thereafter be retained, at all times, for their designated purpose.
26. Prior to the first occupation of each dwelling, the necessary infrastructure to enable connection to high-speed broadband internet (defined as having speeds greater than 24 megabits per second) shall be provided.
27. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.
28. All works shall be executed in full accordance with drawings:- • 1164-KC-XX-YTREE-TreeSurvey-REV E date received 16 September 2019 • 1164-KC-XX-YTREE-TR01 REV C Tree Removal Plan date received 20 December 2019 • 1164-KC-XX-YTREE-TCP01 REV E Tree Constraints Plan date received 16 September 2019.
29. No development within a phase shall take place until a Dormouse Mitigation Strategy addressing the safeguarding of dispersing dormice has been submitted to and approved in writing by the local planning authority, to be guided by good practice guidance. The Dormouse Mitigation Strategy shall include the following:-
 - a) Purpose and conservation objectives for the proposed works.
 - b) Risk assessment of potentially damaging activities to dispersing dormice.
 - c) Timing of vegetation clearance to avoid critical periods of breeding and hibernation.
 - d) Precautionary measures of vegetation clearance including scale maps indicating where such methods are required.
 - e) Location and species mix of replacement vegetation to ensure no net loss of suitable dormice habitat.
 - f) Timetable for implementation demonstrating that works are aligned with the proposed phasing of development.
 - g) Persons responsible for providing ecological supervision and elements of work which require supervision.
 - h) Details of initial aftercare and long-term maintenance of retained/replaced habitat.
 - i) Details of pre-commencement toolbox talk to be given to all site workers.

The Dormice Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.

