

PLANNING STATEMENT

Former Buzz Bingo Site, Bolton Road, Banbury, OX16 0TH

*Redevelopment for 80 retirement living apartments including communal facilities, access,
car parking and landscaping.*

TABLE OF CONTENTS

EXECUTIVE SUMMARY	2
INTRODUCTION	4
OLDER PEOPLE HOUSING.....	6
THE SITE AND PLANNING HISTORY	9
PLANNING POLICY FRAMEWORK.....	11
PLANNING CONSIDERATIONS.....	13
CONCLUSION.....	35
APPENDIX A Relevant Extracts from the NPPF	
APPENDIX B Basingstoke Appeal Decision	
APPENDIX C Lymington Appeal Decision	
APPENDIX D Fleet Appeal Decision	
APPENDIX E Available Office Space in Bicester and Banbury	
APPENDIX F Economic Benefits of the Proposed Development	

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EXECUTIVE SUMMARY

- i. This Planning Statement has been prepared in support of a detailed planning application for a proposed retirement living development at the former Buzz Bingo site, Bolton Road, Banbury. The application proposes redevelopment of the site to form 80 retirement living apartments, together with access, parking and landscaping.
- ii. The UK faces a rapidly growing and ageing population. The Government aims to 'significantly boost the supply of housing'. The PPG is unequivocal in its message that "the need to provide housing for older people is critical".
- iii. Cherwell District is no exception. The SHMA predicts a need of between 696 and 1,436 units of accommodation for older people over the plan period. Evidence prepared for the local plan shows that in Banbury the demand for older people's housing is anticipated to rise significantly between 2015 and 2033 and continues to significantly outstrip the sum of the actual and potential supply. The PPG is clear: "*where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need.*" Substantial weight should be given to the proposal considering the high levels of specialist housing need identified.
- iv. The proposal is on a brownfield site. In accordance with the NPPF (para 120c) substantial weight should be given to the value of using suitable brownfield land within settlements for homes.
- v. The site is in a highly sustainable location. It offers opportunities for the future residents to walk to local shops and services within the town centre. Substantial weight should be given to delivering development in a highly sustainable location.
- vi. The site is part of the wider Banbury Policy 8 allocation within the Cherwell Local Plan (2015). This seeks to regenerate this part of the town with a mixed development comprising retail, hotel, leisure, 200 dwellings and car parking.
- vii. Within the wider masterplan area, the application site is furthest from the town centre and most suited to residential accommodation. The dwellings will help support the vitality of the town centre in accordance with Policy Banbury 7. The proposals will also help deliver Policy Banbury 8: the application will deliver all the features shown in the urban framework plan of the Banbury SPD for this part of the site; and at the same time act as a catalyst for the regeneration of the wider site, without prejudicing the delivery of other aspects of the policy.
- viii. The Council is unable to demonstrate a 5 year land supply. The relevant policies for the determination of this application are therefore considered out of date in accordance with paragraph 11d of the NPPF, meaning any adverse impacts of development must significantly and demonstrably outweigh the benefits.
- ix. The contribution of 80 dwellings to the housing supply should therefore be afforded substantial weight.

- x. Great weight has been given to enhancing the setting of the Grade II Listed Trelawn House. The proposed design removes all built form from the northern elevation, opening this up and providing a landscaped setting. This will be of significant benefit to the heritage asset and also the public realm on the corner of Castle Street and North Bar Street. The Heritage Statement concludes that although redevelopment of the site would result in a change to the setting of Trelawn House, it would not result in harm to the heritage significance. Through its design and careful layout the scheme would enhance the setting and open up elevations currently blocked. Consequently the listed building would be better understood, experienced and appreciated.
- xi. The proposal removes a negative building, replacing it with a high quality building, which respects and enhances its historic setting. At the same time the scheme makes efficient use of this sustainable brownfield site as required by paragraph 124 of the NPPF.
- xii. The provision of retirement housing releases under occupied family homes back into the housing market. This should be afforded significant weight in the determination of the application. In November 2021, the Housing Minister, Christopher Pincher sought to encourage older people to downsize, highlighting that there were over 3 million people unable to downsize due to lack of suitable housing. The Government is currently looking at ways to remove barriers to the development of the later living sector.
- xiii. There are numerous economic, social and environmental benefits associated with the application. These should individually be afforded substantial weight in the determination of the application.

INTRODUCTION

- 1.1 This Planning Statement has been prepared by Planning Issues Limited, on behalf of Churchill Retirement Living, in support of a detailed planning application for the proposed retirement living development at the former Buzz Bingo site, Bolton Road, Banbury.
- 1.2 This planning application seeks permission to redevelop the site for 80 retirement living apartments including communal facilities, access, car parking and landscaping.
- 1.3 The site contains the former Buzz Bingo building and a few small offices. Buzz Bingo closed in March 2020 and it was formally confirmed that it was not reopening in July 2020.
- 1.4 Trelawn House is a grade II listed building. It is outside the site but the current Buzz Bingo building wraps around and encloses it. It is adjoined on the northern and southern elevations and a separate listed building application has been submitted to deal with the demolition of the Buzz Bingo building and restoration of the party walls.
- 1.5 This statement accompanies a detailed planning application. It should be read in conjunction with the following supporting documents which accompany the application:
 - Design and Access Statement
 - Drainage Statement
 - Transport Statement
 - Landscaping Strategy
 - Ecological Assessment
 - Ground Investigation Report
 - Affordable Housing Viability Assessment
 - Statement of Community Involvement
 - Sustainability Report
 - Noise Report
 - Air Quality Assessment
 - Heritage Statement
 - Archaeological Assessment
 - Health Impact Assessment
 - Construction Management Plan
 - Urban Form Analysis
- 1.6 The application includes the following plans:
 - Location Plan
 - Site Plan
 - Existing Elevations
 - Existing Floor Plans
 - Ground Floor Plan
 - First Floor Plan
 - Second Floor Plan
 - Third Floor Plan

- Roof Plan
- Castle Street Elevation
- North Bar Street Elevation
- Other Elevations
- Site Section

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

OLDER PEOPLE HOUSING

- 2.1 In 2019 the Government updated the Planning Practice Guidance (PPG) to include a section on '*Housing for older and disabled people*', in order to assist Councils in preparing planning policies on housing for older and disabled people. The Guidance is clear that providing housing for older people is '*critical*'.
- 2.2 Offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking.
- 2.3 The Applicant has specialised in the provision of purpose built apartments for older people since 1998 and has provided development proposals throughout England and Wales.
- 2.4 The accommodation proposed is specifically designed to meet the needs of independent retired people, and provides self-contained apartments for sale. A key aspect of the design is that the units are in a single block. This is essential for control over access, with safety and security being a key concern for individuals as they age. It also provides much greater benefits for social interaction. This is enhanced with the communal space, in particular the owners lounge, coffee bar and terrace.
- 2.5 The type of housing proposed is defined as retirement living or sheltered housing within the PPG. It sets out:

“Retirement living or sheltered housing: This usually consists of purpose-built flats or bungalows with limited communal facilities such as a lounge, laundry room and guest room. It does not generally provide care services, but provides some support to enable residents to live independently. This can include 24 hour on-site assistance (alarm) and a warden or house manager.”
- 2.6 The application is not for a care home, which offers much higher levels of care. The application proposal is for individual accommodation, which has been specifically designed for older people, with help available through a lodge manager and 24 care line if required.
- 2.7 In comparison the tradition model of staying in your own home, which can become unsuitable as people age, with lots of steps, or maintenance requirements, puts additional pressure on social care services to deliver additional care at home, before people move into high dependency care homes.
- 2.8 Providing opportunities for people to downsize into suitable and adaptable accommodation, with support on hand should they need it, meets the Government's agenda of encouraging much greater independence in old age.

2.9 The communal facilities proposed are:

- A lodge manager employed by a Management Company to provide assistance and security for the owners of the apartments;
- A video entry system which is linked to the owners' televisions in their apartments;
- An owners' lounge is provided for use by all residents and their guests within the building;
- Communal lifts are provided for use by residents and visitors;
- A communal toilet for use by residents and visitors;
- A communal landscaped garden area;
- A guest suite for use of relatives of property owners who wish to stay overnight;
- A communal car parking area for use by residents who have a car (unallocated);
- An area for mobility scooters and bicycles to be stored and charged; and
- A communal refuse store.

2.10 The apartments are sold by the Applicant with a lease containing an age restriction which ensures that only people of 60 years or over, or those of 60 years or over with a spouse or partner of at least 55, can live in the development. It is suggested that this is secured by the following planning condition.

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

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

2.11 Notwithstanding the age restriction, the average age of purchasers of the apartments are 78 years old, with the average age of all occupiers being late 80s. Typically 70% of apartments are single occupancy, often occupied by a widow. The decision to purchase this type of development is predominantly needs based, with residents forced to move as their existing property is no longer suitable or they can no longer access the shops or services that they need.

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

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

2.13 Speaking to the House of Lords Built Environment Committee on 2nd November 2021, Housing Minister, Christopher Pincher said he wants to encourage older people in large

homes to downsize and make way for first time buyers. He stated that four in 10 homes were too big for their owners and that Michael Gove, the Communities Secretary was looking at ways to “identify and remove the barriers to the development of the later living sector”. He reiterated the 3 million people that cant downsize due to the lack of suitable housing. He noted that in the early 1990s something like 31% of properties were under-occupied, now that percentage is 38%.

- 2.14 A report by Knight Frank acknowledges that whilst there is an increase in the number older people’s housing units being developed, this rate is still dwarfed by the rapidly ageing population. By 2037, population projections suggest that one in four of us will be over 65. Thus even while delivery of older people’s housing may increase, in real terms the numbers of older people housing units per 1,000 individuals is expected to drop. Thus a **step change in new delivery** is required if the huge imbalance between need and supply is to be addressed.
- 2.15 In addition, the majority of existing retirement housing is within the social rented sector, thus only available for those in need of affordable housing. A large proportion of older people are owner occupiers, and particularly own without a mortgage. They are therefore unable to apply for social rented housing, and in many cases wish to retain equity and so would be looking for a property to buy.

THE SITE AND PLANNING HISTORY

The Site

- 3.1 The site comprises the former Buzz Bingo Hall, associated offices and parking area. It is on the junction of Castle Street and North Bar Street. Bolton Road is to its eastern boundary.
- 3.2 The site surrounds but does not include Trelawn House, which is a grade II listed building. The existing Buzz Bingo building currently adjoins Trelawn House and hence a listed building application has been submitted alongside this application to address the demolition and restoration of the party walls.
- 3.3 The site is part of the wider Banbury Policy 8 allocation within the Cherwell Local Plan (2015). This seeks to regenerate this part of the town with a mixed development comprising retail, hotel, leisure, 200 dwellings and car parking. Further detail for this redevelopment is set out within the Banbury Vision and Masterplan SPD (2016).
- 3.4 The application site does not include the Land and Tyre Services building. The occupiers of the site are currently tied into a long lease making the comprehensive redevelopment of the policy allocation presently unachievable.

Planning History

- 3.5 There is no significant planning history on the site. Planning applications were made in 2007 for minor modifications to the Bingo Hall and advertisement consent in 2015.
- 3.6 A pre application submission was made on 23rd August 2021. A meeting was held with the Council on 2nd November, with the written response received on 17th November 2021. In summary the pre app response sets out:
 - The redevelopment of the site for a care home can be considered to accord with Policies Banbury 7 and 8 in principle. (In this context a 'care home' is taken to mean the retirement living apartments C3 use put forward as part of the pre app, rather than a traditional C2 use care home).
 - The proposal provides potential for regeneration. Further information regarding job losses and new jobs should be provided.
 - The Council cannot demonstrate a 5 year land supply. The proposal will assist with this but falls short on the number set out in the policy and will not provide market or much needed affordable family housing.
 - Policy Banbury 8 explains that a comprehensive approach is preferred but that a phased approach may be permitted provided the proposals lead to a coherent development. A comprehensive masterplan is therefore required to demonstrate how the proposals would not prejudice the remainder of the site, including the allocation for a total of 200 dwellings.
 - Proposals require careful consideration of the conservation and enhancement of the historic environment. The Banbury Conservation Area comprises mainly traditional buildings forming strong frontages of burgage plots using a limited palette of materials, form and scale. A heritage report and CGIs must accompany the application.

- Reinstating a garden/yard to Trelawn House would help redress the harm of the existing inappropriate development.
- The proposed buildings would have an adverse impact on the setting and historical integrity of Trelawn House. The scale and massing of the proposed buildings must be given further consideration. It is essential the proposals do not overwhelm or diminish the historical integrity of the retained structure.
- The site is part of an important and visually prominent urban block within the centre of Banbury. Redevelopment gives great opportunity to improve this prominent junction with high quality, well designed landmark buildings which respect the historic core.
- The site can also potentially act as an important catalyst for the remainder of Policy Banbury 8 being brought forward.
- The Banbury Vision and Masterplan SPD advises that 3 to 4 storeys might be appropriate on this part of the site. However consideration must be given to the raised ground levels and perhaps stepping the development down adjacent to Trelawn House and stepping up in height eastwards along Castle Street. It is further noted that the Banbury Vision and Masterplan indicates that a 4 storey block may be appropriate on the corner of Castle Street and Bolton Road, however the building proposed is unduly prominent and too narrow as a single block. This landmark building must be locally distinctive.
- Dormers are not a feature of the traditional local vernacular.
- The proposed new buildings should have a strong vertical emphasis and sliding sash windows.
- Another key aspiration of the Banbury Vision and Masterplan SPD is the provision of a 7m landscape set back to Castle Street. It is not clear however how this vision might be realised.
- Increased connectivity required, including direct access onto North Bar and Castle Street.
- Landmark feature required at the crossroads.
- Minimal amenity space provided.
- Residents lounge and patio immediate adjacent to the main car park. This must be reconsidered.

PLANNING POLICY FRAMEWORK

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires applications for planning permission to be determined in accordance with the development plan unless material considerations indicates otherwise.
- 4.2 The development plan comprises the Cherwell Local Plan (Part 1) (adopted July 2015), the Partial Review Local Plan – Oxford’s unmet Housing Need (September 2020) and the saved polices from the Cherwell Local Plan (1996).
- 4.3 Material considerations include the National Planning Policy Framework and the Planning Practice Guidance (PPG). The emerging Oxfordshire Plan 2050 is also a material consideration, however this has yet to be submitted for examination. The Council is in the very early stages of the Cherwell Local Plan Review 2040, with the ‘Developing our Options Consultation’ running between September 2021 and November 2021.

National Planning Policy Framework (2021)

- 4.4 The overriding message in the NPPF is one of sustainable development. The relevant paragraphs from the NPPF are included in Appendix A and analysed in section 5.

Planning Practice Guidance

- 4.5 The Planning Practice Guidance (PPG) is a material consideration when taking decisions on planning applications. The PPG provides guidance on how policies in the Framework should be implemented.
- 4.6 In June 2019 the PPG was updated to include a section on Housing for Older and Disabled People, recognising its importance. Paragraph 001¹ states:

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

- 4.7 Paragraph 003² recognises that “*the health and lifestyles of older people will differ greatly, as will their housing needs, which can range from accessible and adaptable general needs housing to specialist housing with high levels of care and support.*” Thus a range of provision needs to be planned for.

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

² *Planning Practice Guidance, Paragraph: 001 Reference ID: 63-003-20190626. Available here: <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>*

- 4.8 Paragraph 006³ sets out “plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require.” Therefore, recognising that housing for older people has its own requirements and cannot be successfully considered against criteria for general family housing.
- 4.9 Paragraph: 016⁴ sets out that “Decision makers should consider the location and viability of a development when assessing planning applications for specialist housing for older people”. It goes on to clearly state: “**Where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need**” (emphasis added).

The Development Plan

Adopted Cherwell Local Plan 2011-2031

- 4.10 The relevant policies include:

PSD1: Presumption in favour of sustainable development

BSC1: District Wide Housing Distribution

BSC2: The Effective and Efficient use of land

BSC3: Affordable Housing

BSC4: Housing Mix

ESD1: Mitigating and Adapting to Climate Change

ESD2: Energy Hierarchy and Allowable Solutions

ESD3: Sustainable Construction

ESD7: Sustainable Drainage Systems

ESD10: Protection and Enhancement of Biodiversity and the Natural Environment

ESD15: The Character of the Built and Historic Environment

ESD17: Green Infrastructure

Policy Banbury 7: Strengthening Banbury Town Centre

Policy Banbury 8: Bolton Road Development Area

Cherwell Local Plan 1996

- 4.11 The relevant saved policies comprise:

C28:Layout, Design and external appearance of new development

C30:Design Control

- 4.12 Other relevant Supplementary Planning Documents include:

Banbury Vision and Masterplan SPD

Cherwell Residential Design Guide SPD (July 2018)

Developer Contributions SPD (Feb 2018)

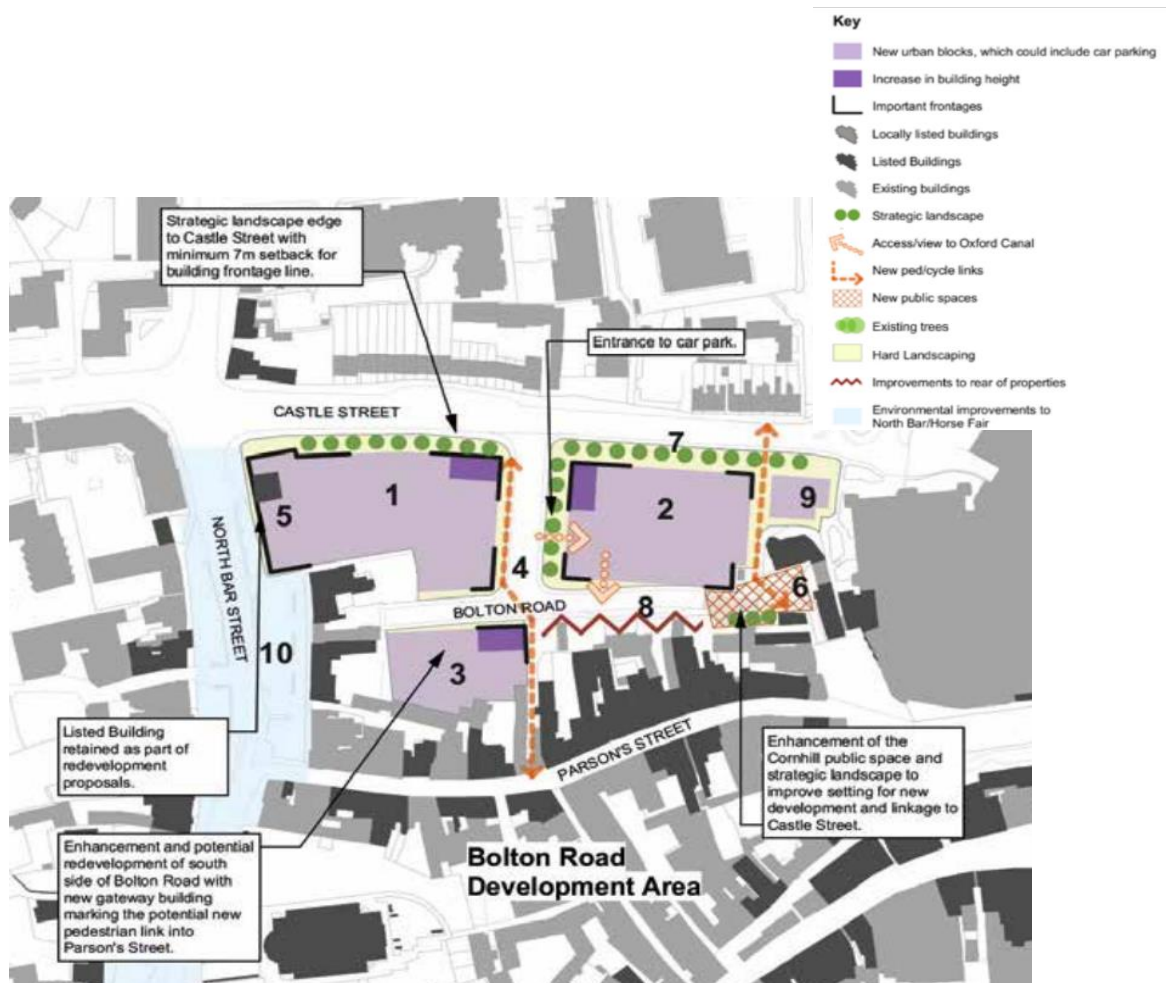
³ Planning Practice Guidance, Paragraph: 001 Reference ID: 63-006-20190626. Available here: <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

⁴ Planning Practice Guidance, Paragraph: 001 Reference ID: 63-016-20190626. Available here: <https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

PLANNING CONSIDERATIONS

Principle of Development

- 5.1 Cherwell Local Plan policy BSC1 seeks to focus new development in the towns of Banbury and Bicester. The plan seeks to secure the redevelopment of a number of major previously developed sites, including the application site under Policy Banbury 8.
- 5.2 The site is within the Banbury Town Centre (Policy Banbury 7). This policy seeks to strengthen the town centre and supports shopping, leisure, and other main town centre uses together with residential development in appropriate locations. Policy 7 goes on to say that the change of use of a site for residential development will normally be permitted if proposals contribute significantly to the regeneration of the town centre.
- 5.3 Policy Banbury 8 seeks to redevelop the area to include a range of town centre and high quality residential uses that will regenerate and enliven this part of the town centre. The uses include retail, hotel, leisure, residential and car parking. The allocation includes for 200 residential units to come forward across the wider site. It is notable that this policy was adopted in 2015 yet there has not been any sign of development on this site so far.
- 5.4 The Bolton Road urban framework plan set out within the Banbury Vision and Masterplan SPD is set out below. The application site is identified by block 1 with the key urban design principles setting out “area 1 on the west to provide three/four storey mixed use development for residential and town centre uses. Existing modern buildings will need to be removed if Area 1 comes forward for redevelopment”.
- 5.5 Number 4 refers to a new pedestrian/cycle link through to the rear of Parson’s Street properties to connect the Bolton Road development and car park to retail activity on Parson’s Street.
- 5.6 Number 5 refers to the existing listed building on Parson’s Street and North Bar Street to be retained a part of the comprehensive regeneration of the site. All development proposals should seek to preserve and enhance listed buildings and the conservation area.
- 5.7 Number 7 refers to an improved frontage onto Castle Street with strategic landscaping.



5.8 Churchill initially considered an element of retail on the site. However there is a covenant across the majority of the site restricting the sale of liquor. This will prevent any café or restaurant wanting to locate here. In addition, emails were sent to numerous supermarkets to establish if there was any interest in a local corner shop on the site. However all the responses expressed that the competition was too great in the area with the existing stores.

5.9 In addition, the evidence base has changed since the policy was drafted. The global pandemic has accelerated the move to shopping online. This has left many town centre premises vacant. This site is located on the very edge of the town centre boundary and is considered the most suitable location for the residential aspect of policy Banbury 8. This will focus new retail uses within the core of the town centre rather than spreading them out further. In addition, as set out below, retirement living accommodation will contribute to the regeneration of the town centre. A scheme of 80 units will provide an estimated £1.4 million in resident expenditure per annum; the majority of which will be within the town centre.

5.10 As acknowledged above, Policy Banbury 8 requires the inclusion of a 7m landscape buffer fronting Castle Street. The proposed design includes this, which is set out clearly on the proposed landscape strategy. The proposals include street, ornamental and fruit trees. The sloping ground will remain and will be planted up with ornamental shrub and herbaceous planting. Some wild flower areas will be included to enhance biodiversity.

- 5.11 On the corner of Castle Street a public garden is proposed. This will include a piece of public art, as required by policy Banbury 8. It will act as a meeting point or for people to sit for a coffee or sandwich. It will include native trees and planting. We would welcome the opportunity to discuss this feature with the Council during the application.
- 5.12 Policy Banbury 8 sets out that a comprehensive approach to the site is preferred, although acknowledges that a phased approach may be permitted provided that it is clearly demonstrated that the proposals will contribute towards the creation of a coherent development.
- 5.13 In order to demonstrate this, a masterplan has been prepared independently and submitted with this application. This clearly shows an example of how the wider site could be developed and shows how the delivery of 80 units on this part of the site will not prejudice the delivery of 200 homes across the wider masterplan area. The masterplan document shows the connections onto Parsons Street can still be provided, as well as wider connections around the site.
- 5.14 Policy Banbury 8 was adopted by the Council in July 2015. The proposed policy was included in the Proposed Submission Local Plan as far back as August 2012. The Banbury Vision and Masterplan SPD was adopted in December 2016. This policy aspiration has therefore been around for a while with, until this point, no signs of delivery. This application will help meet the Council's aspirations for this part of the site as well as acting as an important catalyst for the remainder of the land within Policy Banbury 8 being brought forward for development.
- 5.15 The adjacent land, currently in use by Tyre Land Services has a long lease and so is currently unavailable for development. As acknowledged in the Council's pre app response the remainder of the site is owned by the Council and so can be brought forward as soon as the Council wish.
- 5.16 It is considered that the redevelopment of the site accords with Policies Banbury 7 and Banbury 8 and that the principle of residential development on the site is acceptable.
- 5.17 The redevelopment of the site is consistent with Policy BSC2 which states that the Council will encourage the re-use of previously developed land. The NPPF is clear that decision makers should give substantial weight to the value of using suitable brownfield land within settlements (para 120c).

Increasing Housing Delivery

- 5.18 There is a significant national drive to increase housing delivery. Para 60 of the NPPF is clear, the Government intends to **significantly boost the supply of new homes**. There is an intention to deliver 300,000 new homes a year.
- 5.19 The recently published Building Back Britain report (November 2021) acknowledges that *"we are currently falling well short of building enough housing to meet the Government's present target of 300,000 homes a year, despite significant progress in recent years"*.
- 5.20 The planning system has a clear role in ensuring it delivers homes where they are most needed. As set out in para 119 of the NPPF this means **making as much use as**

possible of previously developed land. The Government is championing the take up of brownfield land by encouraging the remediation of degraded or contaminated spaces, promoting the development of under-utilised land and opening up opportunities to build upward.

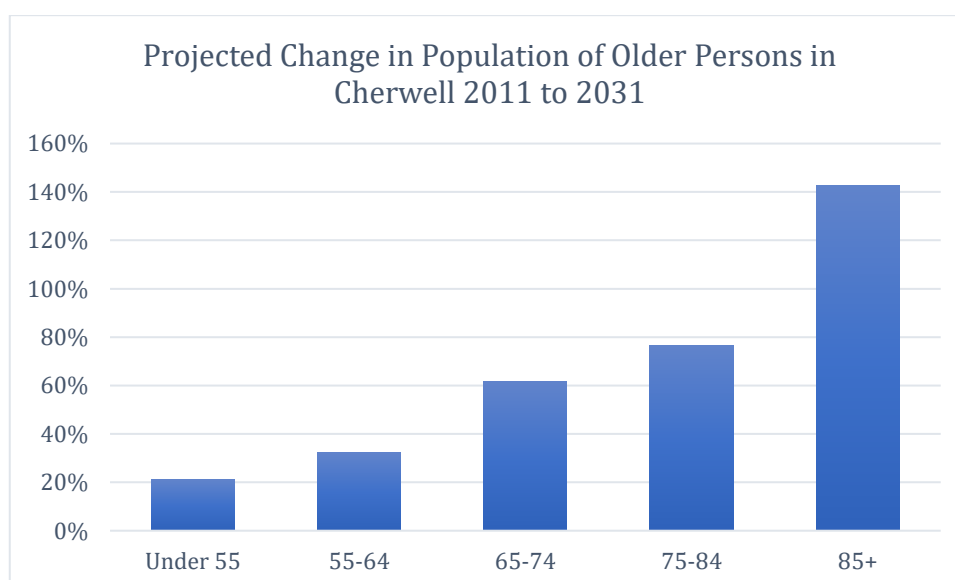
- 5.21 Cherwell is a high growth area and demand for housing is high. The recently prepared Oxfordshire Growth Needs Assessment Report (July 2021), considers the future housing needs for the wider Oxfordshire area. At the moment 3 options are being considered, delivering either 3,386, 4,113 or 5,093 dwellings per annum across Oxfordshire until 2050. Although the specific requirements for Cherwell are yet to be determined, either way there is a clear need for future housing growth within the area.
- 5.22 The Council's pre app response confirms that they are currently unable to demonstrate a 5 year land supply for the period 2021 to 2026. Thus there is an overriding housing need in the District and the tilted balance applies, meaning the application should be approved unless the impacts significantly and demonstrably outweigh the benefits. This was confirmed in a number of recent appeal decisions in Adderbury (September 2021) and Land at Bretch Hill, Banbury (June 2021).
- 5.23 Brownfield sites such as the application site are essential in bringing forward much needed houses in Cherwell. Para 69 of the NPPF acknowledges the benefits in terms of delivery offered by small and medium sized sites and encourages authorities to give **great weight to the benefits of using suitable sites within settlements for homes.**
- 5.24 It is noted that the pre app response sets out that the scheme does not provide market or much needed affordable family housing. However as set out in Section 2 above, the lack of options available for older people means that many continue to under occupy large family housing until their care needs increase so much as they are forced into high dependency residential care. On 2nd November the Housing Minister, Christopher Pincher clearly set out that he wants to encourage older people to downsize to make way for first time buyers. He stated that Michael Gove, the Communities Secretary was looking at ways to remove barriers to the development of the later living sector, reiterating that 3 million people can't downsize due to the lack of suitable housing.
- 5.25 Using statistics from the 'Chain Reaction' Report (August 2020) that the proposed development will therefore free up around 53 family homes throughout the housing chain.
- 5.26 In addition, the remaining 120 homes as part of the wider Policy Banbury 8 allocation would likely come forward as housing for other needs groups.
- 5.27 Regarding affordable housing, an offsite contribution will be provided in accordance with policy BSC3. More detail on the reason for this is set out below.
- 5.28 Overall it is considered that the proposed development of older people housing, which will be delivered within the next five years, will significantly assist the Council in meeting its housing targets and should be given substantial weight in the planning balance.

Older People Housing Need

- 5.29 It is well documented that the UK faces an ageing population. Life expectancy is greater than it used to be and as set out above by 2032 the number of people in the UK aged over 80 is set to increase from 3.2 million to five million (ONS mid 2018 population estimates).
- 5.30 The Homes for Later Living Report notes the need to deliver **30,000 retirement and extra care houses a year** in the UK to keep pace with demand (September 2019).
- 5.31 Currently in the UK, we build around 8,000 retirement properties a year. This is despite the PPG setting out that the need to provide housing for older people is 'critical'. This is distinctly below the level of need and demand.
- 5.32 Cherwell is no exception to this ageing population. Between 2001 and 2020 the percentage increase in those aged 65+ was 52.1%, compared to an average across all age groups of only 15.1%:

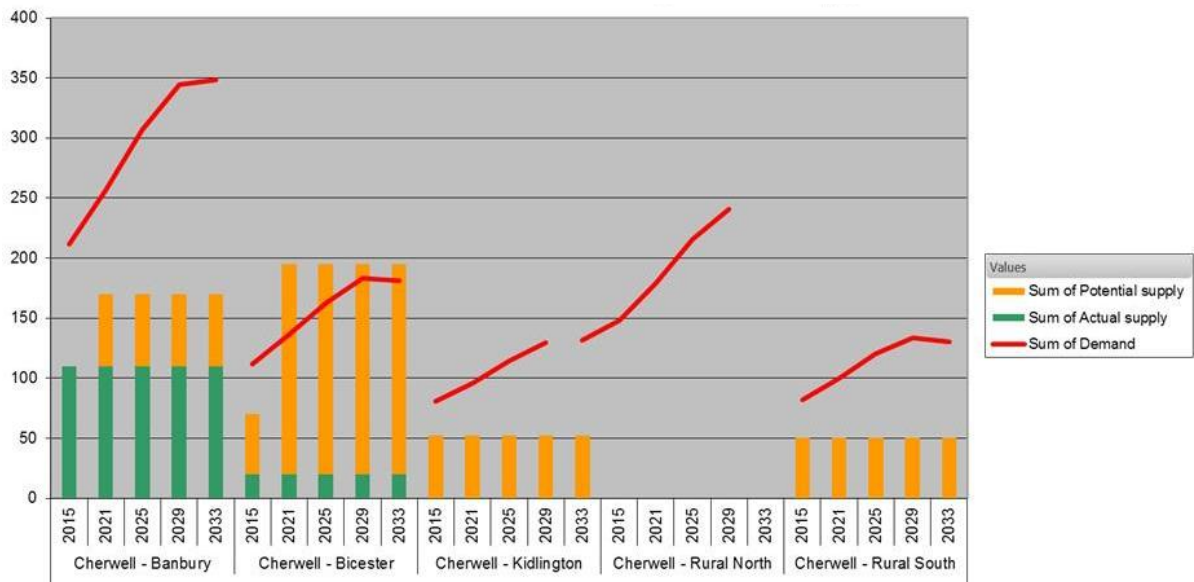
Age	Percentage Increase
Under 16	10.8%
16-64	8.8%
65+	52.1%
All Ages	15.1%

- 5.33 The recently prepared Oxfordshire Growth Needs Assessment Report (July 2021), shows that in comparison to all the other Oxfordshire Districts, Cherwell has seen the greatest increase in the proportion of the population aged 65 plus between 2011 and 2018.
- 5.34 Looking forward, the Oxfordshire SHMA (2014) projects the growth in the older population in Cherwell between 2011 and 2031. The population aged 55+ in Cherwell will increase by 58% which is the highest of the Oxfordshire districts. It further shows a significant 142% increase in those aged over 85 between 2011 and 2031.



- 5.35 The SHMA acknowledges the need to provide housing for older people as part of achieving a good mix of housing but recognising that many older people are able to exercise choice and control over housing options (e.g. owner occupiers with equity in their homes). This is reemphasised in the recent Cherwell Local Plan Review Options Paper, with Key Objective 20 seeking to provide the homes for an ageing population.
- 5.36 The SHMA projects a need for housing for older people in Cherwell somewhere between 696 units @ 133 units per 1000 (Oxfordshire average supply) and 1,436 units @170 units per 1000 (national average).
- 5.37 The Cherwell Housing Strategy 2019-2024 acknowledges that not only is the population of Cherwell growing, the rate it is growing is above the UK growth rate and the rate of population growth in Oxfordshire as a whole. The life expectancy of people in Cherwell is higher than the national average and the district is expected to see a substantial increase in the older person population. The Housing Strategy acknowledges the specific increase in those aged over 85 resulting in a significant increase in the demand for accommodation that is suited to an older population.
- 5.38 Whilst slightly dated, the Local Plan Background Paper - extra care/elderly accommodation (Feb 2013) provides a useful analysis. The graph below sets out the sum of the actual and potential supply of extra care and sheltered housing against the sum of demand. As can be seen for Banbury, the demand is anticipated to rise significantly between 2015 and 2033, yet continues to outstrip the sum of the actual and potential supply.

Cherwell District Council Extra Care/Sheltered Housing demand and supply estimate



- 5.39 Cherwell's previous Housing Strategy for Older People (2010-2015) makes assumptions about the amount of accommodation needed in the district. This has not been updated in the recent strategy, however at the time it was prepared there was a need for an additional 898 Sheltered Housing units for sale in Cherwell to 2026 above the existing supply.

Category	Current provision	Provision needed to 2016	Provision needed to 2021	Provision needed to 2026	Provision per 1000 population over 75 agreed	Norm ratio from MCGV*
Sheltered Housing for Rent	1261	519 (-742 from current)	623 (-638 from current)	865 (-396 from current)	If 50	50
Sheltered Housing for Sale	399	779 (+380 from current)	935 (+536 from current)	1297 (+898)	If 75	75
Enhanced Sheltered and Extra care Housing for rent	9	259 (+202 units from current)	312 (+255 from current)	*432 (+375)	If 25	20 shared between rent and sale
Enhanced Sheltered and extra care Housing for sale inc S/O	94	311 (+205 from current)	486 (+380 from current)	*519 (+413)	If 30	25
Of which Housing Provision for dementia	0	103	125	173	If 10	10 (inc within enhanced and extra care provision)

(Source: Cherwell's Older People Housing Strategy 2010-2015)

- 5.40 The existing supply of 399 sheltered housing for sale units only represents 30% of the 1297 units needed by 2026. Thus the delivery of Sheltered Housing for Sale needs to dramatically increase to meet the needs of our rapidly ageing population.
- 5.41 The Housing Strategy is clear, demand for appropriate accommodation that can meet the needs of this growing ageing population is evident. Extra care and sheltered accommodation will form part of the makeup of housing which CDC together with its partners will seek to provide.
- 5.42 The Cherwell Local Plan aims to “*extend choice, to provide high quality homes and development, and to secure a mix of house types, size and tenure that meets housing need. This includes meeting the requirements of an ageing population through the provision of extra care, supported and sheltered housing*”.
- 5.43 Policy BSC4 sets out that opportunities for the provision of extra care, specialist housing for older and/or disabled people “**will be encouraged in suitable locations close to services and facilities**”. Paragraph B.121 states that there is a need to provide a mix of housing in Cherwell that reflects the needs of an ageing population. The proposal is considered to comply with policy BSC4.
- 5.44 It is noted that there are no allocated sites within Cherwell for the delivery of older people's housing. This needs to come forward on suitably located windfall sites.
- 5.45 Paragraph 001 of the PPG on Housing for older and disabled people is unequivocal in its message that “**the need to provide housing for older people is critical**” and “**where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need.**” In

this context, **the benefits of this scheme in delivering older people's housing against the identified needs must be given substantial weight in the determination of this application.**

Design and Heritage Considerations

- 5.46 The site is partly within and adjacent to the Banbury Conservation Area. As set out above, Trelawn House is a grade II listed building. This building is outside but surrounded on three sides by the application site. The site is also in the setting of a number of other listed buildings on North Bar Street. Further detail on the heritage setting is set out within the Heritage Statement accompanying the application.
- 5.47 The site currently comprises a building of no visual interest and poor public realm. The Heritage Statement accompanying the application concludes that the site is void of any heritage interest or elements which positively contribute to or enhance the streetscape or surrounding townscape which forms part of the Banbury Conservation Area and its setting. The Buzz Bingo building is identified as a negative landmark within the Conservation Area with the crossroads of Castle Street and North Bar Street as a point of disorientation.
- 5.48 The proposal will significantly open up the setting of Trelawn House to the north. This will give the building space and enhance its setting in accordance with policy ESD15. The pre app response suggests reinstating a garden/yard to Trelawn House would help redress the harm of the existing inappropriate development. The landscape setting to the north of Trelawn House will help provide this open setting. A much closer relationship is proposed for the rear and southern elevations in order to continue the strong building lines and intimate built form, which is identified as a positive feature of the Conservation Area.
- 5.49 Following the comments during the pre app, the building has been designed to reflect the narrow historical burgage plots. The proportions of the fenestration have been altered to reflect the historical grain of the surrounding area and the strong vertical emphasis. A limited palette of materials has been proposed to reflect the historical character.
- 5.50 It is noted that the pre app requested sliding sash windows. These windows are not suitable for the proposed residents, who have often moved in because of reduced mobility. The majority are physically unable to push up and pull down sash windows, often whilst holding onto a walking stick. Instead side opening casements are proposed which are not considered out of character for the area and are suitable for residents to open.
- 5.51 The proposed block on the corner of Castle Street and Bolton Road has been widened, following comments at pre app that it was too narrow as a single block. The design evolution is set out within the Design and Access Statement. The block has taken design inspiration from the grand town houses of the medieval core, such as those along Parson's Street. It will include parapets and high stone banding.
- 5.52 Chimney detailing has been added on North Bar Street to reflect the existing street character. Further design details are set out within the Design and Access Statement.
- 5.53 The form, scale and massing has been reduced from the pre app and is considered to respect the historical character of Trelawn House and the wider conservation area.

A site section across Castle Street, together with further street context on the elevations both demonstrate that the proposals are of an appropriate scale for their setting. Three storey is considered characteristic for the surrounding area, with four storeys on the corner in accordance with the Banbury Vision and Masterplan SPD. The section shows an appropriate separation distance to the properties on the other side of Castle Street. At the closest point they are 32.28m away from the proposed development. This is significantly greater than typical separation distances and is not an unusual characteristic for a town centre location such as this.

5.54 The number of dormers has been significantly reduced from the pre app proposals, leaving only a few on Castle Street. The ridge height on North Bar Street and on Castle Street closest to Trelawn House has been reduced. However, as discussed at the pre app, the character of North Bar Street is of a gradual stepping up as you move further south along the street. The ridge height is therefore higher than Trelawn House to reflect this characteristic. This proposed scale is not considered to diminish the character or historical integrity of Trelawn House. Instead, Trelawn House will sit prominently in a landscaped setting on the corner of Castle Street and North Bar Street, with the proposed development providing a high quality setting to this listed building.

5.55 In a recent appeal decision for Churchill Retirement Living for a scheme in Basingstoke (June 2021), the Inspector considered at paragraph 26 that:

“In contrast to the existing buildings on site, the proposed development would be of a greater height and scale and would therefore be more prominent within the street scene. Furthermore, with the replacement of the single storey aspects of the existing building with a four-storey development, the building would have a greater visual presence. That said, the increase in prominence and visual presence of development on the site does not, in my view, automatically translate into a form of development which would harm the BTCA” [Basingstoke Town Conservation Area].

5.56 Whilst this is a different site, in a different context, the Inspector is clear with the principle that an increase in prominence and visual presence does not automatically translate into harm for the Conservation Area. A copy of the decision is included in Appendix B.

5.57 Similarly, in an appeal decision for Renaissance Retirement Limited (June 2021) the main issues were the effects of the proposed development on the significance of Lymington Conservation Area and the Grade II Listed buildings and the effect of the appeal scheme on the character and appearance of the area. The appeal site was in the setting of a Conservation Area and six Grade II Listed Buildings.

5.58 The Inspector acknowledged that the proposed building would be of greater scale than the dwellings currently on the appeal site, however the proposed building would be set back, behind landscaping. The Inspector considered that the proposed development would not materially erode any ‘designated views’ from the listed buildings and would thus avoid harm to their significance.

5.59 It is not considered the application proposal will materially erode any views identified in Figures 14 and 18 within the Conservation Area Appraisal. Instead the views are considered to be enhanced. A copy of the Lymington appeal decision is included in Appendix C.

- 5.60 The Heritage Statement supporting the application sets out that the redevelopment of the site will enhance the Banbury Conservation Area (and designated and non-designated heritage assets located within it) through the removal of a building which currently provides a negative contribution and the proposed improvements to Trelawn House and the streetscene. Although the redevelopment presents change, such change would not diminish our understanding of the historic environment, those key elements which contribute to it, or the ability to understand and experience it.
- 5.61 In relation to Trelawn House, the Heritage Statement considers that although the proposal will introduce a building which is taller, it would be observed in the context of other tall buildings, and with variations in roof heights, the overall perceived height will be reduced. Although redevelopment of the site would result in a change to the setting of Trelawn House, it would not result in harm to the heritage significance. Through its design and careful layout the scheme would enhance the setting and open up elevations currently blocked. Consequently the listed building would be better understood, experienced and appreciated.
- 5.62 At the same time the proposal balances the need to deliver an efficient use of land as required by the NPPF and policy ESD15; and deliver the required housing allocation under policy Banbury 8.
- 5.63 If the Council found the application to result in less than substantial harm to the nearby designated heritage assets, in line with paragraph 202 of the NPPF, this harm should be weighed against the public benefits of the proposal. It is strongly considered that if this exercise were undertaken, the benefits arising from the development proposals would outweigh any identified harm.
- 5.64 Paragraph 206 of the NPPF sets out that Local Planning Authorities should look for opportunities for new development within Conservation Areas and within the setting of heritage assets, to enhance or better reveal their significance. As set out above, it is considered that pulling the proposed building back and opening up the setting of Trelawn House will help reveal its significance. **The NPPF is clear that proposals which make a positive contribution to the heritage asset or which better reveal its significance should be treated favourably.**

Active Frontages

- 5.65 Policy ESD15 requires proposals to integrate with existing streets and for buildings to be configured to create clearly defined active public frontages. The scheme proposes ground floor apartments along Castle Street and North Bar Street. These apartments contain doors with patio areas for residents to sit out if desired. Following the pre app, increased accessibility has been proposed, with footpaths for the residents directly onto North Bar Street, Castle Street and Bolton Road. This is considered to comply with the requirements of policy ESD15.
- 5.66 In an appeal decision for Churchill Retirement Living in Fleet, Hampshire, the Inspector considered the role of active frontages in relation to a Churchill development. A copy of the appeal decision is included in Appendix D. The Inspector states at para 33:

“the importance of active frontages is overstated by the Council.....Where the NPPF, the National Design Guide and Building for a Healthy Life do mention active frontages, they do so as a way of integrating buildings into their surroundings...the purpose on

an active frontage is to add interest, life and vitality to the public realm. In my view the proposed design does this, and the proposed development would be fully occupied on a full time basis by 31 occupants at least who would be resident and using the high street on a daily basis. There are no grading standards in the NPPF or otherwise for appropriate or inappropriate active frontages”.

- 5.67 It is considered that the design and nature of the scheme, together with the inclusion of entrances onto Castle Street, Bolton Road and North Bar Street will create a building that integrates well into its surrounds. There will be at least 80 residents in this development, who will use the local shops and services on a daily basis.

Amenity Space

- 5.68 Following the pre app, the level of green amenity space around the site has increased. Parking has been removed from directly adjacent to the owners lounge, creating a landscaped setting to the owners lounge and patio. The applicant has considerable experience in delivering retirement developments nationwide. This has given a clear understanding of the use of and need for amenity space.
- 5.69 The quality of amenity space is important to prospective residents. Churchill Retirement Living have won awards for excellence for their landscaped amenity areas.



Tregolls Court, Truro
Award winning
landscaping.

- 5.70 Typical purchasers are 78 year old widows. The move into retirement living accommodation is usually a needs based move, with the main drivers being the death of a partner, companionship, downsizing as the family property is too large to manage or not suited to mobility needs, and to be closer to shops and services.
- 5.71 The experience of the applicant is that high quality amenity space is far more important than quantity. Residents wish to have a pleasant outlook, with high quality planting, and value this far more than large areas of green space. Residents use the space in a passive way. Active use of external amenity space tends to be relatively limited and mainly involves sitting out for those few residents who occasionally choose to do so, and perhaps tending a few small flower pots immediately outside of ground floor apartments where access is provided to individual apartments. Large grassed areas of external amenity space are just not required.

- 5.72 A landscape strategy is submitted in support of this application which shows the landscaping and planting that will be provided on the site. Native species will be used to enhance biodiversity. Borders are included with species chosen to add visual interest but also to encourage pollinators.
- 5.73 In addition there is the internal communal lounge, coffee bar and patio. This is a hugely valued space, where residents often meet for coffee or to play card games and is useable all year round. Film nights, book clubs, wine and cheese evenings as well as summer parties are also organised.
- 5.74 Experience has shown that older people derive considerable pleasure and enjoyment from interacting with others as a community in the communal lounges and terraces. This is not everyone's preference, but is something residents chose to buy into when they purchase a property.
- 5.75 Whilst it was acknowledged at the pre app that there are a number of north facing apartments, with small patios fronting onto Castle Street, it is emphasised that the owners all have access to the south facing communal lounge and patio. This is within the quietest part of the site and will provide an attractive environment for residents to enjoy socialising or sitting in the sun.
- 5.76 Overall, given the balance of achieving efficient use of land as set out in para 124 of the NPPF combined with a clear understand of the needs of the residents and the emphasis on high quality landscaping, it is strongly considered that the proposed amenity space will meet the needs of the residents in accordance with policy ESD10. In addition to this, the site is within 200m of People's Park and less than 400m from Spiceball Country Park.
- 5.77 Paragraph 127 of the NPPF requires that developments function well and add to the overall quality of the area; are visually attractive; are sympathetic to the local character and history; establish or maintain a strong sense of place; optimise the potential of the site; and create places which are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users. It is considered that the proposal balances all these needs and will positively contribute to the character and appearance of the area.

Economic Considerations

- 5.78 The application site predominantly comprises a vacant Bingo Hall. Two small offices within the site are currently occupied by Brown & Co and Pertempts. Brown & Co currently have around 20 employees and Pertempts have 5 employees. It is not intended for either existing employment use to be lost as a result of this application, rather they will relocate to another office within Banbury. Evidence of current available office space within Banbury and Bicester is included within Appendix E. This shows a total of 6,704.87 sqm of office space currently available in Banbury. In addition there is a further 2,151.40 sqm of office space currently available within Bicester.
- 5.79 Of the 6,704.87 sqm available in Banbury, 1,122.17 sqm is available within the town centre, with the rest of the space elsewhere around the town. Some of this office space has been available for 6 years, with the majority available for 1 or 2 years. Overall there is considered sufficient available employment space within Banbury that the current employment provided within the site will not be lost from the town.

Indeed the current occupiers have indicated that they will move somewhere else within Banbury.

5.80 In terms of number of jobs created, the Infographic contained at Appendix F sets out that the proposed development will create:

- 6 direct jobs
- 14 supported jobs (from increased expenditure in the local area)
- 77 construction jobs; and
- 86 supply chain jobs during the construction period.

5.81 Recent evidence within a report 'Silver Saviours of the High Street' has shown the significant economic benefits that retirement living developments can have on local high streets. The residents are 'basket shoppers', often walking into town on a daily basis to get the shopping they need. They will also utilise the high street during the week, when it's typically at its quietest. Through downsizing residents often have more disposable income and more time to use local facilities. The analysis by consultancy Lichfields predicts that this development of 80 units will generate around £1.4 million in resident expenditure per annum in local shops and services. This is a significant economic benefit.

5.82 There is significant evidence linking poor health with unsuitable living conditions. Each person living in a home for later living enjoys a reduced risk of health challenges, contributing fiscal savings to the NHS and social care services of approximately £3,500 per year (Homes for Later Living September 2019). Residents generally remain in better health, both physically and mentally, in comparison to being in unsuitable accommodation and for many being isolated. Doctors, nurses, and care workers can visit several occupiers at once.

5.83 With 80 units proposed, there is estimated to be fiscal savings to the NHS of £367,500 per annum directly from the proposed development, in comparison to mainstream housing. This is a significant economic benefit.

5.84 Retirement housing releases under-occupied family housing and plays a very important role in recycling of housing stock in general. There is a 'knock-on' effect in terms of the whole housing chain enabling more effective use of existing housing. In the absence of choice, older people will stay put in properties that are often unsuitable for them until such a time as they need expensive residential care. The infographic estimates the proposed development will open up 53 existing family homes within the housing market. The proposal will therefore assist with meeting wider family housing needs within the district.

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

Social Considerations

5.86 Specifically designed housing for older people enables residents to be as independent as possible in a safe and warm environment. Older homes are typically in a poorer state of repair, are often colder, damper, have more risk of fire and fall hazards. They lack in adaptations such as handrails, wider internal doors, stair lifts and walk in showers. Without these simple features everyday tasks can become harder and harder. Retirement housing helps to reduce anxieties and worries experienced by many older

people living in housing which does not best suit their needs by providing safety, security and reducing management and maintenance concerns.

- 5.87 There are huge benefits from new found friends and companions. Loneliness is linked with damaging health impacts such as heart disease, strokes, depression and Alzheimer's. Loneliness and isolation have become even more apparent in older generations through the lockdowns faced during the COVID 19 pandemic. However residents within existing Churchill Retirement Living schemes have expressed huge praise for their Lodge Managers in looking after them and helping with food shopping.
- 5.88 Churchill developments offer a formal coffee morning as well as a number of informal coffee gatherings. Residents often organise bridge clubs and weekly film nights in the communal lounge. There are also group trips into the town centre for coffee and shopping. Even just saying hello to neighbours in the corridor or a quick conversation with the Lodge Manager can significantly help. Churchill also organise a number of events each year such as summer parties, cheese and wine nights, musical nights with tribute acts.
- 5.89 The Housing for Later Living Report (2019) shows that on a selection of wellbeing criteria such as happiness and life satisfaction, an average person aged 80 feels as good as someone 10 years younger after moving from mainstream housing into housing specifically designed for later living.
- 5.90 The requirement of the NPPF at paragraph 92 to achieve healthy, safe and inclusive places are a fundamental part of the scheme proposed. These are key benefits that residents are looking for when they seek to move to a Churchill Retirement Living scheme.
- 5.91 **Substantial weight should be afforded to these social benefits**

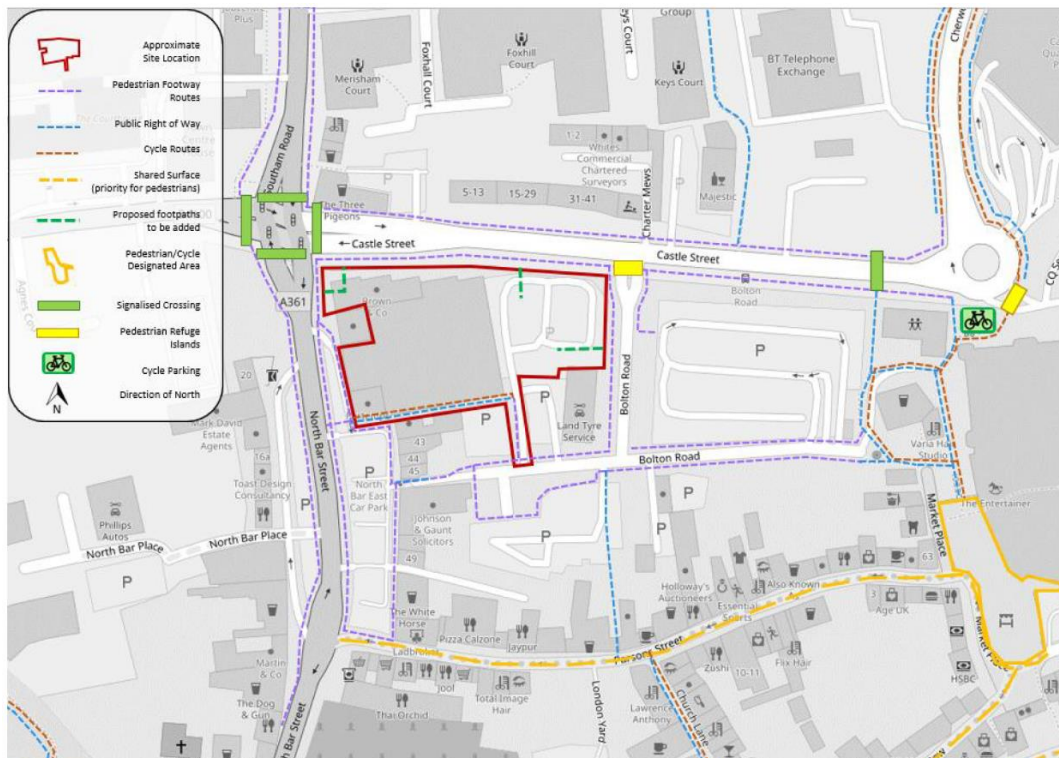
Environmental Considerations

- 5.92 The proposal will make more efficient use of brownfield land thereby reducing the need to use limited land resources for housing, in accordance with policies ESD1 and BSC2.
- 5.93 The site is in a highly sustainable location. Shops and services can easily be accessed on foot thereby reducing the need for travel by means which consume energy and create emissions, in accordance with policy ESD1. Providing shared facilities for a large number of residents in a single building makes more efficient use of material and energy resources. The proposal will be constructed with an energy efficient fabric and building services specification.
- 5.94 The proposal includes renewable technology through the use of solar panels to assist in the reduction of CO₂ emissions, in accordance with policies ESD2 and ESD15. The scheme will also achieve the higher level of water efficiency of 110 litres per person per day in accordance with policy ESD3.
- 5.95 All areas of the building will be lit using low energy lighting and where applicable utilise daylight and movement sensor controls. The scheme will achieve an 11% betterment in energy efficiency over the Building Regulations Part L. Further information on environmental sustainability is set out within the Sustainability Statement accompanying this application.

- 5.96 The pre app response refers to the need to consider district heating in accordance with policy EDS4. Further detail is set out on this within the Sustainability Statement, however in summary, 200 homes across the wider masterplan is not large enough for a scheme to be adopted within the Heat Trust guidelines, thereby exposing future homeowners to uncapped or unregulated energy costs.
- 5.97 Any district CHP should not be fuelled by a combustion process as it is unlikely to deliver compliance with Part L or the Future Homes Standards. Part L requires a heating system efficiency of 89.5%, with the draft Future Homes Standards assuming an efficiency of 250%. however energy generated from the combustion of a fuel or incineration of waste typically has a combined heat and power efficiency in the region of 80-85%. This leaves a commercial grade heat pump network, fuelled by grid electricity. However there are no clear benefits to a heat pump network over small scale electric systems servicing individual homes. Heat networks would suffer from heat loss in distribution. At the present time Churchill have been advised against the installation of a district network at the application site.
- 5.98 The proposals which include electric heating and on site renewable energy generation is compliant with the Building Regulations and is zero carbon ready. Further information is contained within the Sustainability Statement.
- 5.99 An extended Phase I habitat survey and Preliminary Bat Roost Assessment of the site has been undertaken. The site is considered to contain negligible bat roosting potential, and is also on a busy, well-lit, road junction, which is sub optimal for bats. There are very limited existing habitats on site, which are considered to be of negligible ecological importance.
- 5.100 Policy ESD10 seeks to increase the number of trees within the District which this proposal will deliver, with a high quality landscape frontage to Castle Street, as well as high quality landscaping within the site. This is in accordance with paragraph 131 of the NPPF which supports new tree planting. The submitted landscape strategy demonstrates that landscaping is an integral part of the development and which will help support improvements to biodiversity. Following the comments during the pre app, significantly more planting has been included, particularly around the car parking area.
- 5.101 Based on the current landscape strategy the proposed development is considered to deliver a **352% biodiversity net gain for habitat units and a 100% net gain for hedgerow units**. This is a significant benefit of the scheme and is fully in accordance with the NPPF and policy ESD10.
- 5.102 Policy ESD17 seeks to enhance the green infrastructure network. The landscape feature fronting Castle Street is a requirement of the Banbury Vision and Masterplan SPD but will also significantly enhance the green infrastructure in this part of the town. Wider opportunities for Green Infrastructure are also set out within the masterplan document.
- 5.103 **Significant weight should be afforded to these environmental benefits.**

Access and Parking

- 5.104 The site is in a very sustainable and accessible location. It is on the edge of the Town Centre boundary, in close proximity to a range of shops and services.
- 5.105 Policy Banbury 8 encourages pedestrian and cycle linkages that enable a high degree of connectivity with existing networks, particularly Parsons Street, North Bar Street and Castle Street. Similarly Policy ESD15 encourages accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognisable landmark features.
- 5.106 The nature of retirement living accommodation is to provide safety and security for residents. They often move in due to a fear of crime and insecurity within their existing property. Therefore it would not meet the residents' needs to allow the application site to be opened up internally with wider pedestrian connectivity across the private residential area. However pedestrians can walk around all four sides of the site on Castle Street, Bolton Road and North Bar Street. The proposal will maintain the pedestrian public right of way to the south of the site. The reduced width of the building fronting this right of way, compared to the Buzz Bingo building, together with the proposed landscaping inside the site will enhance the openness and appearance of this footpath; with the proposed development enhancing the natural surveillance of it.
- 5.107 Further permeability surrounding the site is shown within the Transport Statement and replicated below.



- 5.108 In addition to this, the masterplan document provides examples of further permeability if the rest of the site within policy Banbury 8 was to come forward for development. The current application proposal will not prejudice these being delivered at a later date.

- 5.109 Overall the proposal is considered to promote pedestrian movement and connectivity in accordance with policies Banbury 8 and ESD15.
- 5.110 Oxfordshire County Council's transport for New Developments Parking Standards for New Residential Developments sets out parking standards of a maximum of 1.2 spaces per unit for unallocated 1 bed units and 1.4 spaces per unit for 2 bed units.
- 5.111 The proposal offers 27 parking spaces. This is below the maximum limits and so in keeping with the parking standards. The proposal offers 0.34 spaces per unit.
- 5.112 As set out in the Transport Statement, the experience of Churchill is that 0.3 spaces per apartment meets the required demand. Parking surveys show a demand for 0.28 spaces per unit (these are attached to the Transport Statement).
- 5.113 This is because residents often move into a retirement development so they are closer to local services and facilities and so can give up reliance on their cars. The typical pattern is that residents move in and then give up their car within 6 months as they no longer need it. Many no longer wish to drive and others find the cost of taxing, insuring and maintaining it unnecessary for the occasional trip, especially given public transport is available. Residents are close to local shops and services and so are able to walk or use a mobility scooter to get all they need.
- 5.114 The NPPF promotes sustainable transport and developers should not be expected to provide more parking than required unless there are clear and compelling justifications, taking into consideration the accessibility, type, mix and use of the development.
- 5.115 From a sales perspective, Churchill would not want to provide a development with insufficient parking as it would upset residents and deter future purchasers. As such a thorough understanding has been obtained from existing schemes to ensure the appropriate number of spaces are provided.
- 5.116 In terms of access, suitable visibility splays can be achieved as set out within the accompanying Transport Statement.
- 5.117 The NPPF is clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Refuse

- 5.118 The development proposal has a communal refuse store which can be accessed internally. Double doors are provided to prevent odour.
- 5.119 Within the refuse room small bags of household waste and recycling material from each individual flat can be decanted into larger shared wheeled bins, clearly designated for specific waste storage.
- 5.120 Tracking of the refuse vehicle shows it can enter and turn within the site, in order to collect the bins from the refuse room. The doors will be unlocked by the lodge manager on the day of collection.

- 5.121 Churchill have developed a detailed understanding of the typical waste requirements based on experience of their existing lodges. The majority of flats are single occupancy and the owners are daily basket shoppers with a low carbon footprint who generate small amounts of waste. Experience has indicated there is a total waste generation of 110l per week for a 1 bed apartment and 170l per week for a 2 bed apartment. This is a combined total for waste and recycling. The total capacity required is therefore 9,250l. The proposed refuse room includes capacity for 9 x 1100l bins (total capacity of 9,900l). These will be divided into recyclable and non recyclable waste. This will be suitable to meet the required needs.

Flood Risk and Drainage

- 5.122 The site is in Flood Zone 1 with a low risk of flooding. To ensure the development is safe throughout its lifetime, the surface water strategy accounts for runoff in up to the 1 in 100 year return period.
- 5.123 The proposed development safeguards against climate change (40%), providing betterment over the existing conditions, where the rate and volume of runoff would continue to increase with climate change.
- 5.124 The existing ground conditions preclude the use of soakaways. Instead storm water runoff will be attenuated on-site and will discharge via the existing site connection to the TW stormwater sewer to the north of the site within Castle Street.
- 5.125 Foul drainage will be served by a new private gravity network, with new connections proposed.

Noise

- 5.126 The site is potentially affected by noise from road traffic using Castle Street and North Bar Street, as well as some operational noise from Land Tyre Service.
- 5.127 An acoustic gate has been proposed across the entrance to the site. This will ensure the noise levels for the main external amenity area meet the required levels identified in the British Standard 8233. The area fronting Castle Street will be subject to greater noise levels, however the provision of the internal owners lounge and the communal external amenity area and patio will ensure residents have access to high quality amenity space that meets the required noise levels.
- 5.128 On the elevations facing towards Castle Street and North Bar Street it will be necessary to include acoustic glazing and in some areas an alternative means of ventilation in order to achieve acceptable internal noise levels.
- 5.129 Overall an appropriate acoustic environment can be achieved both internally and externally.

Air Quality

- 5.130 The proposed development lies adjacent to the Air Quality Management Area (AQMA) no. 2. This is located along North Bar Street.

- 5.131 The submitted air quality report shows that the air quality conditions for future residents will be acceptable, with concentrations expected to be below the air quality objectives throughout the site.
- 5.132 During the construction phase there is the potential for dust emissions, however measures set out within the submitted Construction Management Plan will minimise these.
- 5.133 Traffic flows generated by the development will be less than for the Buzz Bingo and also below published screening criteria. The operation of the development is not considered to have a significant impact on local roadside air quality.
- 5.134 The proposed development will be provided with heat and hot water by Photovoltaic Panels (PVs) on the roof; there will be no centralised combustion plant and thus no significant point sources of emissions.
- 5.135 The overall operational air quality effects of the proposed development are considered to be 'not significant'.

Archaeology

- 5.136 The site is located within the medieval town of Banbury and is likely to have been developed from the thirteenth century onwards. Historic mapping identifies that the site remained in residential use until the mid-twentieth century. Subsequently the majority of the post-medieval buildings (excluding Trelawn House) have been demolished and the site redeveloped.
- 5.137 It is anticipated that the site will have been subject to a degree of previous disturbance as a result of the redevelopment during the 1970s and 1980s. However the site has potential to contain archaeological remains. A programme of trial trench evaluation is suggested. In response to the pre app response a Written Scheme of Investigation is also submitted.

Geotechnical

- 5.138 A Site Investigation Report has been undertaken by Crossfield Consulting.
- 5.139 This has identified that there are no valid contaminant linkages in relation to human health, controlled waters or ground gas emissions. Thus it is concluded that remediation works should not be necessary for the proposed development.
- 5.140 It is recommended that suitable topsoil is imported for the landscaping areas.
- 5.141 Based on the presence of low permeability strata beneath the site, relatively deep Made-Ground and evidence of shallow groundwater, it is considered that soakaway drainage is not suitable for the proposed development.

Affordable Housing

- 5.142 Policy BSC3 sets out that in Banbury, schemes for more than 11 units will be required to provide 30% on site affordable housing. The policy acknowledges that financial contributions will be acceptable in exceptional circumstances. Where this

requirement would make the scheme unviable, an open book financial analysis will be required.

- 5.143 A viability report accompanies the application. There are additional costs associated with delivering retirement housing as opposed to standard open market housing. Around 25% of floor space is for communal facilities such as the owner's lounge and guest accommodation. This is unsaleable floor area which therefore reduces income. Local Plan viability assessments do not take these factors into account.
- 5.144 In addition, retirement accommodation has a reduced sales rate, due to the smaller section of the market that is eligible, increasing borrowing and empty property costs. Further detail is set out in the viability report accompanying the application.
- 5.145 The scheme will provide a financial contribution to the delivery of affordable housing within the District.

Recent Appeal Decision Former Fleet Police Station, 13 Crookham Road, Fleet (APP/N1730/W/20/3261194) (May 2021)

- 5.146 The weight to be attached to the planning benefits of specialised accommodation for older persons has recently been considered at a site in Fleet, Hampshire, by the Planning Inspectorate. The appeal was allowed for 31 retirement apartments by Churchill Retirement Living.
- 5.147 In weighing up the planning balance the Inspector set out at para 70:

“The following benefits would arise: (i) much needed housing for older people...significant weight should be given to this benefit; (ii) the development is of previously developed land (substantial weight); (iii) the development would be in a sustainable location (substantial weight); (iv) the development would make optimum use of the site (moderate weight); (v) the development would provide 31 market dwellings and is a clear benefit (substantial weight); (vi) the provision of the appellants payment to the delivery of affordable housing would be a significant benefit (substantial weight); (vii) there is a benefit releasing under occupied housing stock (substantial weight); (viii) the site would provide economic benefits by generating jobs, in the construction and operation phases of the development and by residents spending locally (substantial weight); (ix) there would be social benefits in specialised age friendly housing (substantial weight); (x) the environmental benefits of the scheme are a clear benefit (moderate weight). Cumulatively, these 10 benefits weight heavily in favour of the appeal scheme especially given the critical need for housing for older people as identified at national level in the NPPF and PPG and at a local level.”

- 5.148 The Inspector goes on to state at para 71 :

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

5.149 A copy of the decision is included at Appendix D.

Appeal Decision Basingstoke Police Station, London Road, Basingstoke RG21 4AD (APP/H1705/W/20/3248204) (June 2021)

5.150 This appeal decision in Basingstoke was allowed for 56 retirement apartments. In considering the planning balance, the Inspector sets out:

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

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

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

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

5.151 The Inspector goes on to conclude:

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

5.152 A copy of the decision is included in Appendix B.

Planning Balance

5.153 The Council have confirmed that they cannot demonstrate a 5 year land supply. In accordance with paragraph 11d of the NPPF, the relevant policies for determining the application are considered out of date. Thus planning permission should be granted unless:

- i. The application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
 - ii. Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5.154 For part 11di, the site is partly within a Conservation Area, and adjacent to Grade II listed Trelawn House. However, as set out above, it is considered that the scheme has been designed to respect and enhance these heritage assets. It will provide a high quality design as well as significantly open up the setting of Trelawn House. There is considered to be no harm to these existing heritage assets from the proposals. It is therefore not considered that part di would apply.
- 5.155 For part dii, it is not considered that there are any adverse impacts so great as to significantly and demonstrably outweigh the benefits associated with the application.
- 5.156 It is considered that the approach of the Inspectors in the above appeals equally applies to the current application proposal. In summary:

Planning Benefits of current proposal	Weight to be given
Provision of much needed housing for older people	Significant weight
Development of previously developed land	Substantial weight
Development in a sustainable location	Substantial weight
Efficient use of land	Moderate weight
Provision of 80 market dwellings	Substantial weight
Freeing up under occupied local housing stock	Substantial weight
Economic benefits of the proposed scheme	Substantial weight
Social benefits of the proposed scheme	Substantial weight
Environmental benefits of the proposed scheme	Significant weight

- 5.157 Overall the scheme is considered to meet the requirements of the development plan. The Council cannot demonstrate a 5 year land supply and the tilted balance is therefore engaged. There are numerous and significant benefits associated with the application which should be afforded substantial weight in its determination. It is considered that in the event that the Council identify some adverse impact from the proposed scheme, then it is not so 'significant and demonstrably' to outweigh the benefits of the proposed scheme listed above.

CONCLUSION

- 6.1 The UK faces a rapidly growing and ageing population. The Government aims to **'significantly boost the supply of housing'**. The PPG *is unequivocal in its message that "the need to provide housing for older people is critical"*.
- 6.2 The population aged 55+ in Cherwell will increase by 58% between 2011 and 2031. This is the highest of the Oxfordshire Districts. For those aged 85 + the increase is even bigger at 142%. The SHMA predicts a need of between 696 and 1,436 units of accommodation for older people over the plan period. Evidence prepared for the local plan shows that in Banbury the demand for older people's housing is anticipated to rise significantly between 2015 and 2033 and continues to significantly outstrip the sum of the actual and potential supply.
- 6.3 The PPG is clear: "where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need." **Substantial weight should be given to the proposal considering the high levels of housing and specialist housing needs.**
- 6.4 The proposal seeks to deliver 80 no. retirement apartments on a brownfield site. In accordance with the NPPF (para 120c) **substantial weight should be given to the value of using suitable brownfield land within settlements for homes.**
- 6.5 The site is in a highly sustainable location. It offers opportunities for the future residents to walk to a range of services and facilities within the town centre. This is particularly important as people age, with many having to give up driving. **Substantial weight should be given to delivering development in a highly sustainable location.**
- 6.6 The principle of development is considered acceptable. The proposal is considered to comply with policy Banbury 7 and Banbury 8. The masterplan submitted with the application demonstrates that the scheme will not prejudice the delivery of the wider allocation.
- 6.7 The scheme has been designed to respond to and enhance the setting of the adjacent heritage assets. It will significantly open up the setting of Trelawn House and enhance the character of the Conservation Area. **Moderate weight should be afforded to the efficient use of land.**
- 6.8 The scheme will provide 80 retirement dwellings. The NPPF is clear that the Government's intention is to 'significantly boost the housing supply'. The Council are unable to demonstrate a 5 year land supply. **This contribution to the housing supply should be afforded significant weight.**
- 6.9 The provision of retirement housing releases under occupied family homes back into the housing market. This in turn enables moves throughout the whole housing market, benefiting everyone including first time buyers. **Freeing up under occupied local housing stock should be afforded significant weight in the determination of this application.**

- 6.10 The economic benefits associated with the application include:
- Savings to the NHS and social care services of £3,500 per person per year in retirement living accommodation, totalling £367,500 per annum for 80 units.
 - Increased spending in local shops and services of around £1.4m per annum
 - Creation of 77 construction jobs, 86 supply chain jobs, 6 direct jobs and 14 supported jobs from increased expenditure in the local area.
- 6.11 **These benefits should be afforded substantial weight in the determination of this application.**
- 6.12 The social benefits of the proposed development include:
- Encouraging independence in later life with suitably designed housing. Reducing reliance on residential and nursing care.
 - Providing safety and security and reducing management and maintenance concerns.
 - Companionship, reducing loneliness and social isolation.
 - Entertainment and social gatherings
- 6.13 These social benefits are vital for mental health and quality of life as people age. **They should be afforded substantial weight in the determination of this application.**
- 6.14 The environmental benefits include:
- Efficient use of brownfield land, reducing the need for greenfield release
 - Close proximity to shops and facilities encouraging residents to walk
 - Shared facilities for residents in a single building makes efficient use of energy and resources.
 - Use of solar panels to assist in the reduction of CO₂ emissions
 - An improvement of 11% over Part L of the Building Regulations
 - Water efficiency standards of 110 litres per person per day.
 - The scheme will deliver a 352% biodiversity net gain for habitats and a 100% net gain for hedgerow units.
- 6.15 **These environmental benefits should be afforded significant weight in the determination of this application.**
- 6.16 There are numerous and significant benefits associated with the application which must be considered within the planning balance.
- 6.17 Overall the scheme is considered to meet the requirements of the development plan when read as a whole. In accordance with paragraph 11d of the NPPF, it is not considered that there are any adverse impacts so great as to significantly and demonstrably outweigh the benefits associated with the application.