



Crawley

Local Plan

Ref No:

Office use only

Crawley Submission draft Local Plan Representation

Please return your completed representation form to Crawley Borough Council.

Representations can be made via this form and emailed to strategic.planning@crawley.gov.uk or sent via post to: Local Plan Consultation, Strategic Planning, Crawley Borough Council, Town Hall, The Boulevard, Crawley, RH10 1UZ. Alternatively, representations can be made online using the [eform](#) which allows attachments of documents.

This form has two parts:

PART A – Personal details

By law, representations cannot be made anonymously. All representations will be published alongside your name, company name (if applicable), and your client's name/company (if applicable). The Council will use the information you submit to assist with formulating planning policy.

Further information about Data Protection Rights in line with the provisions of the General Data Protection Regulations and Data Protection Act 2018, for example, how to contact the Data Protection Officer, how long information is held or how we process your personal information can be found at www.crawley.gov.uk/privacy. Specific reference to the Local Plan and planning policy related public consultation can be found [here](#).

PART B – Your representation

Please fill in a separate sheet for each representation you wish to make. You may submit multiple "PART B" sections with a single "PART A" completed.

PART A – Personal details

Please ensure that you complete all fields in 1. If a planning agent is appointed, please enter the Title, Name and Organisation in 1, and complete the full contact details of the agent in 2.

1. Personal details	2. Agent's details
Title:	Mr
First name:	Alex
Surname:	Child
Organisation:	The Planning Bureau Ltd
Address line 1:	4 th Floor, 100 Holdenhurst Road

Address line 2:	<input type="text"/>	<input type="text"/>
Town/city:	<input type="text"/>	Bournemouth
Postcode:	<input type="text"/>	BH8 8AQ
Telephone:	<input type="text"/>	07799863816
Email:	<input type="text"/>	Planning.policy@theplanningbureau.ltd.uk

PART B – Your representation

3. Please tick the document that you would like to make a representation on:

- Crawley submission Local Plan
- Crawley submission Local Plan Map
- Crawley submission Sustainability Appraisal
- Habitats Regulation Assessment Screening Report

4. Which part of the Local Plan does this representation relate to?

Paragraph: Policy: Other:

5. Do you consider the Local Plan to be: *(Please tick)*

- | | | |
|---|------------------------------|-----------------------------|
| 5.1. Legally compliant? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 5.2. Sound? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |
| 5.3. Compliant with the duty to co-operate? | Yes <input type="checkbox"/> | No <input type="checkbox"/> |

6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

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The respondents recognise the Council's commitment to high quality design and note the significant focus and level of detail attributed to this in the emerging policies.

The level of professional reports and the need to demonstrate adherence to third party standards required in Local Plan policies is considered extensive when compared to other Councils. Following our review of the Local Plan we found reference to the following requirements /standards:

Standard / Statement	Policy Referenced
Health Impact Assessment	Policy SD2
Adhere to the Neighbourhood Principle	Policy CL1
3D Modelling	Policy CL2
Development Briefs / Masterplans	Policy CL5
Design Reviews	Justification to CL5 (para 4.49)
Verified Visual Montages	Policy CL7
Demonstrate 'Secured by Design'	Policy DD1

Demonstrate 'Building for Life 12'	Policy DD1
Inclusive Design Statement	Policy DD2
Sustainability Statement	Policy SDC1

The thresholds for many of the reports and standards is low, even extending to change of use applications in some instances.

We respectfully remind the Council that paragraph 44 of the NPPF advises that '*Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.*'

We would query if the level of reporting being requested by the Council was necessary, relevant and material in all instances and if Council's Planning Officers have the requisite time and expertise to review and properly consider all the information being presented to them.

Additionally, there is a cost associated in the preparation of this supporting information. We note that the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* (LPVA) allows 10% of build costs for Professional Fees & Reporting; the mid-point in the generally accepted range of 8-12%. We would suggest that in light of the Council's requirements for planning applications, there should be a commensurate uplift to 12% for professional fees in the LPVA accordingly.

If required, please continue your response on an additional piece of paper and securely attach it to this response

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1. To review whether the level of reporting and requirement to meet third party design standards detailed in the Local Plan is proportionate and justified.
2. To increase the allowance for Professional Fees in the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* (LPVA) to 12%.

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matters and issues s/he identifies for examination.

8. If your representation is seeking a modification, do you consider it necessary to participate in the public examination hearings? *(Please tick)*

No, I do not wish to participate in the examination hearings

Yes, I wish to participate in the examination hearings

9. If you wish to participate in the public examination hearings, please outline why you consider this to be necessary:

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

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Signature

Alex Child

Date

2.7.21

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6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

The policies in the Local Plan try and deliver a wide-ranging number of objectives and in combination it does not appear feasible that new development, particularly on constrained urban sites, can meet them all.

For example, is it credible to expect development with a minimum density of 200 dph (as detailed in Policy CL4) to be wholly NDSS compliant and have; dual aspect or single aspect where south facing; a minimum clear floor to ceiling height of 2.7m for 3 person 2 bedroom units; and, Usable private outdoor space, at least 2.5m in depth x 4m wide?

While it is noted that some flexibility is implied in the wording of the policy to some of the required standards, there is a concern that the Council has failed to properly consider the cumulative impact of what it expects new development to achieve, and if it is feasible, or indeed, credible.

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1. That the cumulative impact of the design and policy requirement are considered in conjunction with the Council's stated ambitions for development, notably density.

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6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

The benefits of tree planting and their role in the Government’s target to reach net zero by 2050 has been widely publicised. It is commendable that the Council is looking to engage proactively with this matter in the Local Plan.

We note that the number of replacement trees is based on the trunk diameter measurement and that up 8 trees may be required to replace one, large, specimen. It is also noted that the replacement tree planting requirements would normally be expected to be met within the development site, unless the LPA agrees this is not feasible or desirable. A significant on-site replanting requirement can therefore be generated through the loss of very few trees and particularly when taken in conjunction with the tree planting standard of 1 new tree per dwelling ‘suggested’ in Policy GI3: Biodiversity & Net Gain.

The aim of the replacement tree planting standards would appear to a long-term increase in tree cover rather than like- for-like replacement, which will be an impediment to building at higher densities, particularly on previously developed sites in urban areas. The policies in the Local Plan try and deliver a wide-ranging number of objectives and in combination it does not appear feasible that new development, particularly on constrained urban sites, can meet them all. Is it credible to expect development with a minimum density of 200 dph (as

detailed in Policy CL4) to increase the level of tree cover on site?

We note that the local planning authority will waive the on-site requirement in instances it agrees are not feasible or desirable and that commuted sums will be sought in lieu, on a per tree basis. This appears to be taken on a case-by-case basis with input from Council stakeholders, however in the absence of clear guidance it is unknown which of the numerous policy requirements will take precedence.

Finally, we note that the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* incorporates the cost of replacement tree planting are incorporated into the 5% contingency for sustainable design & construction costs. We would suggest that this contingency is stretched quite thin as it covers 10% biodiversity net gain and a reduction in CO₂ emissions.

While we appreciate there are benefits to providing trees in urban areas, building at higher densities in urban areas reduces greenfield land-take and is a highly sustainable outcome accordingly. A reduced tree standard for sites in urban areas would be more appropriate.

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1. Reduce the requirement for additional tree planting in urban locations.
2. To include a separate cost for tree planting in the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* (LPVA).

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No, I do not wish to participate in the examination hearings

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The Council's commitment towards new development achieving a minimum of 10% net gain for biodiversity in the Authority is commendable. We have no objection to the aims or objectives of this policy.

This policy advises new development should seek a contribution of 1 tree per new dwelling, or a commensurate off-site financial contribution. This requires clarity. Either the Planning Authority will seek the new tree planting requirement / financial contribution on new planning applications, or it will not. If it is the former, then there should be an appropriate cost allowed for in the LPVA accordingly.

A significant on-site replanting requirement can therefore be generated, and particularly when taken in conjunction with the tree replacement standards (based on trunk diameter) detailed in *Strategic Policy DD4: Tree Replacement Standards*.

There is a clear ambition to increase in tree cover in the Borough however we are concerned that this may be an impediment to building at higher densities, particularly on previously developed sites in urban areas. The policies in the Local Plan try and deliver a wide-ranging number of objectives and in combination it does not appear feasible that new development, particularly on constrained urban sites, can meet them all. Is it credible to expect

development with a minimum density of 200 dph (as detailed in Policy CL4) to increase the level of tree cover on site?

We note that the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* (LPVA) incorporates the cost of achieving 10% biodiversity net gain into the 5% contingency for sustainable design & construction costs. We would suggest that this contingency is stretched quite thin as it covers replacement tree planting and a reduction in CO₂ emissions.

We also note that there is a requirement for an Ecological Management Plan / Biodiversity Off-set Management Plan which will be a further element of professional reporting required in new applications. The level of professional reports detailed in Local Plan policies is extensive and exceeds that required by other Councils. There should be a commensurate uplift in the allowance made for professional fees in the LPVA accordingly.

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Vehicle Parking

McCarthy Stone and Churchill Retirement Living have unrivalled experience in developing retirement housing for the elderly, having implemented well over 1000 Category II sheltered housing developments throughout England, Scotland and Wales.

Retirement Living (Category II sheltered housing) has been defined as “grouped flatlets to meet the needs of the less active elderly people”. The key wording here is “less active elderly people”, although residents are not normally so frail as to be wholly inactive. Based on survey work it was found that the average age was over 76 years.

It has been found that, of those residents who have given up car ownership, as the majority eventually will, a very significant proportion, of about 18%, do so at, or close to, the time that they enter this form of housing.

This reduction in car ownership is more pronounced for residents of ‘Extra Care accommodation’ which is specialist older persons’ accommodation that is aimed at the ‘frail’ elderly. The average age of a resident in a McCarthy Stone ‘Retirement Living Plus’ (Extra development) is currently 83 years old.

It is noted that the Parking Standards Annex provides bespoke standards for specialist older persons' accommodation which is as follows:

Sheltered Housing & Flats for the elderly - 1 space per every 2 dwellings plus staff.

We also note that the standards do incorporate an element of flexibility with the notes advising that '*These standards are indicative and are intended to reflect likely demand. Provision below these standards may be acceptable if it can be demonstrated how the total access needs of the development can be met.*'

In light of the considered nature of the standards and the intended flexibility in their application, the respondents support this aspect of the standards.

Electric Vehicles

In respect of the standards for charging points for electric vehicles, we note that the Local Plan refers to minimum standards in the Council's Guidance Note for applicants. As electric vehicle charging technology is progressing rapidly we feel that the provision of a quota of charging points runs a significant risk of obsolescence. The provision of cabling to car parking spaces to enable future installation of charging point in line with the wishes of residents is a more practical measure.

Cycle Parking

As referenced earlier, sheltered housing and in particular Extra Care accommodation, is used by older people who tend to be frail and are likely to have mobility difficulties. Were an older person likely to cycle on regular basis it would be unlikely they would require extra care accommodation.

A survey of 242 McCarthy and Stone Retirement Living units showed only 7 bicycles owned by residents in these apartments. This is an ownership rate of 0.0289 cycles per apartment or 1 cycle per 35 apartments.

Whilst we can understand the rationale behind encouraging cycling in the general population, we consider that a requirement for cycle spaces in specialist older persons' housing to be inappropriate and unnecessary. Both companies provide an internal mobility scooter store for use by residents which is a far more relevant requirement and in the handful of instances that a resident has used a bicycle it can be stored in this area.

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- 1 To require the provision of cabling to all unallocated car parking spaces to enable future installation of electric vehicle charging points in line with demand from residents.
- 2 For cycle parking in Extra Care & Sheltered housing developments to be limited to provision for staff and visitors.

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McCarthy Stone and Churchill Retirement Living are independent and competing housebuilders specialising in sheltered housing for older people. Together, we are responsible for delivering approximately 90% of England's specialist owner-occupied retirement housing.

Paragraph 1 of the PPG Housing for Older and Disabled people 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. Offering older people, a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking".

Paragraph: 001 Reference ID: 63-001-20190626

The overview in the Housing Chapter of the Local Plan (paragraphs 12.24 to 12.32) details that the population aged 65 and over is projected to increase by 9,600 people by between 2019 and 2039, an increase of 63%. Evidence in the Strategic Housing Market Assessment concluded that there is a need for an additional 1,027

units (51 per annum) to meet the population's specialist accommodation need for older people and an additional 1,029 residential and nursing care bedspaces over the 20-year period from 2019 to 2039. Of these, 56% are anticipated to be in the market sector, with the remaining 44% needed in affordable tenures.

We both note and commend the manner in which the housing needs of older people have been comprehensively addressed in the Council's assessments of housing needs. We were therefore disappointed that the housing typology approach detailed in H3a) to f) did not address the specialist housing needs of older people.

We support the part allocation of some strategic sites for the delivery of specialist older person's housing in *Policy H2: Key Housing Sites*. We would however stress the importance of such developments being appropriately located - both representees typically bring forward development in close proximity to existing shops and services (within 0.5 miles of a town or local centre) to facilitate continued independence in later life.

We would also highlight, that despite the positive manner in which the Council has addressed the specialist older persons housing needs, it is undermined by inconsistencies in the viability assessment older persons' housing typologies in the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment*. This matter is addressed comprehensively in our representation to *Policy H5* and in our supporting viability appraisal.

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1. We would encourage a standalone policy that encourages the provision of specialist older persons' housing and acknowledges the already identified need for such accommodation. While we appreciate that no one planning approach will be appropriate for all areas, an example policy is provided that, we hope, will provide a useful reference for the Council:

"The Council will encourage the provision of specialist housing for older people across all tenures in sustainable locations.

The Council aims to ensure that older people are able to secure and sustain independence in a home appropriate to their circumstances by providing appropriate housing choice, particularly retirement housing and Extra Care Housing/Housing with Care. The Council will, through the identification of sites, allowing for windfall developments, and / or granting of planning consents in sustainable locations, provide for the development of retirement accommodation, residential care homes, close care, Extra Care and assisted care housing and Continuing Care Retirement Communities."

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No, I do not wish to participate in the examination hearings

Yes, I wish to participate in the examination hearings

9. If you wish to participate in the public examination hearings, please outline why you consider this to be necessary:

The delivery of much needed retirement housing stands to be impacted upon without amendment.

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The Crawley Borough Local Plan is one of an alarmingly limited number that have set a differential affordable housing rate for Crawley town centre (25%) and the rest of the Borough (40%) housing. This is, of itself, commendable and suggests a greater focus on viability at the Plan making stage.

The wording of Policy H5 and its justification makes it clear that a non-policy compliant level of affordable housing will only be allowed in exceptional circumstances and where sites are clearly subject to abnormal costs. It also states in the 'Exceptions' sub-section of the Policy that:

"The council will only consider relaxing this affordable housing requirement, in part or in full, in exceptional circumstances, where a scheme is clearly subject to abnormal costs, not including land costs, and not otherwise envisaged by the Local Plan Viability Assessment. This must be evidenced by robustly assessed viability appraising various permutations of affordable housing provisions to best address local affordable housing needs which will be independently assessed. Should concessions be agreed by the council then claw-back mechanisms will be expected to be put in place and independently monitored. The scheme must also evidence that it addresses a demonstrative and immediate housing need"

It is clear from the wording of the policy and its justification that the Local Authority is cognisant of the increased

emphasis on Local Plan viability testing in Paragraph 54 of the NPPF. Given the Council's stance towards developer contributions and affordable housing, we find aspects of the evidence base underpinning these policies to be concerning.

The affordable housing targets set out in Policy H5 are informed by the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* (LPVA) undertaken by the Dixon Searle Partnership. We note that the LPVA has assessed the viability of older persons' housing typologies, which is welcomed.

In reviewing the methodology for assessing specialist older persons' housing, we note that many of the inputs align with the methodology detailed in the Briefing Note on Viability Prepared for the Retirement Housing Group (hereafter referred to as the RHG Briefing Note) by Three Dragons, although a number do not. A copy of the RHG Briefing Note has been provided as part of this submission, which could result in an unrealistic planning obligations burden in the next Local Plan. Our concerns are that the Viability Assessment has overplayed the viability of older persons' housing.

Mindful of the guidance in the PPG that is the responsibility of site owners and developers to engage in the Plan making process – McCarthy Stone and Churchill Retirement Living have provided a separate document with viability appraisals for sheltered and extra care older persons' housing typologies. **It concludes that these forms of development are not able to provide an affordable housing contribution or CIL in the Authority.**

The PPG makes it clear that '*Different requirements may be set for different types or location of site or types of development*' (Paragraph: 001 Reference ID: 10-001-20190509). **We are strongly of the view that it would be more appropriate to set a lower, potentially nil, affordable housing target and CIL rate for sheltered and extra care accommodation in the Borough.**

The need for specialist older persons' housing detailed in the Housing Chapter of the Local Plan (paragraphs 12.24 to 12.32). The Local Plan makes it clear that viable sites bringing these forms over development forward will be required over the Plan period. In burdening these forms of development with an unrealistic planning obligations regime, the Local Plan is considered unsound as these obligations are not justified, effective and the Plan is not positively prepared correspondingly.

If required, please continue your response on an additional piece of paper and securely attach it to this response

7. Please set out what modification(s) you consider necessary to resolve the issues you have identified above. You need to state why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to suggest how the wording of any policy or text should be revised. Please be as clear as possible. Any non-compliance with the duty to co-operate is incapable of modification at examination.

The Crawley Borough Local Plan is one of an alarmingly limited number that have set a differential affordable housing rates.

The evidence we have provided in our viability appraisals for Sheltered Housing and Extra Care Housing typologies, concludes that these forms of development should be exempt from affordable housing provision and CIL across the Borough.

As a suggestion we would recommend a supplemental sub-clause to Policy H5 which read as follows:

- i. Specialist older persons' housing including sheltered and extra care accommodation will not be required to provide an affordable housing contribution.

(Crawley Viability Assessment H5.pdf attached).

(C)

If required, please continue your response on an additional piece of paper and securely attach it to this response

*Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations. **After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues s/he identifies for examination.***

8. If your representation is seeking a modification, do you consider it necessary to participate in the public examination hearings? (Please tick)

No, I do not wish to participate in the examination hearings

Yes, I wish to participate in the examination hearings

9. If you wish to participate in the public examination hearings, please outline why you consider this to be necessary:

The delivery of much needed retirement housing stands to be impacted upon without amendment.

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

If you would like to make a representation on another policy or part of the Local Plan then please complete a separate PART B section of the form or securely attach an additional piece of paper. Copies of the representation form can also be downloaded from the council's website at: www.crawley.gov.uk/localplanreview

Signature

Alex Child

Date

2.7.21

Address line 2:

Town/city:

Postcode:

Telephone:

Email:

PART B – Your representation

3. Please tick the document that you would like to make a representation on:

- Crawley submission Local Plan
- Crawley submission Local Plan Map
- Crawley submission Sustainability Appraisal
- Habitats Regulation Assessment Screening Report

4. Which part of the Local Plan does this representation relate to?

Paragraph: Policy: Other:

5. Do you consider the Local Plan to be: *(Please tick)*

- 5.1. Legally compliant? Yes No
- 5.2. Sound? Yes No
- 5.3. Compliant with the duty to co-operate? Yes No

6. Please give details explaining your response to 5.1, 5.2, or 5.3 below. Please be as clear as possible.

The Council's commitment to meeting both its and the UK Government's target of net zero carbon emissions by 2050 is commendable and detailed at length in the justification to Policy SDC1.

The policy climate change mitigation hierarchy advising that the Target Emission Rate (TER) in Building Regulations Part L should be achieved using building fabric and energy efficiencies measure alone (The 'Be Lean' policy component).

The 'Be Clean' policy requirement is a requirement to consider and respond to de-centralised energy generation opportunities, as detailed in policy SDC2.

Following this there would be a further 19% reduction in the TER below Part L through on-site renewable energy generation via the renewable or low carbon energy technologies (The 'Be Green' policy component).

While the benefits of both the 'fabric first' and 'on-site renewables' are detailed in the supporting text to this policy, the rationale behind the requisite target percentages for each method are not. How the reduction in the TER would appear to be of little relevance and it would surely be better for a developer to utilize the method that is best suited to a particular site rather than adhere to a seemingly arbitrary ratio.

We note that an allowance of 5% contingency of build costs has been allowed for sustainable design & construction cost in the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* (LPVA). This contingency is stretched thin as it is also intended to cover the cost of; achieving 10% biodiversity net gain (GI3); the tree planting requirements (DD4 & GI3); and, connection to a District Energy Network, or the provision of a site-wide communal energy system (SDC2).

If required, please continue your response on an additional piece of paper and securely attach it to this response

- 7. Please set out what modification(s) you consider necessary to resolve the issues you have identified above. You need to state why this modification will make the Local Plan legally compliant or sound. It would be helpful if you are able to suggest how the wording of any policy or text should be revised. Please be as clear as possible. Any non-compliance with the duty to co-operate is incapable of modification at examination.**

That the 19% reduction below the Building Regulations 'Part L' Target Emission Rate is achieved by a method the developer deems most appropriate.

If required, please continue your response on an additional piece of paper and securely attach it to this response

*Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations. **After this stage, further submissions will only be at the request of the Inspector, based on the matters and issues s/he identifies for examination.***

- 8. If your representation is seeking a modification, do you consider it necessary to participate in the public examination hearings? (Please tick)**

No, I do not wish to participate in the examination hearings

Yes, I wish to participate in the examination hearings

- 9. If you wish to participate in the public examination hearings, please outline why you consider this to be necessary:**

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the public examination.

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Signature

Date

Alex Child

2.7.21



McCARTHY AND STONE RETIREMENT LIFESTYLES LIMITED AND CHURCHILL RETIREMENT LIVING RESPONSE TO CONSULTATION ON THE CRAWLEY BOROUGH DRAFT LOCAL PLAN 2021-2037 (REGULATION 19) PRE-SUBMISSION CONSULTATION

Strategic Policy DD1: Normal Requirements of All New Development

Comment

The respondents recognise the Council's commitment to high quality design and note the significant focus and level of detail attributed to this in the emerging policies.

The level of professional reports and the need to demonstrate adherence to third party standards required in Local Plan policies is considered extensive when compared to other Councils. Following our review of the Local Plan we found reference to the following requirements /standards:

Standard / Statement	Policy Referenced
Health Impact Assessment	Policy SD2
Adhere to the Neighbourhood Principle	Policy CL1
3D Modelling	Policy CL2
Development Briefs / Masterplans	Policy CL5
Design Reviews	Justification to CL5 (para 4.49)
Verified Visual Montages	Policy CL7
Demonstrate 'Secured by Design'	Policy DD1
Demonstrate 'Building for Life 12'	Policy DD1
Inclusive Design Statement	Policy DD2
Sustainability Statement	Policy SDC1

The thresholds for many of the reports and standards is low, even extending to change of use applications in some instances.

We respectfully remind the Council that paragraph 44 of the NPPF advises that '*Local planning authorities should publish a list of their information requirements for applications for planning permission. These requirements should be kept to the minimum needed to make decisions, and should be reviewed at least every two years. Local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.*'

We would query if the level of reporting being requested by the Council was necessary, relevant and material in all instances and if Council's Planning Officers have the requisite time and expertise to review and properly consider all the information being presented to them.

Additionally, there is a cost associated in the preparation of this supporting information. We note that the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment (LPVA)* allows 10% of build costs for Professional Fees & Reporting; the mid-point in the generally accepted range of 8-12%. We would suggest that in light of the Council's requirements for planning applications, there should be a commensurate uplift to 12% for professional fees in the LPVA accordingly.



RECOMMENDATION

1. To review whether the level of reporting and requirement to meet third party design standards detailed in the Local Plan is proportionate and justified.
2. To increase the allowance for Professional Fees in the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment (LPVA)* to 12%.

Strategic Policy DD3: Standards for New Dwellings (including conversions)

COMMENT

The policies in the Local Plan try and deliver a wide-ranging number of objectives and in combination it does not appear feasible that new development, particularly on constrained urban sites, can meet them all.

For example, is it credible to expect development with a minimum density of 200 dph (as detailed in Policy CL4) to be wholly NDSS compliant and have; dual aspect or single aspect where south facing; a minimum clear floor to ceiling height of 2.7m for 3 person 2 bedroom units; and, usable private outdoor space, at least 2.5m in depth x 4m wide?

While it is noted that some flexibility is implied in the wording of the policy to some of the required standards, there is a concern that the Council has failed to properly consider the cumulative impact of what it expects new development to achieve, and if it is feasible, or indeed, credible.

RECOMMENDATION

1. That the cumulative impact of the design and policy requirement are considered in conjunction with the Council's stated ambitions for development, notably density.

Strategic Policy DD4: Tree Replacement Standards

COMMENT

The benefits of tree planting and their role in the Government's target to reach net zero by 2050 has been widely publicised. It is commendable that the Council is looking to engage proactively with this matter in the Local Plan.

We note that the number of replacement trees is based on the trunk diameter measurement and that up 8 trees may be required to replace one, large, specimen. It is also noted that the replacement tree planting requirements would normally be expected to be met within the development site, unless the LPA agrees this is not feasible or desirable. A significant on-site replanting requirement can therefore be generated through the loss of very few trees and particularly when taken in conjunction with the tree planting standard of 1 new tree per dwelling 'suggested' in Policy G13: Biodiversity & Net Gain.

The aim of the replacement tree planting standards would appear to a long-term increase in tree cover rather than like-for-like replacement, which will be an impediment to building at higher densities, particularly on previously developed sites in urban areas. The policies in the Local Plan try and deliver a wide-ranging number of objectives and



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in combination it does not appear feasible that new development, particularly on constrained urban sites, can meet them all. Is it credible to expect development with a minimum density of 200 dph (as detailed in Policy CL4) to increase the level of tree cover on site?

We note that the local planning authority will waive the on-site requirement in instances it agrees are not feasible or desirable and that commuted sums will be sought in lieu, on a per tree basis. This appears to be taken on a case-by-case basis with input from Council stakeholders, however in the absence of clear guidance it is unknown which of the numerous policy requirements will take precedence.

Finally, we note that the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* incorporates the cost of replacement tree planting are incorporated into the 5% contingency for sustainable design & construction costs. We would suggest that this contingency is stretched quite thin as it covers 10% biodiversity net gain and a reduction in CO₂ emissions.

While we appreciate there are benefits to providing trees in urban areas, building at higher densities in urban areas is reduces greenfield land-take and is a highly sustainable outcome accordingly. A reduced tree standard for sites in urban areas would be more appropriate.

RECOMMENDATION

1. **Reduce the requirement for additional tree planting in urban locations.**
2. **To include a separate cost for tree planting in the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment (LPVA)*.**

Policy GI3: Biodiversity and Net Gain

COMMENT

The Council's commitment towards new development achieving a minimum of 10% net gain for biodiversity in the Authority is commendable. We have no objection to the aims or objectives of this policy.

This policy advises new development should seek a contribution of 1 tree per new dwelling, or a commensurate off-site financial contribution. This requires clarity. Either the Planning Authority will seek the new tree planting requirement / financial contribution on new planning applications, or it will not. If it is the former, then there should be an appropriate cost allowed for in the LPVA accordingly.

A significant on-site replanting requirement can therefore be generated, and particularly when taken in conjunction with the tree replacement standards (based on trunk diameter) detailed in *Strategic Policy DD4: Tree Replacement Standards*.

There is a clear ambition to increase in tree cover in the Borough however we are concerned that this may be an impediment to building at higher densities, particularly on previously developed sites in urban areas. The policies in the Local Plan try and deliver a wide-ranging number of objectives and in combination it does not appear feasible that new development, particularly on constrained urban sites, can meet them all. Is it credible to expect development with a minimum density of 200 dph (as detailed in Policy CL4) to increase the level of tree cover on site?



We note that the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* (LPVA) incorporates the cost of achieving 10% biodiversity net gain into the 5% contingency for sustainable design & construction costs. We would suggest that this contingency is stretched quite thin as it covers replacement tree planting and a reduction in CO₂ emissions.

We also note that there is a requirement for an Ecological Management Plan / Biodiversity Off-set Management Plan which will be a further element of professional reporting required in new applications. The level of professional reports detailed in Local Plan policies is extensive and exceeds that required by other Councils. There should be a commensurate uplift in the allowance made for professional fees in the LPVA accordingly.

RECOMMENDATION

1. Reduce the requirement for additional tree planting in urban locations.
2. To include a separate cost for tree planting in the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* (LPVA).

Policy ST2: Car and Cycle Parking Standards

COMMENT

Vehicle Parking

McCarthy Stone and Churchill Retirement Living have unrivalled experience in developing retirement housing for the elderly, having implemented well over 1000 Category II sheltered housing developments throughout England, Scotland and Wales.

Retirement Living (Category II sheltered housing) has been defined as “*grouped flatlets to meet the needs of the less active elderly people*”. The key wording here is “less active elderly people”, although residents are not normally so frail as to be wholly inactive. Based on survey work it was found that the average age was over 76 years.

It has been found that, of those residents who have given up car ownership, as the majority eventually will, a very significant proportion, of about 18%, do so at, or close to, the time that they enter this form of housing.

This reduction in car ownership is more pronounced for residents of ‘Extra Care accommodation’ which is specialist older persons’ accommodation that is aimed at the ‘frail’ elderly. The average age of a resident in a McCarthy Stone ‘Retirement Living Plus’ (Extra development) is currently 83 years old.

It is noted that the Parking Standards Annex provides bespoke standards for specialist older persons’ accommodation which is as follows:

Sheltered Housing & Flats for the elderly - 1 space per every 2 dwellings plus staff.

We also note that the standards do incorporate an element of flexibility with the notes advising that ‘*These standards are indicative and are intended to reflect likely demand. Provision below these standards may be acceptable if it can be demonstrated how the total access needs of the development can be met.*’

In light of the considered nature of the standards and the intended flexibility in their application, the respondents support this aspect of the standards.



Electric Vehicles

In respect of the standards for charging points for electric vehicles, we note that the Local Plan refers to minimum standards in the Council's Guidance Note for applicants. As electric vehicle charging technology is progressing rapidly we feel that the provision of a quota of charging points runs a significant risk of obsolescence. The provision of cabling to car parking spaces to enable future installation of charging point in line with the wishes of residents is a more practical measure.

Cycle Parking

As referenced earlier, sheltered housing and in particular Extra Care accommodation, is used by older people who tend to be frail and are likely to have mobility difficulties. Were an older person likely to cycle on regular basis it would be unlikely they would require extra care accommodation.

A survey of 242 McCarthy and Stone Retirement Living units showed only 7 bicycles owned by residents in these apartments. This is an ownership rate of 0.0289 cycles per apartment or 1 cycle per 35 apartments.

Whilst we can understand the rationale behind encouraging cycling in the general population, we consider that a requirement for cycle spaces in specialist older persons' housing to be inappropriate and unnecessary. Both companies provide an internal mobility scooter store for use by residents which is a far more relevant requirement and in the handful of instances that a resident has used a bicycle it can be stored in this area.

RECOMMENDATION

- 1 To require the provision of cabling to all unallocated car parking spaces to enable future installation of electric vehicle charging points in line with demand from residents.
- 2 For cycle parking in Extra Care & Sheltered housing developments to be limited to provision for staff and visitors.

Policy H3: Housing Typologies

COMMENT

McCarthy Stone and Churchill Retirement Living are independent and competing housebuilders specialising in sheltered housing for older people. Together, we are responsible for delivering approximately 90% of England's specialist owner-occupied retirement housing.

Paragraph 1 of the PPG Housing for Older and Disabled people 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. Offering older people, a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. Therefore, an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking".

Paragraph: 001 Reference ID: 63-001-20190626



The overview in the Housing Chapter of the Local Plan (paragraphs 12.24 to 12.32) details that the population aged 65 and over is projected to increase by 9,600 people by between 2019 and 2039, an increase of 63%. Evidence in the Strategic Housing Market Assessment concluded that there is a need for an additional 1,027 units (51 per annum) to meet the population's specialist accommodation need for older people and an additional 1,029 residential and nursing care bedspaces over the 20-year period from 2019 to 2039. Of these, 56% are anticipated to be in the market sector, with the remaining 44% needed in affordable tenures.

We both note and commend the manner in which the housing needs of older people have been comprehensively addressed in the Council's assessments of housing needs. We were therefore disappointed that the housing typology approach detailed in H3a) to f) did not address the specialist housing needs of older people.

We support the part allocation of some strategic sites for the delivery of specialist older person's housing in *Policy H2: Key Housing Sites*. We would however stress the importance of such developments being appropriately located - both representees typically bring forward development in close proximity to existing shops and services (within 0.5 miles of a town or local centre) to facilitate continued independence in later life.

We would also highlight, that despite the positive manner in which the Council has addressed the specialist older persons housing needs, it is undermined by inconsistencies in the viability assessment older persons' housing typologies in the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment*. This matter is addressed comprehensively in our representation to *Policy H5* and in our supporting viability appraisal.

RECOMMENDATION

1. We would encourage a standalone policy that encourages the provision of specialist older persons' housing and acknowledges the already identified need for such accommodation. While we appreciate that no one planning approach will be appropriate for all areas, an example policy is provided that, we hope, will provide a useful reference for the Council:

"The Council will encourage the provision of specialist housing for older people across all tenures in sustainable locations.

The Council aims to ensure that older people are able to secure and sustain independence in a home appropriate to their circumstances by providing appropriate housing choice, particularly retirement housing and Extra Care Housing/Housing with Care. The Council will, through the identification of sites, allowing for windfall developments, and / or granting of planning consents in sustainable locations, provide for the development of retirement accommodation, residential care homes, close care, Extra Care and assisted care housing and Continuing Care Retirement Communities."



Policy H5: Affordable Housing

COMMENT

The Crawley Borough Local Plan is one of an alarmingly limited number that have set a differential affordable housing rate for Crawley town centre (25%) and the rest of the Borough (40%) housing. This is, of itself, commendable and suggests a greater focus on viability at the Plan making stage.

The wording of Policy H5 and its justification makes it clear that a non-policy compliant level of affordable housing will only be allowed in exceptional circumstances and where sites are clearly subject to abnormal costs. It also states in the 'Exceptions' sub-section of the Policy that:

"The council will only consider relaxing this affordable housing requirement, in part or in full, in exceptional circumstances, where a scheme is clearly subject to abnormal costs, not including land costs, and not otherwise envisaged by the Local Plan Viability Assessment. This must be evidenced by robustly assessed viability appraising various permutations of affordable housing provisions to best address local affordable housing needs which will be independently assessed. Should concessions be agreed by the council then claw-back mechanisms will be expected to be put in place and independently monitored. The scheme must also evidence that it addresses a demonstrative and immediate housing need"

It is clear from the wording of the policy and its justification that the Local Authority is cognisant of the increased emphasis on Local Plan viability testing in Paragraph 54 of the NPPF. Given the Council's stance towards developer contributions and affordable housing, we find aspects of the evidence base underpinning these policies to be concerning.

The affordable housing targets set out in Policy H5 are informed by the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* (LPVA) undertaken by the Dixon Searle Partnership. We note that the LPVA has assessed the viability of older persons' housing typologies, which is welcomed.

In reviewing the methodology for assessing specialist older persons' housing, we note that many of the inputs align with the methodology detailed in the Briefing Note on Viability Prepared for the Retirement Housing Group (hereafter referred to as the RHG Briefing Note) by Three Dragons, although a number do not. A copy of the RHG Briefing Note has been provided as part of this submission, which could result in an unrealistic planning obligations burden in the next Local Plan. Our concerns are that the Viability Assessment has overplayed the viability of older persons' housing.

Mindful of the guidance in the PPG that is the responsibility of site owners and developers to engage in the Plan making process – McCarthy Stone and Churchill Retirement Living have provided a separate document with viability appraisals for sheltered and extra care older persons' housing typologies. **It concludes that these forms of development are not able to provide an affordable housing contribution or CIL in the Authority.**

The PPG makes it clear that *'Different requirements may be set for different types or location of site or types of development'* (Paragraph: 001 Reference ID: 10-001-20190509). **We are strongly of the view that it would be more appropriate to set a lower, potentially nil, affordable housing target and CIL rate for sheltered and extra care accommodation in the Borough.**

The need for specialist older persons' housing detailed in the Housing Chapter of the Local Plan (paragraphs 12.24 to 12.32). The Local Plan makes it clear that viable sites bringing these forms over development forward will be required over the Plan period. In burdening these forms of development with an unrealistic planning obligations regime, the



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Local Plan is considered unsound as these obligations are not justified, effective and the Plan is not positively prepared correspondingly.

RECOMMENDATION:

The Crawley Borough Local Plan is one of an alarmingly limited number that have set a differential affordable housing rates.

The evidence we have provided in our viability appraisals for Sheltered Housing and Extra Care Housing typologies, concludes that these forms of development should be exempt from affordable housing provision and CIL across the Borough.

As a suggestion we would recommend a supplemental sub-clause to Policy H5 which read as follows:

- i. Specialist older persons' housing including sheltered and extra care accommodation will not be required to provide an affordable housing contribution.

Strategic Policy SDC1: Sustainable Design and Construction

Comment

The Council's commitment to meeting both its and the UK Government's target of net zero carbon emissions by 2050 is commendable and detailed at length in the justification to Policy SDC1.

The policy climate change mitigation hierarchy advising that the Target Emission Rate (TER) in Building Regulations Part L should be achieved using building fabric and energy efficiencies measure alone (The 'Be Lean' policy component).

The 'Be Clean' policy requirement is a requirement to consider and respond to de-centralised energy generation opportunities, as detailed in policy SDC2.

Following this there would be a further 19% reduction in the TER below Part L through on-site renewable energy generation via the renewable or low carbon energy technologies (The 'Be Green' policy component).

While the benefits of both the 'fabric first' and 'on-site renewables' are detailed in the supporting text to this policy, the rationale behind the requisite target percentages for each method are not. How the reduction in the TER would appear to be of little relevance and it would surely be better for a developer to utilize the method that is best suited to a particular site rather than adhere to a seemingly arbitrary ratio.

We note that an allowance of 5% contingency of build costs has been allowed for sustainable design & construction cost in the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment* (LPVA). This contingency is stretched thin as it is also intended to cover the cost of; achieving 10% biodiversity net gain (G13); the tree planting requirements (DD4 & G13); and, connection to a District Energy Network, or the provision of a site-wide communal energy system (SDC2).



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Recommendations

That the 19% reduction below the Building Regulations 'Part L' Target Emission Rate is achieved by a method the developer deems most appropriate.

REVIEW OF LOCAL PLAN VIABILITY ASSESSMENT

FOR SHELTERED & EXTRA CARE HOUSING

CRAWLEY BOROUGH COUNCIL
LOCAL PLAN REVIEW (REGULATION 19 CONSULTATION)

JUNE 2021

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1. Introduction

- 1.1.1 This supporting statement has been prepared on behalf of McCarthy Stone and Churchill Retirement Living, two independent and competing housebuilders specialising in housing for older people. Together, they are responsible for delivering approximately 90% of England's specialist owner-occupied retirement housing.
- 1.1.2 In this statement we critically appraise the evidence underpinning the affordable housing targets detailed in *Policy H5: Affordable Housing* of the *Crawley Borough Local Plan (Regulation 19 Consultation)* – namely the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment (LPVA)* undertaken by the Dixon Searle Partnership.
- 1.1.3 This Statement is a focused document underpinning our representations to the Crawley Borough Local Plan Regulation 19 consultation on *Policy H5*. In the interest of brevity, it does not comprehensively cover Government policy on viability in Plan preparation or detail the residual land appraisal methodology at length. These matters are comprehensively covered in the LPVA.

2. Review of Local Plan Viability Study

- 2.1.1 The Crawley Borough Local Plan is one of an alarmingly limited number that have set a differential affordable housing rate for Crawley town centre (25%) and the rest of the Borough (40%) housing. This is, of itself, commendable and suggests a greater focus on viability at the Plan making stage.
- 2.1.2 The wording of Policy H5 and its justification makes it clear that a non-policy compliant level of affordable housing will only be allowed in exceptional circumstances and where sites are clearly subject to abnormal costs. It also states in the 'Exceptions' sub-section of the Policy that:

"The council will only consider relaxing this affordable housing requirement, in part or in full, in exceptional circumstances, where a scheme is clearly subject to abnormal costs, not including land costs, and not otherwise envisaged by the Local Plan Viability Assessment. This must be evidenced by robustly assessed viability appraising various permutations of affordable housing provisions to best address local affordable housing needs which will be independently assessed. Should concessions be agreed by the council then claw-back mechanisms will be expected to be put in place and independently monitored. The scheme must also evidence that it addresses a demonstrative and immediate housing need"

- 2.1.3 It is clear from the wording of the policy and its justification that the Local Authority is cognisant of the increased emphasis on Local Plan viability testing in Paragraph 54 of the NPPF. Given the Council's stance towards developer contributions and affordable housing, we find aspects of the evidence base underpinning these policies to be concerning.

2.2 Older Persons' Housing Typologies

- 2.2.1 The affordable housing targets set out in *Policy H5* are informed by the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment (LPVA)* undertaken by the Dixon Searle Partnership. We note that the Stage 1 report has assessed the viability of older persons' housing typologies, which is welcomed.
- 2.2.2 In reviewing the methodology for assessing specialist older persons' housing, we note that many of the inputs align with the methodology detailed in the Briefing Note on Viability Prepared for the Retirement Housing Group (hereafter referred to as the RHG Briefing Note) by Three Dragons, although a number do not. A copy of the RHG Briefing Note has been provided as part of this submission, which could result in an unrealistic planning obligations burden in the next Local Plan. Our concerns are that the Viability Assessment has overplayed the viability of older persons' housing.
- 2.2.3 Mindful of the guidance in the PPG that is the responsibility of site owners and developers to engage in the Plan making process, McCarthy Stone and Churchill Retirement Living have undertaken financial viability appraisals for sheltered and extra care older persons' housing typologies in this report to encourage dialogue with the Council.

3. Viability Appraisal Inputs

3.1 Introduction

- 3.1.1 McCarthy Stone and Churchill Retirement Living have considered the inputs and assumptions used in the financial viability appraisals for older persons’ housing in the *Tunbridge Wells Local Plan Viability Assessment Stage 1 & Stage 2 (LPVA)*. A summary table has been provided in the table entitled: *Comparison of Appraisal Inputs* on page 6 this report.
- 3.1.2 Many of the inputs used in our appraisal of Sheltered and Extra Care housing typologies align with the methodology detailed in the *Briefing Note on Viability Prepared for the Retirement Housing Group* (hereafter referred to as the RHG Briefing Note) by Three Dragons. Where they differ is clearly stated in this report. A copy of the RHG Briefing Note has been provided as part of this submission.

3.2 Unit Sizes

- 3.2.1 Apartments for specialist older persons’ housing tend to be larger than ‘general needs’ open market housing. The unit sizes used in the LPVS do however differ from those recommended in the RHG Briefing Note and no justification has been given for this deviation.

RHG Briefing Note Recommended Unit Sizes

	1 bed	2 bed
Sheltered	55 m ²	75 m ²
Extra Care	65 m ²	80 m ²

3.3 Sales Values

- 3.3.1 There are no sheltered or extra care developments currently selling within Crawley Borough and as such it is not possible to use direct comparables.
- 3.3.2 In *Appendix IV – Market Research and Value Assumptions* of the LPVS, reference is made to the RHG’s methodology for determining sales values when no direct comparable evidence available. In summary this advises that a 1-bed sheltered flat is 75% of the value of a second hand 3-bed semi-detached property; a 2-bed is 100% of the value and that there is an additional premium of 25% on Extra Care flats above those of sheltered properties.
- 3.3.3 The result of the RHG methodology are found in *Table 6- RHG Analysis – Checking of Retirement Figures of Appendix IV*.

Sales Values using RHG Methodology

	£per m ²	Unit Price
1-Bed Sheltered	£4,993	£274,640
2-Bed Sheltered	£4,882	£366,186
1-Bed Extra Care	£5,868	£343,300
2-Bed Extra Care	£6,022	£457,733

- 3.3.4 DSP assert that the sales values derived from using the RHG methodology corroborates their view that older persons’ housing typologies represent higher value levels in the Borough. DSP advise that sales values for Extra Care and Sheltered Housing are the same as the overall upper range of values as used for the traditional market housing appraisals (£5,500 - £6,500/m²) and that even this could be considered conservative in their view.

- 3.3.5 We would however assert that the sales values put forward by DSP are overstated as, particularly in the case of sheltered housing, they significantly exceed the sales values derive using the RHG methodology.
- 3.3.6 McCarthy Stone schemes currently selling in Tunbridge Wells - an Extra Care development (referred to of the LVPS a Retirement Living Plus) at The Dairy, St. John’s Road and a sheltered housing scheme (referred to as Retirement Living) at Southborough Gate, Pinewood Gardens.
- 3.3.7 The achieved sales values for the three closest selling schemes are detailed below:

Average Achieved Sales Values: Tunbridge Wells

	£ per m ²	
	1 bed	2 bed
The Dairy (Extra Care)	£6,116	£5475
Southborough Gate (Sheltered)	£5,430	£4,968
McIndoe Lodge, East Grinstead (Sheltered)	£6,432	£6,180

- 3.3.8 The housing markets in both Tunbridge Wells Borough and Mis-Sussex are however stronger than that of Crawley Borough. Rightmove states that in the last year (2020/2021) semi-detached properties had an overall average price of £508,641 in Tunbridge Wells and £403,857 in East Grinstead compared to £352,797 in Crawley. – a difference of 30% and 14% respectively.
- 3.3.9 Were you to reduce the achieved sales values of the current selling schemes in Tunbridge Wells by 30% the sales values would be lower than those derived using the RHG method (£3,801 per sq m²). Were you reduce the achieved sales values at East Grinstead by 14% it is higher than the sales values derived using the RHG method (circa £5,500 per sq m²)

Sales Values (14% reduction on East Grinstead)

	£ per m ²	
	£ per m ²	Unit Price
Sheltered 1 Bed	£5531	£304,205
Sheltered 2 Bed	£5314	£398,610
Extra Care 1 bed	£5850	£380,256
Extra Care 2 bed	£6,228	£498,262

- 3.3.10 The report tests the sales values derived using both the RHG method and based on the adjusted sales values from East Grinstead.

3.4 Unit Mix

- 3.4.1 The RHG briefing note recommends a 60:40 split for 1bed:2 beds. We have used the recommended mix.

3.5 Base Build Cost

- 3.5.1 We note that the *Local Plan Viability Study* uses the Median ‘generally’ Supported Housing BCIS costs re-based for Crawley which is £1,855 per m².
- 3.5.2 We recognise that Local Plan Viability Testing is at a more generic level and we have applied the BCIS rate used in the LPVS accordingly.

3.6 Sales Rate

3.6.1 There are no specialist older persons' housing s developments that are either currently selling or have sold out recently within Crawley Borough.

Address	Developer	Total Units	Units Sold	Units to Sell	Date of First Sale	Sales period to date.	Rate of Sale
The Dairy, Tunbridge Wells	McCarthy Stone	48	42	6	February 2018	40 months	1.2
Southborough Gate, Tunbridge Wells	McCarthy Stone	43	32	11	May 2019	25 months	1.28
Langton House, Warlingham	McCarthy Stone	33	29	4	August 2018	35 months	0.8
McIndoe Lodge, East Grinstead	Churchill	49	14	35	May 2018	37 Months	0.4
St. Giles Lodge, Tonbridge	Churchill	31	30	1	February 2018	40 months	0.75

3.6.2 The scheme with the fastest rate of sale is Southborough Gate, Tunbridge Wells. This is a 43unit sheltered scheme that has been selling since May 2019 (25 months) and has 11units left to sell or let at the time of writing. The rate of sale does however typically slow down following the initial year after opening and we note only 3 units were sold in the last 12 months.

3.6.3 A rate of sale of one unit per month, as per the RHG's best practice methodology, is considered by McCarthy Stone and Churchill Retirement Living to be, broadly speaking, an appropriate reflection of their sales rate nationally, albeit the rate of sale is lower presently.

3.7 Gross to Net

3.7.1 The RHG note stipulates a range of communal floor space between 20-30% of GIA for Sheltered and 35-40% of GIA for Extra Care.

3.7.2 The LPVA assumes communal space extending to 25% of the Gross Internal Area (GIA) for sheltered housing proposals – the mid-point of the range suggested by the RHG. The Consortium have frequently disputed the figures suggested by the RHG on this matter, contesting that a communal floorspace provision of under 25% is not representative of the sector. Our experience is that this percentage should be more than 25% of the proposed total area to cater for communal lounges, lodge manager office and guest rooms.

3.7.3 For Extra Care accommodation we would suggest that a minimum of 35% of GIA is allowed for non-saleable communal floorspace.

3.8 Benchmark Land Value

3.8.1 *Appendix I – Development Appraisal Assumptions* of the LPVS details the densities to which specialist older persons' housing developments will be built. It is assumed that:

- a 30 unit sheltered housing scheme will be built at 125dph with a 15% allowance for open space would result in a land area of 0.43 hectares.
- a 60 unit extra care scheme built at 125dph with a 15% allowance for open space would result in a land area of 0.85 hectares.

3.8.2 While specialist older persons' accommodation is built at higher densities and 125dph is achieved on certain sites it is atypical of areas with a rural / suburban character and highly unlikely on a greenfield site - 80dph is considered more appropriate on greenfield land.

3.8.3 This viability assessment is based on a 50 unit sheltered and extra care scheme which is considered a more typically sized development.

Site Type	Benchmark Land Value	Density	Site Size* 50 units	Site Cost
Greenfield (lower)	£250,000 per hectare	80dph	0.71	£177,500
Greenfield (upper)	£500,000 per hectare	80dph	0.71	£355,000
Industrial land (lower)	£850,000 per hectare	125 dph	0.46	£391,000
Industrial land (upper)	£1,500,000 per hectare	125 dph	0.46	£690,000
Commercial CBD	£2,000,000 per hectare	125 dph	0.46	£920,000
Residential	£2,500,000 per hectare	125 dph	0.46	£1,150,000

*Site size includes 15% land area adjustment allowance.

3.9 Profit

3.9.1 The *Local Plan Viability Study* allows for a 17.5% profit margin. This does not conform with the recommendations of the RHG Briefing note, but the Planning Inspectorate has also consistently concluded that an acceptable return for risk in respect of retirement living proposals is not less than 20% of gross development value. Examples include:

- McCarthy and Stone proposal at Redditch (Appeal Ref: 3166677)
- Churchill Retirement Living proposal at Cheam (Appeal Ref: 3159137)
- Churchill Retirement Living scheme at West Bridgford (Appeal Ref: 3229412)

3.10 Empty Property Costs

3.10.1 Empty property costs are a function of council tax payable on finished unsold and empty property as well as the service charge which must be paid owing to longer than average sales periods for this type of proposal.

3.10.2 The Crawley Borough Council website details how the Council has applied the Council Tax Empty Property Premium. This advises that properties that are unoccupied are not entitled to any discount. Full council tax is payable on all properties unless specific circumstances apply. It advises that the Council apply a premium on empty properties as follows:

- 100 per cent premium for properties empty for between two to five years.
- 200 per cent for properties empty between five to ten years.
- 300 per cent for properties empty over ten years.

3.10.3 A typical 50-unit scheme will take over 4 years to sell out and as such substantial monies will be paid in Council Tax over this period.

3.10.4 Residents of specialist older persons' housing are also required to pay a service charge to pay for the upkeep of communal facilities and for staff costs. Service charges are higher for Extra Care accommodation because of the enhanced level of communal facilities and the increased staffing associated with on-site care. Staff and facilities need to be on-site and functional from when the first resident arrives and accordingly the companies subsidise the service charges of empty apartments while they are being sold. McCarthy Stone list their typical services charges on their website as follow:

McCarthy Stone – Typical Service Charge

	1 bed per week	2 bed per week
Sheltered	£48.93	£138.27
Extra Care	£73.36	£184.31

3.10.5 Empty property costs as a result of Council Tax and Service Charge payments are therefore a substantial cost for older persons' housing. We have applied Empty Property Costs of £3k per unit of sheltered housing unit and £5k per unit of Extra Care accommodation.

3.11 Professional Fees

3.11.1 The level of professional reports and the need to demonstrate adherence to third party standards required in Local Plan policies is considered extensive when compared to other Councils. Following our review of the Local Plan we found reference to the following requirements /standards:

Standard / Statement	Policy Referenced
Health Impact Assessment	Policy SD2
Adhere to the Neighborhood Principle	Policy CL1
3D Modelling	Policy CL2
Development Briefs / Masterplans	Policy CL5
Design Reviews	Justification to CL5 (para 4.49)
Verified Visual Montages	Policy CL7
Demonstrate 'Secured by Design'	Policy DD1
Demonstrate 'Building for Life 12'	Policy DD1
Inclusive Design Statement	Policy DD2
Sustainability Statement	Policy SDC1

3.11.2 There is a cost associated in the preparation of this supporting information. We note that the *Crawley Local Plan Review: Whole Plan Policies & Community Infrastructure Levy Viability Assessment (LPVA)* allows 10% of build costs for Professional Fees & Reporting; the mid-point in the generally accepted range of 8-12%. We would suggest that in light of the Council's requirements for planning applications, there should be a commensurate uplift to 12% for professional fees in the LPVA accordingly.

3.12 Sales & Marketing Costs

- 3.12.1 Sales and marketing allowances for specialist housing proposals for older people are widely acknowledged to differ substantially from mainstream housing. This is due to the restricted occupancy and longer than average sales periods often extending over several years.
- 3.12.2 Sales and marketing activities in respect of this type of proposal are considerably more intensive and long running than mainstream housing and necessitate a sustained campaign with permanent sales staff on site over the course of typically years rather than months for mainstream housing.
- 3.12.3 The RHG Briefing Note advises that *"Marketing costs are typically 6% of revenue compared with 3% of revenue for general needs houses and flats."* This has been supported by a recent appeal decision in Redditch Appeal Ref: 3166677.

3.13 CIL & s106 costs

3.13.1 Crawley Borough Council presently has an adopted CIL charging schedule with a Borough-wide residential rate of £122.88 (indexed-linked rate for 2021). *Appendix I – Development Appraisal Assumptions of the LPVS* advises that there is £1,000 per unit allowance for Section106 contributions.

Comparison of Viability Input

	Sheltered Housing		Extra Care Accommodation	
	DSP	McCarthy Stone / CRL	DSP	McCarthy Stone / CRL
Sales Values	1bed - £5,500 – 6,500 per m ²	1bed - £4,993m ² / £5,531 m ²	1bed - £5,500 – 6,500 per m ²	1bed £5,868m ² / £5,850 m ²
	2 bed - £5,500 – 6,500 per m ²	2 bed - £4,882m ² / £5,314 m ²	2 bed - £5,500 – 6,500 per m ²	2bed £6,022m ² /£6,228 m ²
Unit Size	1bed- 55m ²	1bed – 55 m ²	1bed- 55m ²	1bed – 65m ²
	2 bed -75m ²	2 bed – 75 m ²	2 bed -75m ²	2 bed – 80m ²
Benchmark Land Values	Greenfield (Lower)- £205,000	Greenfield (Lower)- £205,000	Greenfield (Lower)- £205,000	Greenfield (Lower)- £205,000
	Greenfield (upper) - £500,000	Greenfield (upper) - £500,000	Greenfield (upper) - £500,000	Greenfield (upper) - £500,000
	Industrial (Low grade) - £850,000	Industrial (Low grade) - £850,000	Industrial (Low grade) - £850,000	Industrial (Low grade) - £850,000
	Industrial (upper)- £1,500,000	Industrial (upper)- £1,500,000	Industrial (upper)- £1,500,000	Industrial (upper)- £1,500,000
	Commercial CBD - £2,000,000	Commercial CBD - £2,000,000	Commercial CBD - £2,000,000	Commercial CBD - £2,000,000
	Residential - £2,000,000	Residential - £2,000,000	Residential - £2,000,000	Residential - £2,000,000
Dwellings per hectare	80dph greenfield / 125dph Brownfield	80dph greenfield / 125dph Brownfield	80dph greenfield / 125dph Brownfield	80dph greenfield / 125dph Brownfield
Dwelling Mix	70% 1-bed 30% 2-beds	60% 1-bed 40% 2-beds	70% 1-bed 30% 2-beds	60% 1-bed 40% 2-beds
No. of units	30	50	60	50
Site size	n/a Greenfield 0.28ha Brownfield	0.71ha Greenfield 0.46ha Brownfield	n/a Greenfield 0.55ha Brownfield	0.71ha Greenfield 0.46ha Brownfield
Build Period	18 Months	18 Months	18 Months	18 months
Sales Period	Unknown	50 Months	Unknown	50 months
Base Build Costs	£1,855per m ² .	£1,855per m ² .	£1,855per m ² .	£1,855 per m ² .
% Communal floorspace	25%	30%	35%	35%
Contingencies	5% of build costs	5% of build costs	5% of build costs	5% of build costs
External Build Costs	10% of build costs	10% of build costs	10% of build costs	10% of build costs
Plot & Site Works £500k per ha	n/a Greenfield / £110k PDL	£355k Greenfield / £230k PDL	n/a Greenfield / £275k PDL	£355k Greenfield / £230k PDL
Professional Fees	10% of build costs	12% of build costs	10% of build costs	12% of build costs
Sustainable Design / Construction	5% of build costs	5% of build costs	5% of build costs	5% of build costs
Residual S106 (non-CIL)costs	£1,000 per unit	£1,000 per unit	£1,000 per unit	£1,000 per unit
CIL	£122.88 per m ²	£122.88 per m ²	£122.88 per m ²	£122.88 per m ²
Finance Costs	6.5%	6.5%	6.5%	6.5%
Profit	17.5%	20%	17.5%	20%
Agents Fee % of site value	1.5%	1.5%	1.5%	1.5%
Sales & Marketing	3%	6%	3%	6%
Legal Fees on Sale	£750 per unit	£750 per unit	£750 per unit	£750 per unit
Legal Fees (% of site value)	0.75%	0.75%	0.75%	0.75%
Empty Property Costs	Unknown	£3,000 per unit	unknown	£5,000 per unit

4. Results

4.1 Older Persons' Housing Typologies

- 4.1.1 The outputs of the viability appraisals for older persons' housing typologies are summarised below for ease of reference. This FVA does not include any affordable housing as part of the appraisal and is therefore undertaken on the basis of a 100% private proposal.
- 4.1.2 The report tests the sales values derived using both the RHG method and based on the adjusted sales values from East Grinstead (see Chapter 3.3 of this report). In the interest of brevity we have listed the results for the lower, upper and midpoint of the range of Benchmark Land Values in the LPVS (See Chapter 3.8 of this report). Each of the scenarios was also tested with and without CIL.

Sheltered Typology				
BLV	RHG Sales Values		Adjusted East Grinstead Sales Values	
	£0 CIL	£122.88 CIL	£0 CIL	£122.88 CIL
Greenfield (Lower)- £177,000	-£863,303	-£1,386,154	£37,607	-£472,664
Industrial (Lower) - £391,000	-£1,085,207	-£1,611,139	-£178,390	-£691,502
Residential - £1,150,000	-£1,890,559	-£2,426,458	-£963,686	-£1,486,489

Extra Care Typology				
BLV	RHG Sales Values		Adjusted East Grinstead Sales Values	
	£0 CIL	£122.88 CIL	£0 CIL	£122.88 CIL
Greenfield (Lower)- £177,000	-£642,491	-£1,271,057	£470,893	-£104,942
Industrial (Lower) - £391,000	-£746,440	-£1,376,656	£329,422	-£284,745
Residential - £1,150,000	-£1,539,786	-£2,180,570	-£444,269	-£1,069,374

- 4.1.3 Both the Sheltered Housing and Extra Care typologies we tested using the sales values derived from the RHG method were unviable against all the BLV's without providing either Affordable Housing or CIL contributions.
- 4.1.4 Based on the 'adjusted East Grinstead sales values', both sheltered and extra care typologies were unviable against all the BLVs with a CIL contribution. A surplus could however be achieved with a nil CIL rate on greenfield sites and on lower value industrial land, but this is not considered sufficient to deliver policy compliant levels of affordable housing contributions (40%).

4.2 Commentary on LPVS Results

4.2.1 McCarthy Stone and Churchill Retirement Living find the basis on which the affordable housing target is recommended across the Authority to be flawed. The results of the viability testing in *Chapter 3: Findings Review, Context & Discussion* of the LPVS overstates the viability of the older persons' housing typologies.

4.2.2 In respect of Sheltered Housing the *Stage 1 LPVS* advises that:

3.7.22 *For the sheltered/retirement housing typology, the results (Appendix IIIa table 3f) suggest that at tested VL10 (apartment sales at £6,000/sq. m i.e. approx. £557/sq. ft.) greenfield development could support 40% AH on the borough wide (BW) basis. Sales values in excess of this would be needed to support PDL site values, although we can see a residual land value equivalent to almost £2.25m/Ha, so exceeding all but the uppermost BLV indication, is reached using VL11 test – sales at £6,500/sq. m (approx. £604/sq. ft.). Points in between these tests may also be viable.*

3.7.23 *Overall it is considered that whilst outcomes will vary and negotiations may be involved, with any town centre (TC) developments set to attract a lower 25% AH requirement with adjusted tenure mix, the Council's proposed approach would in any event provide a suitable basis for any necessary decision making (application) stage discussions.*

The results in the LPVS advise that sheltered housing typologies can provide a 40% affordable housing contribution in greenfield location, however this is heavily predicated on achieving a sales value in excess of £6,000 per m². Sales values of 6,500 per m² and above are required to deliver an affordable housing contribution on previously developed land. While we agree that specialist older persons' housing does achieve a premium on sales values, it is not to the extent recommended by DSP and the justification for sales values in excess of £6000 per m² in the LPVS is anecdotal.

4.2.3 In respect of Extra Care accommodation the *LPVS* advises that:

3.7.24 *The typology results representative of extra care development (60 apartments – Table 3j) do not reach viability with 40% AH and the other assumptions used collectively. The nature of these results appears similar generally to those seen on appraisal of the care home typology reviewed within the scope of the commercial/non-residential tests as reviewed below (results at Appendix IIIc – Table 5k). The indications are that particular consideration may need to be given to such schemes, commencing with an understanding of their characteristics and looking at viability if relevant. From experience there may be a grey area in terms of where these sit between or combining care services and housing. There could be a range of scheme types and within these it may be that some schemes would not be required to provide affordable housing in any event, or might be developed or procured in a way that means they make more accessible provision – meeting a range of needs.*

4.2.4 The results in the LPVS clearly demonstrate that Extra Care accommodation cannot support an affordable housing contribution. The LPVS however advocates testing the viability of extra care developments on a case-by-case basis due to the variety in the level of care provision on site. There is however no reference to this in either the wording of Policy H5 or its justification. We are similarly of the view that the LPVS has overstated the viability of such schemes with an excessive premium on sales values and, most likely, a faster rate of sale.

5. Conclusion

- 5.1.1 The Crawley Borough Local Plan is one of an alarmingly limited number that have set a differential affordable housing rate.
- 5.1.2 The evidence we have provided in our viability appraisals for Sheltered Housing and Extra Care Housing typologies, concludes that these forms of development should be exempt from affordable housing provision across the Borough.
- 5.1.3 As a suggestion we would recommend a supplemental sub-clause to Policy H5 which read as follows:
 - i. Specialist older persons' housing including sheltered and extra care accommodation will not be required to provide an affordable housing contribution.*