

EPSOM HOSPITAL SITE, DORKING ROAD, EPSOM, KT18 7EG

Summary Proof of Evidence:

on behalf of Senior Living Urban (Epsom) Limited

Tim Spencer

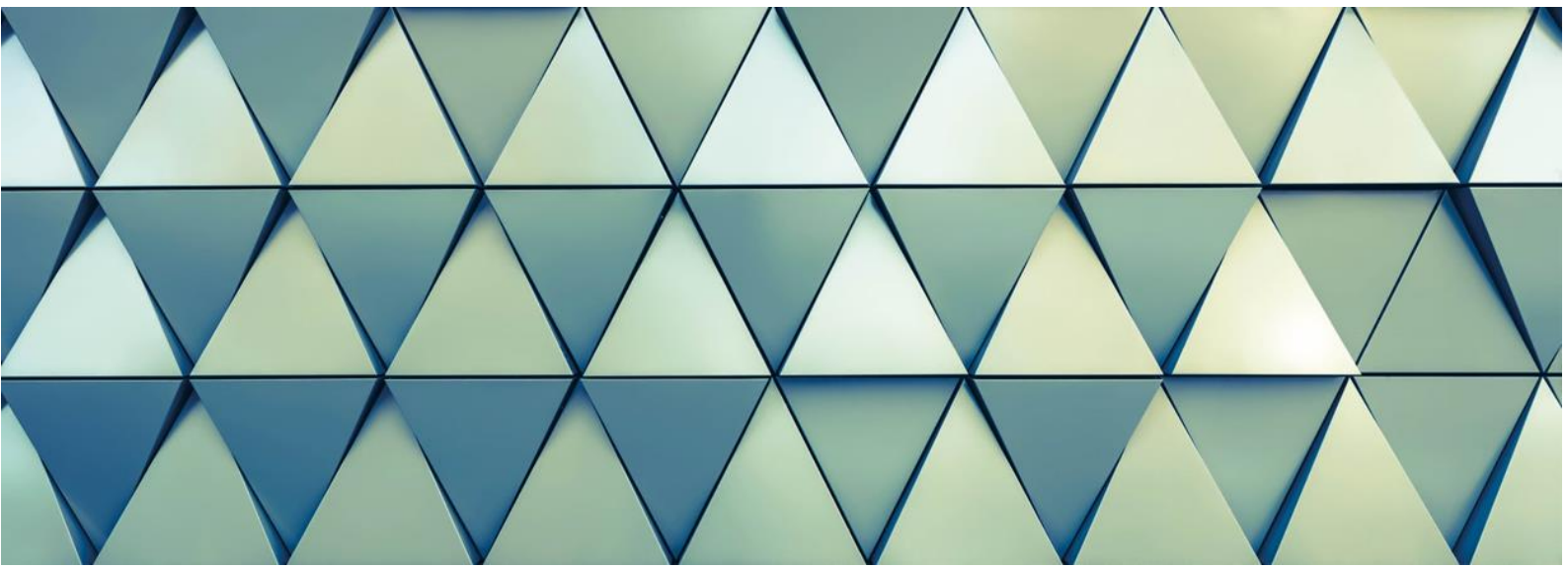
Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

LPA reference: 19/01722/FUL

Appeal references: APP/P3610/W/21/3272074 and 21/00252/FUL

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Qualifications and Experience

- 1.1 My name is Tim Spencer. I am an Associate Director at Nexus Planning with over 20 years' experience in the practice of Town and Country Planning. I hold a Degree in Town and Regional Planning, and a Diploma in Town and Regional Planning, from the Cape Peninsula University of Technology. I am a chartered member of the Royal Town Planning Institute. Over the course of my career I have worked on a wide range of retirement and care developments.
- 1.2 This is my summary proof of evidence. My evidence relates to the planning policy and land use issues. In my full proof of evidence I have made reference to the evidence of others and referred to several appendices.
- 1.3 The expert evidence of my colleagues provides details of operational matters, townscape and visual matters, heritage considerations, the need for extra care accommodation and design matters.
- 1.4 My evidence sets out the details of the relevant planning policies, how these policies relate to the Proposed Development, the weight which these policies carry and other material considerations including the substantial scheme benefits.

Introduction

- 1.5 The application proposals represent an excellent opportunity to regenerate an unallocated, poorly performing brownfield site, with very significant public benefits and deliver a development, which accords with the three pillars of sustainable development (social, economic and environmental) set out in the NPPF.
- 1.6 There are some differences in the scales of Scheme benefits between Scheme A and Scheme B; for example affordable housing, economic benefits and the contribution to housing delivery. There are also some areas where the effects of the respective Schemes differ, for example in terms of townscape and visual impacts. It is my opinion that notwithstanding these differences both Schemes deliver very significant benefits, are in general accordance with the Development

plan, when read as a whole, and permission should be granted in accordance with paragraph 11(d) of the Framework.

1.7 The Schemes deliver very significant public benefits. The Proposed Development will deliver between 339 and 305 homes with care for older people in a high quality development, in a sustainable location and will provide a range of community facilities, which will be open to the public.

1.8 The Proposed Development makes a significant contribution to addressing the critical shortage of housing in the borough, delivers specialist accommodation to meet the current need, and provides opportunities for older people to downsize and live in age appropriate accommodation and in doing so frees up under-occupied family homes.

1.9 The main issues for the Appeals are;

- The general accordance with the development plan;
- The 'tilted balance' engaged by virtue of paragraph 11(d) of the NPPF;
- The Proposed Development's contribution to housing in the borough;
- The Proposed Development's contribution to meeting the need for extra care housing;
- The efficient use of brownfield land;
- The impact on the character and appearance of the area;
- The provision of landscaping, new and replacement tree planting;
- The effects of the Proposed Development on the amenities of neighbouring residents;
- The impact on heritage assets;
- The delivery of affordable housing;
- The numerous public benefits of the Proposed Development;

The decision-making framework

1.10 Section 38(6) of the Planning and Compulsory Purchase Act 2004, requires that determination is to be made in accordance with the Development Plan unless material considerations indicate otherwise.

- 1.11 The Proposed Developments are in general accordance with the development plan when read as a whole. Where there are elements of divergence with specific policies, these policies are generally afforded reduced weight due to their inconsistency with the NPPF and their inhibiting effect on housing delivery.
- 1.12 The Council has recognised that the most relevant policies in relation to the Proposed Development are out of date. It has produced guidance that directs the planning committee to afford reduced weight to development plan policies that have a limiting effect on development.
- 1.13 The main housing policies are out of date and the tilted balance applies to the Appeals, as the Council has less than one year of housing land supply, and as housing delivery is significantly below the requisite amount. Therefore, in terms of paragraph 11(d) of the NPPF permission must be granted unless there are material impacts, which would significantly and demonstrably outweigh the scheme benefits.

Policy Compliance, Planning Benefits and Material Considerations

- 1.14 The Proposed Development has significant benefits. It is my opinion that there are no material considerations that significantly and demonstrably outweigh the scheme benefits. Indeed, the material considerations most relevant to the Appeals lend firm support for the proposals. Therefore, in accordance with the presumption in favour of granting permission within Paragraph 11 of the NPPF, planning permission should be granted without delay.
- 1.15 The Proposed Development is encouraged and supported by applicable strategic planning policies. The Proposed Development will deliver 292 and 325 homes to the local housing need, and provide specialist housing units that meet the need for housing with care and provide affordable housing. The Proposed Development delivers the benefits of a mix of uses, including a gym, nursery, restaurant, café and wellness studio and provides a new pedestrianised public realm through the site.

- 1.16 The Proposed Development will make a significant contribution towards meeting the existing unmet need (at 2024) for 951 and 523 units within the five and three-mile catchments of the Appeal Site. The Proposed Development will provide specialist accommodation for active elderly people with care requirements, as an alternative to care home accommodation, allowing people to live longer in their own homes.
- 1.17 The Proposed Development has been designed giving consideration to the relationship with adjacent properties and any potential amenity impacts, while ensuring delivery against the identified specialist housing need and the pressing need for homes in the borough. The Proposed Development is considered to satisfactorily mitigate any significant amenity impacts on privacy and overlooking. It is my opinion that there are no amenity impacts of sufficient significance to lead to the refusal of planning permission, having considered the development plan and relevant material considerations.
- 1.18 The Proposed Development has been designed with careful regard to heritage assets. The Proposed Development results in less than substantial harm to heritage assets, with the harm falling on the low to negligible part of the scale. The Proposed Development delivers significant public benefits including; housing, specialist homes for older people, public realm, landscaping and ecology, employment, economic benefits, healthcare and wellbeing benefits, a nursery for key workers, affordable housing and regeneration of well-located brownfield land. It is my opinion that the significant public benefits of the Proposed Development outweigh the very limited heritage harm that has been identified.
- 1.19 The Proposed Development will significantly enhance the quality and amenity of the public realm by providing a high-quality set of new buildings, facilities and landscaped areas. New hard and soft landscaped amenity and social spaces for future residential occupiers and visitors to the Appeal Site will be provided, as well as community and retail facilities.
- 1.20 The Proposed Development maximises the use of a vacant brownfield site in close proximity to Epsom town centre. The proposals have been sensitively designed in

response to a detailed analysis of the Appeal Site and local context, taking into account the local character, the role that the Appeal Site provides as an appropriate transition between the Epsom Hospital to the north and the adjacent residential area.

Conclusion

- 1.21 In line with Section 38(6) of the Planning and Compulsory Purchase Act 2004, if regard is to be had to the Development Plan for the purpose of any determination to be made under the planning acts, then the determination must be made in accordance with the Plan unless material considerations indicate otherwise.
- 1.22 The tilted balance is engaged. In my evidence, I have explained where the proposed development accords with or departs from specific Development Plan policies and where policies are out of date and should be afforded reduced weight in the decision-making process. My evidence shows that when material considerations are taken into account, most significantly meeting the considerable need for housing delivery in the borough, there are no material considerations that significantly and demonstrably outweigh the scheme benefits.
- 1.23 The Proposed Development will result in some level of amenity impact to a small number of neighbours to the west of the site. Mitigation has been provided to these amenity impacts through the Wheatcroft Amendments and in design of the Proposed Development, resulting in two schemes that I consider to be acceptable.
- 1.24 For the reasons set out above, the Proposed Development delivers significant benefits and constitute sustainable development in terms of the NPPF. Therefore, in accordance with Paragraph 11 of the NPPF, planning permission should be granted without delay.



Guild Living, Epsom Hospital

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