

# Contact Consulting

**Appeal against the refusal of  
planning approval by New Forest  
District Council for a proposed  
development of 44 retirement  
apartments at The Rise, Stanford  
Hill, Lymington SO41 4DE**

**PINS Ref:  
APP/B1740/W/20/3265937**

**Rebuttal of the Proof of Evidence  
of Mr Gilfillan**

**Nigel J W Appleton MA (Cantab)**

**30<sup>th</sup> April 2021**





**Appeal against the refusal of planning approval by New Forest District Council for a proposed development of 44 retirement apartments at The Rise, Stanford Hill, Lymington SO41 4DE**

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**Rebuttal of the Proof of Evidence of Mr Gilfillan**

I have reviewed Mr Gilfillan's Proof of Evidence and draw attention to the following points:

1. Although Mr Gilfillan acknowledges that the population includes a substantial number of older people (Gilfillan Proof para 6.19) he does not give sufficient weight to just how aged this population is: currently more than 50% above the national average and ageing at a faster rate.
2. Whilst Mr Gilfillan recognises the impact of an aged and ageing population (Gilfillan Proof para 6.19) he does not take account of the disparity between increased years of life-expectancy and the limited increase in the years of healthy life. This means that for very many people these years of extra life will be characterised by chronic health conditions, impaired functional capacity and compromised mental well-being. These conditions are chronic rather than acute, benefiting from a well-designed living environment, engagement with peers, limited support and access to further help when required. The configuration of need to which the proposed scheme responds.
3. Whilst reference is made to the way in which the Local Plan takes account of the need for specialised accommodation for older people (Gilfillan Proof para 6.20) it does not reflect any detailed analysis of need nor any attempt to match that need to an appropriate style of specialised accommodation. There is no "absolute number" for the forms of specialised accommodation for older people in the Local Plan. What is offered is an "indicative figure" of 1/5th but this is not substantiated nor broken down into requirement for different models of provision.
4. There is an implied presumption (Gilfillan Proof para 6.21) that the need for appropriate specialised accommodation among older people is confined to the highly dependent very elderly. This is clearly not the intention of NPPG of June 2019 which sets out a range of accommodation that may be considered from "Age Exclusive" housing for the wholly independent, through Retirement Housing and Extra Care to Registered Care Homes for those with the highest levels of need for care.
5. This narrow focus on the higher levels of need is followed through in the following paragraph (Gilfillan Proof para 6.22) which promotes an expansion in the provision of Extra care to meet the needs of older people in the District. Whilst the aspiration to increase the supply of Extra Care Housing is admirable the large population of older people within the district has a wide range of needs: diversity of need requires diversity of options, including that offered in the development proposed by the Appellant.

6. Quoting a definition of Sheltered Housing and then dismissing it as offering nothing above what is available in general market housing clearly misrepresents the situation (Gilfillan Proof para 6.23). The Appellants, who will operate the scheme, set out the features of the proposed development as follows:

*The concierge or 'Lifehost' will be responsible for the day-to-day management of the development and a key interface between customers and the business. Lifehosts develop lasting relationships with our customers and their families to enhance their enjoyment of their homes, the community and the lifestyle. In short, they are the first person that everyone turns to; from finding a cleaner, helping with any problems with apartments, devising and organising social events, providing information about 'what's on' and helping with many of the little things that life throws at them. They also facilitate the day to day running of the building from H & S to fire testing to liaising with property managing agent and contractors.*

*The owners lounge will be the heart of our developments and our communities and provide a comfortable and important focal point for all our customers. It will be used both formally for events from weekly coffee mornings through to wine tastings and celebrations as well as informally each and every day as spaces for our customers to enjoy outside of their home and / or as a space in which to interact with other customers that also live in the development.*

*The communal areas are designed with older people in mind, including for instance, with careful thought given to the type of furniture included (i.e. is a particular sofa appropriate for inclusion given its height; does the particular design of a table pose any problems for an older person sitting down). Automatic main entrance doors are included leading to a welcoming entrance foyer, close to which there will be a Lifehost Office.*

*The apartments will include a Tunstall ViIP system. When a cord or trigger is activated this goes to the on-site Lifehost in the first instance, and if not answered or out of hours, this would divert to Tunstall Response, which is a 24/7 call centre fully compliant with TSA standards.*

*Lifestory will undertake the upkeep and maintenance of the property and estate grounds for and on behalf of the residents for the lifecycle of the site. This not only has benefits in terms of residents being able to enjoy these spaces without extensive efforts in the need to maintain them (although some residents actually wish to get involved from an enjoyment, exercise and recreational perspective), but also that the site will always look well presented, because of the property management support after practical completion.*

*The design and layout of our apartments ensures that they are fit for the demographic we are selling to and the apartments are designed to the current Part M4(2) regulations. Apartments will offer walk in showers with grab rail and adequate space and provision for adaptations, such as fold down seats, additional grab rails etc. The kitchens include mid height ovens with slide away doors to avoid bending and innovative dish drawers set at a higher level again*

*to avoid excessive bending. Sockets etc are all set in compliance with current regulations and are therefore set at an appropriate height for older people.*

Apart from communal facilities, access to support and an appropriate context for the delivery of care should it be needed the benefits of communal living for mental well-being and combatting isolation are well documented. It is clearly not true to say, as Mr Gilfillan does (Gilfillan Proof para 6.26) that the absence of on-site care provision means the scheme offers no benefits: it contributes to risk mitigation and to mental-well-being.

7. Mr Gilfillan (Gilfillan Proof para 6.27 and 7.13). suggests the need that has been identified can be met by the provisions of Policy HOU3. Whilst the requirements of HOU3 are admirable it will be a very considerable time before any substantial proportion of homes in the district conform to accessibility standards. Accessibility is only one of the benefits the proposed development offers: HOU3 will make not contribution to overcoming isolation nor provide expedited access to support when required.

8. Mr Gilfillan uses the data provided on need (Gilfillan Proof para 6.28 and 6.29) but misconstrues the purpose of this data. The purpose of the categories of data included is to show the rising need for all forms of specialised accommodation, not just that proposed in this application. He cherry-picks the data to suit his argument, failing to reference the data on mobility issues, which are relevant to the proposed scheme. An adequate strategic approach takes account of the whole range of provision.

The point here is that if the needs of those with relatively low dependency, or even no immediate dependency, are not adequately met then “upward transference” occurs: they take the next available provision which may offer higher levels of support and care than they need. An appropriate economy of provision allows for people to enter according to their need: whether low or high, and on the basis of choice in relation to location and tenure.

9 Mr Gilfillan makes a negative judgement on the benefit of the proposed development (Gilfillan Proof para 6.30) but it is not clear on what his judgement is based. Certainly he makes no reference to the extensive literature on this matter.

10 I am puzzled by Mr Gilfillan’s assertion (Gilfillan Proof para 6.48) that as a Communal Lounge is a beneficial feature of all accommodation of the kind proposed it should not be regarded as a particular benefit in assessing the benefit of the proposal. If it is a generic benefit of this style of accommodation then surely it is a benefit to be given weight in this case?

12. In assessing the benefit arising from the proposed development (Gilfillan Proof para 6.57) Mr Gilfillan, based on his defective judgement concerning the distinctive features of sheltered accommodation, accords only minor benefit to provision of the proposed scheme.

More generally he accords only moderate benefit in the short-term to the contribution the scheme will make in meeting housing need on the district. It will of course provide a substantial benefit in increasing the housing options available to a particular section

of the local population whose needs are currently under-addressed: older homeowners. I would draw attention to the marked disparity in the availability of specialised accommodation for homeowners wishing to retain their tenure of choice which is in my Proof at Paragraph 8.6 and documented in my Full Need Report at paragraphs 7.6 & 7.7

13 In the penultimate section of his Proof Mr Gilfillan again draws attention to Policy HOU3 with the assertion that this provides an adequate response to the accommodation needs of older people within the district (Gilfillan Proof para 7.13). Whilst policy HOU3 may encourage adaptations that will allow some older people to remain in their existing homes this makes no acknowledgement of the reality that for a significant number either their health status and functional incapacity or the layout, space standards, accessibility and facilities of their existing home make this impracticable.

In the same paragraph Mr Gilfillan concedes “There are no specific targets for numbers of units to be delivered in the plan period, the need being absorbed in to the overall housing need”. Whilst NPPG of June 2019 does not mandate the provision of targets for specialised accommodation for older people differentiated by type and tenure it does suggest that the needs of the older population are critical and that plan makers need to make appropriate provision. The assertion that “the policy encourages all sites to deliver a proportion of its accommodation suitable for older people” is a poor, unquantifiable aspiration without any means by which its adequacy or effectiveness can be measured.

15. By its very nature the proposed scheme has future-proofing inherent in the design and configuration and any increase in its capacity to support higher levels of need would be in the delivery of care. If what is implied in Mr Gilfillan’s negative comment on the future-proofing of the proposed scheme (Gilfillan Proof para 7.41) is the capacity to re-configure the scheme to match the Authority’s preferred model of Extra Care there are very many examples of Extra Care schemes created by the enhancement of services in existing schemes originally developed as sheltered housing. (Most proximate is Barfield Court in Lymington, an Extra Care scheme managed by the District Council itself and offered on the basis of social rent. Originally built as a Category Two Sheltered scheme in 1967, renovated in 2004 with on-site care services added, it now makes Extra Care available in this part of the district.)

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30<sup>th</sup> April 2021