



DESIGN STATEMENT PROOF OF EVIDENCE

Rob Jackson BArch MArch RIBA ARB

**SITE: FORMER POLICE STATION, SOUTHAMPTON ROAD, LYMINGTON,
SO41 9GH**

CHURCHILL RETIREMENT LIVING LTD.

CHURCHILL HOUSE

PARKSIDE

RINGWOOD

BH24 3SG

MARCH 2022

TOWN & COUNTRY PLANNING ACT 1990

APPEAL BY CHURCHILL RETIREMENT LIVING LTD AGAINST NEW FOREST DISTRICT COUNCIL'S REFUSAL OF A PLANNING APPLICATION FOR THE DEMOLITION OF EXISTING BUILDING AND REDEVELOPMENT OF THE SITE TO FORM 32NO. RETIREMENT APARTMENTS INCLUDING COMMUNAL FACILITIES, ACCESS, CAR PARKING AND LANDSCAPING.

SITE AT: Former POLICE STATION, SOUTHAMPTON ROAD, LYMINGTON SO41 9GH

LPA REF: 21/10938 (Alternative reference PP-09954936)

PLANNING INSPECTORATE REF: APP/B1740/W/21/3289313

PLANNING INQUIRY DATE: 26th-29th April 2022

PROOF OF EVIDENCE AUTHOR:

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1.0. Introduction

Qualifications and Experience

- 1.1. I am Rob Jackson, Design Director of the South West Design Department of Planning Issues Ltd; Churchill House, Parkside, Ringwood, Hampshire, BH24 3SG.
- 1.2. I am a Chartered Architect, being a chartered member of the Royal Institute of British Architects (83360) and registered with the Architects Registration Board (070660D). I hold a Masters in Architecture (MArch) having qualified with Distinction in 2005 and a Bachelor Degree in Architecture (BArch) from the University of Nottingham, voted in the top 3 architecture schools in the UK by the Architect's Journal.
- 1.3. I have worked for Planning Issues since November 2019. Planning Issues is a subsidiary company of Churchill Retirement Living (Group) Limited (Appellant) and I have been engaged to provide professional evidence in respect of this Appeal.
- 1.4. In 2002 I graduated with a Diploma in Architecture (DipArch) from the University of Nottingham, England, having completed my Degree in Architecture (BArch) at the same University 3 years earlier. Following completion of my Diploma, I spent 3 years working in the office of Perkins Ogden Architects, an award winning private architectural practice specialising in education buildings.
- 1.5. In 2005 I qualified as a professional architect with a distinction in Professional Practice in Architecture (MArch).
- 1.6. In 2007, I commenced working at Design Engine Architects, another award winning private architectural practice. I remained there for 11 years, rising from Architect, via Site Architect and Associate roles to a Senior Associate position. Design work covered a number of typologies; education projects, private houses, flatted developments and pavilions. During my time at Design Engine the practice won a number of awards including shortlisting for BD Architect of the Year three times and my projects won a number of design awards.
- 1.7. Key projects included the £83 million / 24,000sqm John Henry Brookes Building for Oxford Brookes University which won an RIBA National Award, RIBA South Building of the Year, RIBA South Regional Award, RIBA South Sustainability Award, AJ Retrofit Award, Oxford Preservation Trust Award and the Education Estates Student Experience Award. It was also 'mid-listed' for the

Stirling Prize, the highest architectural award for the best building of the year, alongside the Shard by Renzo Piano and the London Aquatics Centre by Zaha Hadid.

- 1.8. Key retirement projects included design concept architect for a £15million extra care development at Chesil Lodge, Winchester (LABC South Awards: Best Inclusive Building and 2019 SPACES Civic Building of the Year award Highly Commended) described by the leader of Winchester City Council Cllr Caroline Horrill as “... a top-quality building that will benefit present and future generations...”.
- 1.9. Other design projects included the £35 million, 7,500sqm West Downs Centre Building for University of Winchester which was designed to add state-of-the-art facilities to the University and be the first University building in the UK to be designed to the WELL standard and also to achieve Building Research Establishment Environmental Assessment Method (BREEAM) ‘Excellent’ rating.
- 1.10. In 2017 I was elected to sit on the Winchester and Eastleigh District Design Review Panel. As part of this body, I regularly review schemes at pre-planning and planning stages to advise the local authorities on the quality of design, providing an independent, expert assessment of significant proposals. The importance of the Design Review Panel is emphasised through the NPPF¹ in Paragraph 133.
- 1.11. In 2019, I commenced working for Planning Issues on Churchill Retirement Living retirement housing schemes, providing in-house professional design services. I review and prepare feasibility studies for in excess of 70 sites per year and am responsible for developing detailed designs for approximately nine planning applications per year. My previous experience in designing and delivering award-winning projects, as well as reviewing schemes by others, have informed my ability to assess what achieves high design quality and success.

Scope of Evidence

- 1.12. I have reviewed specifically the reasons for refusal as set out in the 'Delegated Report'². My scope of evidence relates to reasons for refusal 2 and 5 only.
- 1.13. I have reviewed the existing site and local context from an architectural and townscape point of view. I have reviewed the design development and current proposal which is subject to this application. I have assessed the proposed scheme and considered whether in my opinion the design amounts to a high-quality design and would positively contribute to the overall appearance of the area, as sought in planning policy. I have also considered whether the proposal is in keeping with local character. I have considered the provision of amenity space.
- 1.14. My evidence deals solely with design issues, specifically the design reasons for refusal, although these inevitably cross over other issues. I defer to Mr M. Shellum on Policy issues and Mr. P. White on Heritage issues.
- 1.15. This proof of evidence has been prepared to respond to New Forest District Council's criticism of the design contained within their Reasons for Refusal and Officer's Report². This Proof of Evidence is submitted on behalf of Churchill Retirement Living Limited (the Appellant) in support of its appeal against the Refusal of Planning Permission at Former Police Station, Southampton Road, Lymington, SO41 9GH (ref: 21/10938) for the:

Demolition of existing building and redevelopment of the site to form 32no. Retirement apartments including communal facilities, access, car parking and landscaping.

Professional Endorsement

- 1.16. The evidence which I have prepared and provided for this appeal in this proof of evidence is true and has been prepared and is given in accordance with guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinions.

Rob Jackson BArch MArch ARB RIBA

Date

2.0. **Background**

The Appeal Site

- 2.1. The application site consists of a former police station building. The applicant has a 'subject to planning' contract with the owner.
- 2.2. The site constitutes brownfield land of approximately 0.22 hectares located on the western side of Southampton Road, between Queen Elizabeth Avenue to the north and Eastern Road to the south in a sustainable location in Lymington.
- 2.3. I understand that the former police station building is from 1952. It comprises a two-storey red brick building with a hipped, red clay pan-tile roof in a Neo-Georgian style typical of interwar purpose built police stations. The building is L-shape in plan and situated back from the street frontage, behind a tree-lined, hedge boundary. To the rear of the primary police station building is a carpark and a garage.
- 2.4. The existing buildings on the site have low architectural merit and are assessed as being of low heritage significance (para 4.3.17 of the application Heritage Statement). The buildings have been assessed by Historic England and declined to add to the List of Buildings of Special Architectural or Historic Interest. They were appropriate for their former use but are not important to preserve.
- 2.5. The site is relatively flat (set at approximately +23.8m above Ordnance Survey Datum) and set slightly up from Southampton Road.
- 2.6. The site is currently largely hard surfaced to the centre, with the only significant landscaping, soft planting or biodiversity being the existing boundaries.
- 2.7. In townscape terms, the site is bordered by Buckland House, a modern (approved 2009) flatted development of 'Italianate' style to the south and the former police house to the west. Road frontages sit at the north and east boundaries with a recent (approved 2008) retirement apartment development (Farringford Court) on the opposite side of Southampton Road to the east.

- 2.8. The immediate locality is residential, with the town centre five to ten minutes' walk to the south-east.
- 2.9. The Site is not in a Conservation Area. The Site is adjacent to the Lymington Conservation Area and within the proximity of listed buildings along Southampton Road.

The Applicant

- 2.21. The applicant is a national specialist purpose-built retirement developer founded in 1994 and operating continuously for the last 27 years.
- 2.22. The applicant has completed 169 developments and over 6,798 units as of 31st October 2021.
- 2.23. The applicant was the first ever retirement specialist to win the coveted *Whathouse? 'Housebuilder of the Year'* award in 2016.
- 2.24. The applicant continues to regularly win awards for their developments including recently Bronze for *'Best Medium Housebuilder'* at the 2021 *Whathouse?* awards.
- 2.25. The applicant designed, constructed, manages and maintains the nearby 'Knights Lodge' development, North Close SO41 9PB, a nine minute walk to the east of the Site.
- 2.26. The applicant takes the responsibility of designing developments within urban and suburban built environments very seriously and carefully considers the local context to inform the proposed design. This particularly focuses on the appropriate scale, mass, design and materials. Each proposed development design is unique and bespoke to the location.
- 2.27. The applicant has some specific operational requirements which inform the design. These are discussed in detail in Section 4.0.
- 2.28. The applicant, through a sister company Millstream Management, continues to maintain developments through their lifetime. The average length of apartment ownership is 8 years. Apartment resales are part of the business, and it is therefore in the applicant's interest to build

developments of high quality that will continue to look good and be well maintained. This is within the company's 'DNA'.

3.0. **The Policy Context Relating to Design**

The Development Plan

- 3.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and National Planning Policy Framework (NPPF¹) paras. 2 and 47 require that the appeal must be determined in accordance with the provisions of the development plan unless material considerations indicate otherwise.
- 3.2. The New Forest District Council development plan for the appeal site comprises:
- i. Local Plan 2016-2036 Part 1: Planning Strategy
 - ii. Local Plan Part 2: Sites and Development Management 2014
 - iii. Core Strategy 2009
- 3.3. The following development plan policies are most relevant to the design:
- i. Policy ENV3: Design quality and local distinctiveness
 - ii. Policy DM1: Heritage and Conservation
- 3.4. The following supplementary planning guidance and documents are most relevant to the design:
- i. SPD – Lymington Local Distinctiveness
 - ii. SPG – Lymington – A Conservation Area Appraisal
 - iii. SPD – Parking Standards

Material Considerations

- 3.5. Paragraph 2 of the NPPF¹ states that the NPPF is a material consideration in planning decisions.
- 3.6. The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. Section 12 is about 'Achieving Well-Designed Places' and includes paragraphs 126 to 136.
- 3.7. Particularly relevant paragraphs to the proposed design are 126, 130, 132 and 134.
- 3.8. Other material considerations relating to design include:
1. Planning Practice Guidance (PPG)
 2. National Design Guide (NDG) (January 2021)
 3. Building for a Healthy Life (BfHL) (June 2020)

4.0. **The Proposal**

Appeal Scheme Design

- 4.1. The appeal seeks full planning permission for Demolition of existing building and redevelopment of the site to form 32no. Retirement apartments including communal facilities, access, car parking and landscaping.
- 4.2. As retirement apartments, owners must be at least 60 years of age or 55 years of age with a spouse over 60 years. The average age of Churchill Retirement apartment owners is 80 years old.
- 4.3. The site is on Southampton Road, a main road into Lymington, with bus stops adjacent to the site and local shops and facilities a short walk to the south-east. Churchill Retirement Living developments need to be within 0.5 miles of a local centre with a level walk to allow residents easy pedestrian access to local facilities.
- 4.4. The proposed apartments consist of 21no. one-bedroom apartments and 11no. two-bedroom apartments. These are supported by communal facilities including a one-bedroom guest suite, secure entrance lobby and Owners' Lounge. The development would fall within Use Class C3 (Dwellinghouses).
- 4.5. A lodge manager would be employed during working hours, but there is no staff accommodation, and no specialist medical facilities are proposed. The development is for independent living and does not contain any extra care facilities.
- 4.6. The proposed development consists of a single three-and-a-half storey building. A single building is required so residents can all access the shared communal facilities without leaving the building and provides a secure form of development.
- 4.7. Ground floor level is set at the existing site level. The main façade faces Southampton Road with the main building entrance on the west elevation facing the car park. The building steps down a storey as it returns along Queen Elizabeth Avenue.

- 4.8. Entrances need to be secure and provide safe level access.
- 4.9. The proposed design uses red facing brick, cast stone heads and banding and render for the wall finishes. Detailing includes brick headers and window cills, brick quoin detailing and metal and glass canopies. GRP dormers are proposed at roof level.
- 4.10. The roof is proposed to be slate effect concrete roof tiles.
- 4.11. Windows, soffits and fascias are proposed to be white uPVC. Rainwater goods are proposed to be black uPVC.
- 4.12. Other design features include a cast stone canopy/portico to the main entrance and dark grey painted steel and glass balconies.
- 4.13. Vehicular access position is removed from Southampton Road and repositioned to Queen Elizabeth Avenue. The proposal provides 12no. car parking spaces at a ratio of 0.375 spaces per apartment. The amount of parking proposed is based on extensive experience of similar development types, where a usual ratio is 0.3 spaces per apartment.
- 4.14. The proposal includes on site renewable power generation in the form of PV panels which will be situated in the inner valley of the roof, hidden from view from surrounding ground level.
- 4.15. The proposal includes a design intent for the landscape scheme around the building including the boundaries of the site. The main amenity space for residents includes a patio area outside the Owners' Lounge, and landscaped garden. Ground floor flats have direct access into the garden, which is available for the use of all residents. Some upper floor apartments have balconies. In total there are 8 walk out balconies and 7 apartments with external patio spaces so 15 of the 32 apartments have their own defined external amenity space. All are able to enjoy the Owners' Lounge patio area.
- 4.16. The design includes provision of a buggy and cycle store and refuse store. The sizes of the amenity space and stores are based on extensive client experience of operating retirement developments of this type with a specific end user demographic.

5. Reviewing the Proposed Design Against the Policy

5.0. Overview

5.0.1. New Forest District Council have identified in their Decision Notice the specific policies which they contend the appeal design does not accord.

5.0.2. The reasons for refusal to which my evidence relates is as follows:

2. The proposed development is of a scale and mass that is considered to be inappropriate and out of keeping with the area resulting in an adverse impact on the character of the surrounding area and the existing character of the adjacent Conservation Area. In these respects the proposal is considered discordant with local plan policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy and saved policy DM1 of the Local Plan Part 2: Sites and Development Management.

5. The proposed development has insufficient outdoor amenity space. Such a lack of outdoor amenity space would fail to meet the reasonable amenity needs and may consequently adversely impact the health and wellbeing of future residents, contrary to the provisions of policy ENV3 of the Local Plan 2016-2036 Part One: Planning Strategy.

5.0.3. I will review these identified reasons for refusal in turn comparing the proposed design against the relevant policies. The design in relation to policy DM1: Heritage and Conservation will be reviewed by Mr. Paul White.

5.1. High Quality Design

- 5.1.1. As identified in section 3.1, the NPPF¹ states that “*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.*” (para. 126)
- 5.1.2. Local Plan Policy ENV3 Design Quality and Local Distinctiveness states that “*All development should achieve high quality design....*”
- 5.1.3. In order to assess the quality of the proposed design we need to consider what constitutes a ‘high quality design’ before we consider whether the proposed design meets these criteria.
- 5.1.4. The often quoted three pillars of design quality identified by first century Roman architect Vitruvius in his book ‘*De architectura*’ are *firmitas, utilitas, and venustas* or firmness, commodity, and delight. These identify durability, being fit for purpose and delight as being the essential components of good design.
- 5.1.5. The National Design Guide at paragraph 4 also refers to the three Vitruvian principles of Fit for Purpose, Durable and Delight as being ‘The long-standing, fundamental principles for good design’.
- 5.1.6. Local Plan Policy ENV3 Design Quality and Local Distinctiveness identifies ‘Functional’, ‘Appropriate’ and ‘Attractive’ as the first three criteria of the policy.
- 5.1.7. The NPPF¹ sets out in paragraph 130 six criteria that developments should meet:
- (a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - (b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - (c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 5.1.8. The National Design Guide⁵ (NDG) expands on this to identify ten characteristics that should be considered within a high-quality place when designed in practice; Context, Identity, Built Form, Movement, Nature, Public Spaces, Uses, Homes and Buildings, Resources, Lifespan.
- 5.1.9. The NDG⁵ seeks to guide all development types and scales and therefore while all the characteristics should be considered, some are more appropriate than others to any specific proposal. All interact to create an overall character of place and good design considers how a development proposal can contribute towards all of them.
- 5.1.10. High quality design needs to respond to more than the physical qualities identified in the NDG⁵. There are also requirements to achieve what is desired by the client, the end user and other stakeholders such as neighbours.
- 5.1.11. The designer needs to consider all health and safety aspects of the design and design out where possible any risks that may occur during construction, use or future demolition of the building. A high-quality design necessarily considers all of these aspects in accordance with Construction Design Management Regulations.
- 5.1.12. The client has a business model that requires a number of functional criteria (*'utilitas'*) to be met by the design of each development. These include for example level access and thresholds, the inclusion of appropriately sized car parks, refuse stores and buggy stores based on their long experience of operating similar developments, a specific mix of one and two bedroom apartments, all accommodation to be in a single building, specific flat, corridor, stair and lift designs, specific Owners' Lounge sizes based on the number of units, specific arrangement of the entrance sequence from main entrance past lodge manager's office and reception through owners' lounge in order to promote 'chance encounters' with other owners, a maximum of 50% internal kitchens, a maximum corridor length without change of direction of circa 30m, a mix of apartment

sizes on each frontage. Key functional criteria for the client were set out in the DAS³ on page 10 to aid the LPA in understanding the functional requirements of the design.

- 5.1.13. High quality design needs to balance the sometimes competing aesthetic, functional, commercial, and health and safety requirements of different parties to achieve firmness, commodity and delight.

5.2. Size and Position

- 5.2.1. An understanding of the site context, its surroundings and local character is key to a high-quality design response.
- 5.2.2. The Plan Policy ENV3⁴ Design quality and local distinctiveness states the following should be achieved in new development; *“Appropriate: sympathetic to its environment and context, respecting and enhancing local distinctiveness, character and identity;”*
- 5.2.3. The Plan Policy ENV3⁴ Design quality and local distinctiveness states the following will be required in new development; *“Create buildings, streets and spaces which are sympathetic to the environment and their context in terms of layout, landscape, scale, height, appearance and density and in relationship to adjoining buildings, spaces and landscape features;”*
- 5.2.4. NPPF¹ Paragraph 130 states that decisions should ensure that developments: *“(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); “*
- 5.2.5. NPPF¹ Paragraph 130 states that decisions should ensure that developments: *“(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; “*
- 5.2.6. The character of this area of Lymington is reviewed and summarised in the DAS section 2.7. Scale of buildings are broadly described in height and also in footprint.
- 5.2.7. The appeal site occupies a corner of Southampton Road, the principal route into Lymington from the north, and Queen Elizabeth Avenue. It is previously developed land and is in a sustainable location for residential development.
- 5.2.8. Approaching the centre of Lymington from the north the urban grain of development is coarse and suburban with larger houses on wide plots and relatively long front gardens. This abruptly changes south of Avenue Road where the urban grain of older housing nearer to the town centre is far finer, particularly on the south western side of the road, with dwellings occupying far narrower plots.

- 5.2.9. The site sits at this change of character within the town from the more suburban dwellings to the north to the more historic and urban terraces to the south. Adjacent buildings are larger footprint flatted developments. The existing former police station on the Site is a larger footprint building set within its plot.
- 5.2.10. The conservation area ends just to the south of the site, acknowledging the different character of the site.
- 5.2.11. The recent flatted developments of Buckland House (2009) and Farringford Court (Appeal decision APP/B1740/A/08/2079905 in 2008) show that densification of this location with apartment blocks is part of the recent character.
- 5.2.12. Whilst in urban design terms the context of the appeal site means that it would be equally acceptable for development on it to reflect the density of development to the north or south, government guidance including Section 11 of the NPPF seeks the effective use of housing land, and so a higher density of development reflecting that of adjacent flatted developments is the correct way to redevelop this site.
- 5.2.13. The proposal would be an 'L' shaped development with elevations facing both Southampton Road and Queen Elizabeth Avenue. Both elevations would be set back significantly from the highway, creating space for landscaping to the front. This would be in keeping with the layout of the existing building, Farringford Court and the houses on the eastern side of Southampton Road to the north of the appeal site.
- 5.2.14. The height of the proposal along both elevations is primarily three storeys in height with dormered accommodation in the roof. This steps down to two storeys along Queen Elizabeth Avenue. The proposal complements adjacent development along both roads at roof and eaves level. The height of the building and its eaves is not excessive.
- 5.2.15. The site context of this specific site was analysed by the applicant within the Design and Access Statement³ (DAS) on pages 13 to 22, with opportunities and constraints analysed on page 23.
- 5.2.16. The key context characteristics identified within the DAS³ of the site are;
- i. Typically, two or three-storey terraced, semi-detached or detached suburban dwellings with occasional larger footprint flatted developments (page 19).

- ii. Between the more urban and the more suburban, on larger plots often associated at corners of roads, larger developments of flats cluster around the junction of Southampton Road and Avenue Road.
 - iii. Larger plots or combined plots have recently been developed into blocks of flats, with the trend for recent development within this character area being densification.
 - iv. Buildings to the north are set back from the main road with front landscaping.
- 5.2.17. The wide nature of Southampton Road at this point allows a building of 3.5 storeys to sit comfortably in the street scene without dominating or overbearing.
- 5.2.18. The proposed design scale and massing is described in the DAS on page 32 to 34. It follows the character of the area in layout (a single footprint building larger than runs of suburban dwellings), scale (3.5 storey), mass (articulated in plan and elevation to similar lengths of nearby apartments). It is therefore in keeping with the character of the area.
- 5.2.19. ‘Living with Beauty’⁸, the report of the Building Better, Building Beautiful Commission (January 2020) advocates ‘gentle density’ (Policy Proposition 14 and see diagram page 99). This accords with NPPF¹ para 130(c).
- 5.2.20. Considering the scale and mass of adjacent buildings, and acknowledging that space in Lymington is ‘at a premium’ and there is an acknowledged shortfall of housing land supply, plus the existing buildings on site are larger than typical surrounding dwellings and already a different character to the greater context, overall, I consider that the proposed scale and mass are appropriate for this site. In terms of scale, mass and position (layout), I consider the proposed development is sympathetic to local character and history, including the surrounding built environment in terms of recent and continuing development of the character of its locality. The proposal would not be overly dominant, or an unduly prominent and incongruous feature in the Southampton Road streetscene, and into Queen Elizabeth Avenue.
- 5.2.21. The officer’s report² for the application also acknowledged that *“The proposed building, whilst larger than the existing buildings it would replace, is considered to be of a generally appropriate scale, mass and design within the context of the application site and surrounding area, and to propose appropriate external facing materials and finishes. In terms of form, the proposed building carries through a comparable eaves and roof height to that of the modern apartment building (Buckland House) situated to the*

immediate south. The proposed building is wider in form than the adjoining apartments, however this is considered commensurate with the larger plot size of the application site.

The scale and mass of the proposed building are mitigated by the principal facing elevations being set away from the roadside boundaries of Southampton Road and Queen Elizabeth Avenue, and are further mitigated in terms of the visual impact of the proposal on the surrounding area by reason of the retained mature trees along the length of the eastern boundary with Southampton Road and partially along the northern boundary with Queen Elizabeth Avenue.” (page 10)

5.3. **Overall Appearance**

- 5.3.1. The proposed materials and detailing are discussed in the DAS³ in Section 4.4 and 4.5 on pages 35 to 37.
- 5.3.2. The proposed materials are drawn from the articulation of surrounding buildings (DAS page 37), and are contextually appropriate, and used to correspond with the conceptual design of the building being an interpretation of the existing former police building with reference to traditional local elements of design.
- 5.3.3. The final proposed material selection has been clearly set out in the DAS and I understand as this is not identified as an issue in the reasons for refusal that this is not in dispute.

5.4. **External Amenity Space**

- 5.4.1. The officer's report² has a section on Residential Amenity (page 12). This describes separation distances, overlooking etc and does not mention anywhere that there is a lack of residential amenity.
- 5.4.2. The reason for refusal relating to residential amenity was only raised after the second planning committee meeting and never raised with the applicant through the planning application process.
- 5.4.3. The requirements for residential amenity space for this specific demographic are described in the DAS at section 6.7 (page 55).

- 5.4.4. The provision of amenity space is in line with the quantum and quality permitted at similar recent developments in Lymington at **Farringford Court** (08/92050 | 42 assisted living flats; staff accommodation; communal facilities; parking; landscaping | 46, 46a, & 48 SOUTHAMPTON ROAD & 1 AVENUE ROAD, LYMINGTON SO41 9GP), **Knights Lodge** (16/10886 | One two/three/four-storey block of 41 retirement flats including communal facilities, access; parking; landscaping; demolition of existing | SOLENT WORKS, NORTH CLOSE, LYMINGTON SO41 9BU) and **Stanford Hill** (20/10481 | Demolition of existing buildings and the erection of 44 sheltered apartments for the elderly with associated access, mobility scooter store, refuse bin store, landscaping and 34 parking spaces. | SITE OF THE RISE AND THREE NEIGHBOURING PROPERTIES, STANFORD HILL, LYMINGTON SO41 8DE).
- 5.4.5. Comparative site plans are included in the brochure at section 06. These show that the percentage of available amenity space compared to the site area for the proposed scheme is 38%. This is comparable to similar developments in Lymington at Knights Lodge (39%), Farringford Court (44%) and Stanford Hill (44%), and in the local area CRL developments at Ringwood (41%) and Hythe (34.3%). The Churchill Retirement completed scheme at Hythe was for 43 units.
- 5.4.6. The landscape amenity of Churchill Retirement lodges is well designed, planted and maintained and the precedent examples within the brochure show that this will be a vibrant and attractive part of the proposal. Visual amenity is more important than physical size for the residents of these type of developments. The design provides appropriate garden space for residents to use for relaxation, sunshine and fresh air, as well as well considered planting and landscaping.

5.5. Review of Proposed Design compared to requirements of NPPF¹ Paragraph 130

- 5.5.1. ***(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*** The design is based on the appellant's 27 years of experience of similar developments and the location and arrangement proposed in the appellant's experience will function well over the lifetime of the development. The existing site building is vacant. The proposed highly insulated apartments and high-quality external landscaping will add to both the overall quality and biodiversity of the context. The careful selection of appropriate durable materials which will weather well and require minimal maintenance means that this quality will be appreciated for the long term. The proposed service charge also covers ongoing maintenance of the building and landscaping.

- 5.5.2. ***(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*** High quality design of the architecture and landscaping responds to the criteria identified in 5.1, responding to site and brief constraints and opportunities. The landscaping will be effective for both residents' needs and contribute to biodiversity and visual amenity to passers-by. The architecture is visually attractive as demonstrated in the elevations and Visually Verifiable Montages prepared for this appeal and presented in Section 05 of the Brochure. The architecture is in keeping with the character areas within which it sits and is adjacent to. The proposal is an enhancement compared to the current site.
- 5.5.3. ***(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*** The proposal increases the density of the site by taking the opportunity to efficiently use a brownfield site to provide much needed specialist retirement housing. The design responds to the detailed context analysis as set out in the DAS³. The design is entirely appropriate to the residential character of the context, and the character of increased density apartments between suburban detached and semi-detached dwellings.
- 5.5.4. ***(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*** The appellant's contextual analysis identified this site as being between the suburban character to the north and more urban townscape character to the south, but related to larger plot sizes typically associated with apartment buildings around the junction with Avenue Road. The proposed design addresses both Southampton Road and Queen Elizabeth Avenue to create a distinctive place. Materials are drawn from the existing building and immediate context.
- 5.5.5. ***(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks;*** The density of the site has been increased by the proposed accommodation which is optimised to fit in with the context in scale whilst maximising the efficient use of this brown field site. The single use is necessary for this type of accommodation and a contribution to offsite affordable housing will be made. The proposal will provide a number of new residents to support local facilities and the

location close to local shops and a bus stop means it is inherently well connected to local facilities and transport networks.

- 5.5.6. ***(f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users ; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience;*** The proposal is designed to be safe for residents and minimise the opportunity for crime and disorder as described in section 6.3 of the DAS³ (page 51). The proposed development will retain and reinforce the boundary planting to the east and north of the site and building access will be limited via a main entrance for residents and visitors. The provision of apartments with multiple windows provides passive surveillance in all directions which is a deterrent to crime. The access to the building is controlled by security systems and passively monitored by the lodge manager with their office and the reception close to the main entrance. The proposed design provides a high standard of appropriate amenity space for future end users including a patio and communal garden. The design is for an older demographic and inclusive and accessible design is therefore at the heart. All access is level, and a central lift is provided for circulation. Apartments are designed with generous circulation spaces, and all have a central communication system for getting help if required.
- 5.5.7. The proposed design therefore positively responds to all aspects of paragraph 130 of the NPPF¹ and is high quality.

5.6. **Review of Proposed Design compared to requirements of NPPF Paragraph 132**

- 5.6.1. The NPPF¹ says that “*Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot*”.(paragraph 132)
- 5.6.2. Prior to application a public consultation was held online between 04th and 18th December 2020. Planning Issues invited 170 neighbouring residents, owners, local councillors and interest groups to leave comments. 26 responses (15.29% response rate) were received in total, demonstrating limited public interest in the proposals. The views expressed were summarised within the Statement of Community Involvement submitted with the application.

- 5.6.3. The main design concern raised from respondents was the height of the building. The proposed development has been redesigned to a more traditional building reducing the overall height by incorporating the fourth floor into the roof space.

5.7. **Review of Proposed Design compared to requirements of New Forest Local Plan Policy ENV03**

- 5.7.1. ***Create buildings, streets and spaces which are sympathetic to the environment and their context in terms of layout, landscape, scale, height, appearance and density and in relationship to adjoining buildings, spaces and landscape features;*** As identified in section 5.2 the context of the proposal has been assessed in detail and as described in the DAS section 4 the design has been developed to respond appropriately to the context in terms of layout, landscape, scale, height, appearance and density. This was concurred with by the case officer in their recommendation for approval of the design at committee.
- 5.7.2. ***Avoid unacceptable effects by reason of visual intrusion or overbearing impact, overlooking, shading, noise and light pollution or other adverse impacts on local character or residential amenity;*** The has carefully been arranged to avoid any unacceptable effects on local character or neighbouring residential amenity. In the case officer report this is accepted as being the case in relation to both Buckland House and the Old Police House as the two nearest neighbours. Other neighbours are at a sufficient distance so as not to be affected. The building also is set well back behind a line of mature trees and as such avoids adverse impact on the local character.
- 5.7.3. ***Create buildings, streets and spaces which are accessible to those with disabilities or of reduced mobility, that are safe and easy to navigate, and that minimise opportunities for anti-social and criminal behaviour or other public threats;*** The target demographic end user is by definition more likely to be of reduced mobility and more likely to have concerns about safety and security. The DAS explains the design features that address this in sections 6.3, and section 1.
- 5.7.4. ***Integrate sufficient car and cycle parking spaces so that realistic needs are met in a manner that is not prejudicial to the character and quality of the street, highway safety, emergency or service access or to pedestrian convenience and comfort;*** The proposal provides car, mobility scooter and cycle provision for future residents. An amended car park layout has been provided to enable better turning of emergency vehicles on site.
- 5.7.5. ***Incorporate design measures that improve resource efficiency and climate change resilience and reduce environmental impacts wherever they are appropriate and capable of being effective, such as greywater recycling and natural heating and***

cooling, and the use of Sustainable Drainage Systems (SuDS); As described in the DAS at section 6.4 and 6.6 sustainability measures are integrated into the design and specification.

5.7.6. **Provide appropriately designed green spaces including sufficient planting and where applicable: provision for play, sports and natural green spaces for recreational mitigation;** As identified in section 5.4 the external amenity space has been carefully designed to offer quality over quantity for the appropriate use and enjoyment of the end user. Refer also to the DAS section 6.7. Provision for play and sport are not appropriate on site in this case.

5.7.7. **Enhance the sense of place by ensuring that buildings, streets and spaces are attractive to look at through good architecture, landscape and street design;** Refer to the independently prepared Verified Visual Montages and Elevations.

5.7.8. Overall, we meet the objectives of Policy ENV03.

5.8. **Review of Proposed Design compared to requirements of Lymington Local Distinctiveness SPD**

5.8.1. The Lymington Local Distinctiveness SPD document shows the Lymington Character Areas map between pages 28 and 29. The site is shown within character area 1 'Town Centre'. The junction between Southampton Road and Queen Elizabeth Avenue is the boundary between three character areas; '1 Town Centre' to the south-east, '2 Lower Buckland' to the north-east and '7 Yaldhurst Purlieu' to the west. This is clearly a site at the fringes of several character areas.

5.8.2. The Site does not appear on the Character Area 1: Town Centre map between pages 50 and 51 of the SPD.

5.8.3. The Site is located in character area 1 Town Centre, with the site in the sub area of 'Southampton Road and Six Acres'.

5.8.4. The locale of the Site is referred to in clause 4.1.27; *"Recent building maintains a reasonable transition, respecting this building line and the rhythms these set up even where a deeper footprint and greater mass has (somewhat controversially) stepped over Avenue Road to extend the urban centre onto its north side"*.

5.8.5. As described above recent flatted developments are described as maintaining 'a reasonable transition' between the character areas.

5.8.6. As described in the DAS, the proposed design follows the key issues identified in the SPD for character area 1, namely plot width, set-back, front boundary, topography,

green infrastructure, trees, gardens, massing, spatial setting, rhythms, patterns and consistency in features and details, materials, site coverage and density.

- 5.8.7. The SPD notes that in the Town Centre density “should be fairly high” (page 50).
- 5.8.8. The SPD notes that in the Town Centre site coverage “will usually be fairly intense” (page 50).
- 5.8.9. The SPD notes that the use of traditional materials will need to be considered (page 50).
- 5.8.10. As described in the DAS, the proposed design follows the key issues identified in the SPD at Section 3 Lymington and Pennington – guidance for whole settlement.

6.1. **Executive Summary and Conclusion**

- 6.2. Paragraph 126 of the NPPF¹ states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve.
- 6.3. Paragraph 134 of the NPPF¹ states that permission should be refused for development that is not well designed.
- 6.4. The existing site and buildings are vacant brownfield development and do not contribute favourably to the context. They have limited value in terms of the character of the area.
- 6.5. The site is adjacent to residential development on all sides.
- 6.6. A careful site analysis has identified the character of the context as two to three storey terraces, semi-detached, and detached houses interspersed with larger plots on which sit larger single footprint apartment developments. It has also identified opportunities for the site.
- 6.7. The proposed design has taken the site specific context of the townscape as its starting point and responds to this with an appropriate proposal to meet the requirements of the applicant’s brief and sit comfortably in the local context of the site with a durable simple design.
- 6.8. In terms of mass and scale the proposed design is a densification of the site which is efficient use of brownfield land as required by National Design Guide paragraph 65 and in line with the

character area identified in the Lymington Local Distinctiveness SPD. The mass scale and bulk have all been carefully considered in relation to the context and the proposed design is in accordance with the characteristics of the area.

- 6.9. In terms of layout, the proposed building is set back from the road frontages and screened by mature existing planting.
- 6.10. Overall, its scale and mass within the plot would not in my view appear overly or disproportionately bulky or discordant given the location.
- 6.11. The design has been developed in accordance with what constitutes 'High Quality Design' in terms of policy and guidance.
- 6.12. The building layout and form follow the function of the proposed building. This has been honed over a period of 27 years by the applicant's experience in developments of this type. The general knowledge gained in what works and does not work for the end user for these types of developments has fed into the site specific design of the appeal proposal. This is the 'functional' or '*utilitas*' part of a high-quality design. This aligns with the desire of ENV3 for '*Functional: well connected to surrounding uses, and logically laid out so that different elements work well together in a manner that is safe to access, easy to navigate, convenient to use and that makes effective use of both developed land and open spaces.*'
- 6.13. The proposed scheme takes the opportunity to follow the pattern of development in this area and, with the use of appropriate materials, form and scale to strengthen and improve the character and quality of the area. The carefully considered traditional architecture would add delight, '*venustas*', to the setting and is a high-quality design. This aligns with the desire of ENV3 for '*Attractive: visually appealing and enjoyable to be in*'.
- 6.14. The materials chosen for building and landscape are both appropriate for the context and also durable for the future. The appellant continues to have an interest in the development in the long term and therefore it is important that materials last and are easy to maintain. The design is durable or '*finitas*' and as such is a high-quality design.

- 6.15. Taking into consideration the detailed assessment in Section 5 of this document, in my opinion the proposed design of building and landscaping would make a positive contribution to the townscape, enhancing positive qualities and improving existing negative ones. The National Design Guide defines the three pillars of high-quality design as Fit for Purpose, Durable and Delight (para. 4). In my opinion the proposal is a high-quality design that meets these criteria, sits well within and positively contributes towards its context and meets the needs of its future occupiers.
- 6.16. Taking into consideration the relevant design policy documentation reviewed in Section 3, it is my opinion that the proposal complies with the intent of these to ensure high quality building and place design that would enhance the character of the area. This applies to local policies, the NPPF¹ and National Design Guide (see Appendix A and B of the DAS for full comparison of NDG and BfHL requirements against the design).
- 6.17. For all of the above reasons, I do not consider that the planning application should have been refused on design grounds and I would therefore respectfully ask the Inspector to allow the Appeal, and grant planning permission.

Bibliography

1. **National Planning Policy Framework (NPPF), (July 2021)**
2. **Planning Committee Report (08th December 2021)**
3. **Churchill Retirement Living Ltd. & Planning Issues, Design and Access Statement (DAS)**
4. **New Forest District Council Local Plan 2016-2036 Part One: Planning Strategy**
5. **National Design Guide (NDG), (January 2021)**
6. **Building for a Healthy Life (BfHL), (June 2020)**
7. **Living with Beauty (January 2020)**