



For office use only
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<b>REP 26 / 2</b>

# Gosport Local Plan 2011-2029 Publication Version Response Form

Town and Country Planning (Local planning)(England) Regulations 2012 Regulation 19 Consultation

**Data Protection**

Gosport Borough Council is registered under the Data Protection Act 1998. The information that you provide in completing this form will only be used by the Council in the development of the Gosport Local Plan 2011-2029. Please note that the completed form is a public document and as such will be made available for inspection and placed on the Council's website (personal details other than name of organisation/individual will be removed from version published on internet) and kept as part of the supporting documentation relating to the Local Plan.

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Gosport Borough Local Plan 2011-2029 publication version document is available to view on the Gosport Borough Council's website: [www.gosport.gov.uk/localplan2029](http://www.gosport.gov.uk/localplan2029)

If you would like to discuss any element of the consultation documents further then please contact/telephone Planning Policy **023 9254 5228**

Print or Save as a copy of this form for your records  

**All comments and completed forms should be returned by  
22nd September 2014**

Completed forms can be submitted here 

or emailed to [planning.policy@gosport.gov.uk](mailto:planning.policy@gosport.gov.uk) or by post to

If you would like to make another representation on the GBC Local Plan 2011 - 2029 Publication Version, please click the Save as button to save the current representation or Submit.

You may then use the Clear form button to start a new representation.



Planning Policy Gosport Borough  
Council Town Hall  
High Street  
Gosport  
Hampshire  
PO12 1EB

Paper copies of the response form are available from the council's website, in the libraries and at the Town Hall (3rd floor reception)

Comments will be considered by an inspector approved by the Secretary of State who will hold an examination into the local plan in terms of its legal compliance and 'Soundness'.

Further information on these terms is contained in the [Council's Guidance Notes](#) for making representations. Comments should focus on matters of soundness. These are defined in the National Planning Policy Framework and are reproduced below.

**Positively prepared** - the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;

**Justified** - the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;

**Effective** - the plan should be deliverable over its period and based on effective joint working on cross boundary strategic priorities; and

**Consistent with National policy** - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

1. To which part of the Local Plan does this representation relate?

Chapter	<input type="text"/>	Paragraph	<input type="text"/>	Policy	<input type="text" value="LP34"/>
Policies	<input type="text"/>				
Map					

If you would like to make further comments on the GBC Local Plan 2011 - 2029 Publication Version, please use a separate form for each representation you wish to make.

2. Please indicate under what grounds you wish to submit your representation

- 2a Support  
*(if you have entered Support, please continue to Q8.*
- 2b Not Legally Compliant
- 2c Not Sound

3. If you consider the Local Plan is not sound, please identify which tests of soundness your response relates?

- 3a Positively prepared
- 3b Justified
- 3c Effective
- 3d Consistent with National Policy

4. Please give details of why you consider the Local Plan is not legally compliant or not sound?  
(please be as precise as possible)

Thank you for the opportunity to comment on the consultation papers for the aforementioned document. As the market leader in the provision of sheltered housing for sale to the elderly, McCarthy and Stone Retirement Lifestyles Ltd considers that with its extensive experience in providing development of this nature it is well placed to provide informed comments on the Gosport Borough Council Local Draft Strategy Development Document insofar as it affects or relates to housing for the elderly.

In our previous representation to the Draft Local Plan (February 2013) we raised concerns over the potential impact of Policy LP34: Provision of New Open Space & Improvements to Existing Open Space which stipulated a requirement for developments of 50 dwellings or more on-site provision of public open space including a 'local park' will be required to a standard of 1.7 ha per 1,000 people and that this open space should be provided to the Borough Council's 'Good' Standard. Developer contributions should also include provision for the long term management of the open space.

The requirement for an on-site local park has been retained in Policy LP34 of the Publication Draft Local Plan.

My Client was previously concerned that the requirement for on-site provision of public open space will be applied to specialist accommodation for the elderly. Whilst the majority of retirement / sheltered housing developments fall below the 50 unit threshold cited, Assisted Living (Extra Care) developments regularly comprise of 50 or more dwellings, as a critical mass of residents is required to maintain the enhanced facilities and services offered in these developments.

The Community Infrastructure Levy Regulations give the former Circular 5/05 Planning Obligations tests legal force and places the onus on the Council to justify that developer contributions are necessary and directly related in scale and kind to the proposed development. The elderly and in particular the frail elderly do not require the same levels of provision as the general populace with certain types of open space such as children's play areas not required at all. We therefore consider that Policy LP34 to be contrary Planning Obligations test.

We note that the Council has clarified that the provision of an on-site local park will be limited to residential development in (Use Class C3) in the wording of Policy LP34. This will exempt residential institutions such as Extra Care accommodation from this requirement and we support this amendment to the wording of the policy accordingly.

Whilst the majority of retirement / sheltered housing schemes fall below the 50 unit threshold cited, there may be instances where a larger development of this type could be appropriate. Under the current wording of the current policy these developments would be required to provide an on-site local park. Whilst we would consider that the provision of or contributions towards, public open space is not an inappropriate or unrelated developer contribution to seek from sheltered / retirement housing of this scale, it is unreasonable to expect development aimed at the elderly to provide such contributions at the same rate as family housing. Whilst there is some flexibility built into the Policy notably in sub-clause b) the wording of the policy makes very little distinction between the different forms of housing development.

5. Please set out what change(s) you consider necessary to make the Local Plan legally compliant or sound, with reference to the answer you have identified in Q3.  
You will need to say why this change will make the Local Plan sound.

The wording of Policy LP34: Provision of New Open Space & Improvements to Existing Open Space should be amended to reflect that different forms of residential development, and in particular housing aimed at the elderly, can generate a lesser impact on existing green infrastructure and that open space contributions will be sought at a scale that is related to the development.

We therefore request that greater flexibility is built into the wording of Policy LP34. We respectfully request the following wording:

b) in particular circumstances, such as lower impact forms of housing such as sheltered accommodation, off-site provision may be considered appropriate for sites of 50 dwellings or more provided a financial contribution is secured through a Section 106 agreement. Contributions will be directly related in scale and in kind to the proposed development to reflect the impact the development has on existing green infrastructure. Such funds will be used to improve an existing facility normally within 800 metres of the development site to achieve the Council's 'Good' quality standard;

6. If your representation is seeking a change, can your representation be considered by written representations or do you consider it necessary to participate at the oral part of the Examination?

No I do not wish to participate in the examination hearings

Yes I do wish to participate in the examination hearings

7. If you wish to participate, please outline why you consider it necessary.  
*(please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination)*

8. If you wish to support the legal compliance or soundness of the Local Plan please use the space below to provide detailed comments.

9. Do you wish to be notified at the address/email stated on page 1 of any of the following:

*please tick*

a. That the Local Plan has been submitted for independent examination

b. The Inspector's report has been published

c. The adoption of the Local Plan

Thank you for filling in this form please return to Page 1 to Submit and/or make another representation

