



FINAL STATEMENT OF COMMON GROUND

SITE: Land East of Lidl, Christy's Lane, Shaftesbury, Dorset,

SP7 8TL

**CHURCHILL RETIREMENT LIVING
CHURCHILL HOUSE
PARKSIDE
RINGWOOD
BH24 3SG**

APRIL 2024

TOWN & COUNTRY PLANNING ACT 1990

APPEAL BY CHURCHILL RETIREMENT LIVING LTD AGAINST DORSET COUNCIL'S FAILURE TO DETERMINE AN APPLICATION FOR REDEVELOPMENT TO FORM 41 RETIREMENT LIVING APARTMENTS FOR OLDER PERSONS WITH ASSOCIATED COMMUNAL FACILITIES, PARKING AND LANDSCAPING.

SITE AT: LAND EAST OF LIDL, CHRISTY'S LANE, SHAFTESBURY, DORSET, SP7 8TL

LPA REF: P/FUL/2023/05051

PLANNING INSPECTORATE REF: APP/D1265/W/24/3337301

PLANNING INQUIRY DATE: 1st-2nd May 2024

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APPENDIX A - Agreed suggested conditions

1.0 INTRODUCTION

- 1.1 This draft Statement of Common Ground has been prepared by the Appellant but the final document will be produced jointly by the Council and the Appellant. The purpose of the Statement will be to set out as much of the agreed factual information about the proposal as is possible.

2.0 APPEAL PROPOSAL

Appeal Site Description

- 2.1 The 0.25ha site comprises of the vacant land, formerly used as the Shaftesbury Cattle Market. The Cattle Market ceased operation in January 2019 and was subsequently demolished later in 2019.
- 2.2 The site is located along Christy's Lane, a bypass situated west of Shaftesbury town centre. The site falls within a mixed-use area which is currently undergoing wider redevelopment and regeneration. The surrounding uses include Tesco's to the west and residential housing to the east. The town centre lies some c300m to the west. To the northwest is Lidl and its associated car parking, and north of the site is predominately characterised by industrial and residential uses.
- 2.3 Since the demolition of the Cattle Market, the wide site has been development with Lidl having built a store to the west of this application site which opened in 2021. Further details regarding the site can be found in the design and access statement submitted with the application.

Description of Development

- 2.4 The scheme subject to this appeal is to erect 41 no. Retirement Living apartments for older persons including communal facilities and associated car parking and landscaping.

Application subject of this Appeal

- 2.5 The application was submitted on 25th August 2023 and validated on 13th September 2023. This appeal is against the Council's failure to determine the application within the statutory time period.

Relevant Planning History

- 2.6 In March 2019, the application for the demolition of the former Cattle Market was approved under planning reference 2/2019/0209/DEM. There is no further specific history on the application site.

- 2.7 In May 2020, an application was approved for the ‘Erection of retail food store (Class A1), formation of vehicular and pedestrian access, car parking, landscaping and engineering works’ (P/FUL/2020/00008).
- 2.8 Following the submission of the application the Council issued a provisional tree preservation order (TPO/2023/0071) on 9 trees to the site frontage.

Undetermined Drawings

- 2.9 The Council failed to determine the application but the plans listed below for 41 Retirement Living apartments were those submitted by the Appellant and were before the Council for determination and are the subject of this appeal.

Plan	Drawing Ref No.
Site Location Plan	10127SB - PA00 Rev A
Site Plan	10127SB - PA01 Rev A
Ground Floor Plan	10127SB - PA02 Rev A
First Floor Plan	10127SB - PA03 Rev A
Second Floor Plan	10127SB - PA04 Rev A
Roof Plan	10127SB - PA05
Elevation Sheet 1	10127SB - PA06
Elevation Sheet 2	10127SB - PA07
Elevation Sheet 3	10127SB - PA08

- 2.10 The application was also included the following accompanying statements and information:

- Design and Access Statement by Planning Issues
- Planning Statement by Planning Issues
- Flood Risk and Drainage Assessment by Awcock Ward Partnerships
- Transport Statement by Paul Basham Associates
- Landscaping Strategy by James Blake Associates
- Ecological Assessment by Tetra Tech
- Heritage Statement by Ecus Consultants
- Affordable Housing Viability Assessment by Planning Issues
- Statement of Community Involvement by Devcomm
- Tree Protection Plan, Arboricultural Method Statement and Manual for Managing Trees on Development Sites by Barrell Tree Care
- Energy Statement by Focus Consultants

2.11 In addition the following documents were submitted during the course of the application:

- Biodiversity Plan Application Form by Tetra Tech
- Noise Impact Assessment by 24 Acoustics
- Transport Letter (11th October 2023) by Paul Basham Associates
- Tree Rebuttal Statement (2nd November 2023) by Barrell Tree Care

RELEVANT POLICY GUIDANCE

2.12 It is agreed that the following are the relevant policy/guidance considerations in respect of this Appeal:

National Planning Policy

The National Planning Policy Framework (NPPF) (2023)

2.13 The following sections are considered to be relevant to this appeal;

Section 2 - Achieving Sustainable Development

Section 4 - Decision-making

Section 5 - Delivering a sufficient supply of homes

Section 8 - Promoting healthy and safe communities

Section 9 - Promoting Sustainable Transport

Section 11 - Making Effective use of Land

Section 12 - Achieving well-designed and beautiful places

National Planning Practice Guidance (NPPG) 2019

It is considered that the following sections are relevant to this appeal:

- Effective Use of Land
- Design
- Housing for Older and Disabled People
- Viability

Development Plan Policy

North Dorset Local Plan Part 1 (2016)

- Policy 1 – Presumption in Favour of Sustainable Development
- Policy 2 – Core Spatial Strategy
- Policy 3 – Climate Change
- Policy 4 – The Natural Environment
- Policy 6 – Housing Distribution
- Policy 7 – Delivering Homes

- Policy 8 – Affordable Housing
- Policy 11 – The Economy
- Policy 13 – Grey Infrastructure
- Policy 14 – Social Infrastructure
- Policy 15 – Green Infrastructure
- Policy 18 – Shaftesbury
- Policy 23 – Parking
- Policy 24 – Design
- Policy 25 – Amenity

Shaftesbury Neighbourhood Plan (2021)

- Policy SFTC1 – Town Centre
- Policy SFTC4 – Parking
- Policy SFHE2 – Housing
- Policy SFGI1 – Important Treed Areas
- Policy SFGI3 – Green Infrastructure
- Policy SFDH1 to 7 – Design

In addition to the above the Government has published a consultation document ‘Strengthening planning policy for Brownfield development’ in February 2024 which is capable of being a material planning consideration.

THIRD PARTY REPRESENTATIONS

2.14 A total of 2 third party representations were received during the course of the application subject of the appeal.

2.15 Objections were also received by Shaftesbury Town Council, as well as two of the neighbouring parish councils: Motcombe Parish Council and Melbury & Cann Parish Council.

2.16 With regards to the statutory consultee objections and third-party representations, the parties agree the following:

Shaftesbury Town Council

- Since the consultation response was received, the parties have agreed to a maximum viable financial contribution for off-site affordable housing. A draft legal agreement has been prepared to secure this and includes clauses that would ensure it addresses the needs of local community. Whilst the mix of housing proposed would not ‘avoid’ being one type, both the Neighbourhood Plan and Local Plan recognise the increasingly aging population of the area and include policies that support the provision of specialist accommodation for older persons.

- The design of the scheme is not in dispute. In the context of the area, the design would be acceptable and comply with development plan policies.
- The location of the site would not significantly adversely affect the amenity or be harmful to the health of future occupiers by virtue of car exhaust emissions.
- The scheme has been designed to retain and protect trees along Christy's Lane in accordance with a Tree Protection Plan. The beech trees are otherwise protected by a Tree Preservation Order.
- No objections have been raised by the Highway Authority with regards to the provision of parking for the development. The proposed provision is consistent with other similar specialist accommodation for older persons.
- It would not be viable and necessary to secure financial contributions for other infrastructure obligations identified in this instance.

Motcombe Parish Council

- No objections have been raised by the Highway Authority with regards to the provision of parking for the development. The proposed provision is consistent with other similar specialist accommodation for older persons.

Melbury Abbas & Cann Parish Council

- The site is part of a wider allocation for mixed-use development, which can include housing. It is recognised that car parks adjoin to the northwest and south west of the site but the site is not considered inappropriate for housing.
- The site is located within the Town Centre of Shaftesbury and within close proximity to the range of services and facilities on offer within the town.
- No objections have been raised by the Highway Authority with regards to the provision of parking for the development. The proposed provision is consistent with other similar specialist accommodation for older persons.

Collins representation

- The site is allocated for mixed-use development, which can include housing. The site is located within the Town Centre of Shaftesbury and within close proximity to the range of services and facilities on offer within the town.

Wilson representation

- The site is located within the Town Centre of Shaftesbury and within close proximity to the range of services and facilities on offer within the town.
- The site is not allocated for a specific housing type or group.

ISSUES TO BE ADDRESSED WITH THE APPEAL SCHEME

2.17 Following receipt of the Council's Statement of Case it can be seen that had the Council been able to determine the application, they would have refused planning permission for the following reason:

1. In absence of a completed S106 agreement to secure policy compliant affordable housing the proposal would be contrary to Policy 8 of the adopted North Dorset Local Plan Part 1 2016 and Paragraphs 55, 57, and 58 of the National Planning Policy Framework 2023.

2.18 In light of the Council's reason for refusal the parties have been discussing the development viability of the proposed scheme and the provision of affordable housing with the assistance of viability consultants. The parties have reached an agreement on the viability of the proposed scheme and the Appellant will provide to the Appeal Inquiry a unilateral undertaking for the agreed sum of £214,370. Please see the Viability Statement of Common Ground has been produced by the parties setting out the details of the agreement reached.

2.19 The parties agree that with the provision of a completed legal agreement the proposed scheme complies with the development plan for the area (North Dorset Local Part 1 and Shaftesbury Neighbourhood Plan) and planning permission should be granted.

CONDITIONS

2.20 Should the Inspector be minded to allow this Appeal it would be appropriate to consider necessary conditions. A list of suggested conditions has been reviewed following the case management conference and is attached to this statement at Appendix A.

AGREED ISSUES

3.0 The issues set out below are those that are considered can be agreed between the parties.

Principle of Development

- 3.1. There is no objection to the residential redevelopment of the site and it complies with policies 2, 11, 12 & 18 of the North Dorset Local Plan Part 1 and Policy SFTC1 of the Shaftesbury Neighbourhood Plan.
- 3.2. There is no objection to the principle of redeveloping the site for specialist accommodation for older people.

Specialist Older Persons Accommodation

- 3.3 National Planning Policy Guidance (June 2019) identifies that the need to provide housing for older people is 'critical', and that 'Plan-making authorities should set out clear policies to address the housing needs of groups with particular needs such as older and disabled people. These policies can set out how the plan-making authority will consider proposals for the different types of housing that these groups are likely to require.
- 3.4 National Planning Policy Guidance identifies at Paragraph 16 under housing for older and disabled people that 'where there is an identified unmet need for specialist housing, local authorities should take a positive approach to schemes that propose to address this need.
- 3.5 The Council's Housing Needs Assessment (2022) identifies that there is an estimated requirement for 4,422 additional specialist older persons accommodation across the County by 2038.

Development Viability and Affordable Housing

- 3.6 The Dorset and BCP Local Housing Needs Assessment (2021) indicates that in North Dorset that there is an estimated annual need of 144 units per annum for social/affordable rented housing.
- 3.7 Given the specialised nature of the older persons accommodation proposed it is considered appropriate that an off-site financial contribution in lieu of on-site provision is made.
- 3.8 The parties agree that the sum of £214,370, is the maximum level of provision achievable from the proposed scheme. Reasoning and explanation as to how the sum has been agreed is detailed in the separate Viability Statement of Common Ground.

- 3.9 It is agreed that the completion of a legal agreement to secure the financial contribution of £214,370 would comply fully with Policy 8 of the Adopted North Dorset Local Plan Part 1 2016.
- 3.10 The parties agree that Policy 8 of the Adopted North Dorset Local Plan Part 1 2016 allows development viability to be considered. In instances where development viability can be demonstrated to justify a lower level than the target percentages a planning obligation will be sought to achieve the 'maximum' level of provision achievable at the time of the assessment. The development viability of the proposed scheme has been assessed by an independent consultant and it is agreed the secured sum is the 'maximum' level achievable. Accordingly, the proposed sum is fully compliant with Policy 8 of the Adopted North Dorset Local Plan Part 1.

Other obligations

- 3.11 Policies 13, 14 and 15 of the North Dorset Local Plan Part 1 seek planning obligations to infrastructure subject to meeting the tests of Reg 122 of the Community Infrastructure Levy Regulations 2010. It is agreed that Policy 8 of the Local Plan allows the maximum amount of affordable housing to be sought and given the pressing district-wide need for affordable housing, it is agreed that it is most important to direct the maximum sum of £214,370 towards affordable housing.
- 3.12 In light of such it is agreed that other planning infrastructure contributions sought by Policies 13, 14 and 15 are not necessary to make the development acceptable. If the planning obligations sought by Policies 13, 14 and 15 were considered to meet the statutory tests of Reg 122 of the Community Infrastructure Levy 2010 then the absence of an agreement to secure such obligations should not be given more than very limited weight and would not outweigh the material planning benefits listed below.

Design

- 3.13 It is agreed that the proposed design is acceptable and complies with Policy 24 of the North Dorset Local Plan Part 1, Policies SFDH1-7 of the Shaftesbury Neighbourhood Plan, and Section 12 of the NPPF.

Highways

- 3.14 It is agreed that the proposed development would not result in an unacceptable impact on highway safety and the proposal complies with Paragraph 115 of the NPPF.
- 3.15 It is agreed that the proposal provides sufficient car parking spaces to meet the needs of the development and would not result in an unacceptable impact to highway

safety and complies with Policy 23 of the North Dorset Local Plan Part 1 and Policy SFDH5 of the Shaftesbury Neighbourhood Plan.

Trees

- 3.16 The parties agree that the proposal does not cause harm to proposed retained trees on the site.

Biodiversity

- 3.17 It is agreed that subject to a condition providing a biodiversity plan that the proposed development would not cause any harm to biodiversity from the site.

Residential Amenity

- 3.18 It is agreed that the proposed scheme would not cause harm to the residential amenities of neighbouring residents or future residents of the proposed development and complies with Policy 25 of the North Dorset Local Plan Part 1.

Housing land supply

- 3.19 It is agreed by both parties that, by virtue of the emerging Dorset Council Local Plan reaching Regulation 18 stage in January 2021, the Council is required to demonstrate a minimum of four years' worth of deliverable housing sites, in accordance with paragraphs 77 and 226 of the NPPF (December 2023).
- 3.20 It is agreed by both parties that the government's published 2022 result for the North Dorset Housing Delivery Test (HDT) is 75%.
- 3.21 It is agreed by both parties that the Council can currently demonstrate 5.02 years supply of deliverable housing sites (which includes the 20% buffer applied as a consequence of the 2022 HDT result) and that this is greater than the minimum four year requirement.
- 3.22 It is agreed by both parties that, in light of points 1, 2 and 3 above, the policies which are most important for determining the application are not out of date and the 'presumption' under paragraph 11d of the NPPF does not apply.

Material Planning Benefits

- 3.23 The parties agree the following planning benefits and weighting for the purposes of this appeal only:

Policies	Weight
Provision of 41 residential units (Compliance with Policy 1, 2, 6 & 18 of the Local Plan Part 1, Para 60 NPPF)	Substantial

Provision of 41 units of specialised accommodation for older people (Compliance with Policy 7 of the Local Plan Part 1 & Policy SFHE2 of the Shaftesbury Neighbourhood Plan, Paras 61 & 63 NPPF & PPG)	Substantial
Maximum viable level of Financial Contribution to the provision of affordable housing (Compliance with Policy 8 of the Local Plan Part 1)	Substantial
Redevelopment of Previously Developed land (Compliance with Policies 1, 2 & 18 of the Local Plan Part 1, Para 124(c) NPPF)	Substantial
Redeveloping in a Sustainable Location and securing a sustainable future for the site (Compliance with Policies 1, 2 & 18 of the Local Plan Part 1 & Para 8 NPPF)	Substantial
Making effective and efficient use of land (Complies with Policies 1 & 2 of the Local Plan, & Para 123 & 129 NPPF, and Government's consultation document on brownfield land)	Moderate
Economic benefits to the Local Community (Compliance with Policy 1 of the Local Plan Part 1 & Policy SFTC1 of the Neighbourhood Plan & Para 81 of the NPPF)	Substantial
Social and Health Benefits to the local Community and health infrastructure (compliance with Paras 92, 93 NPPF.)	Moderate
Environmental benefits including improvements to neighbouring residential amenity	Moderate
Freeing up under occupied housing stock	Substantial

Signed... 

Mr. Matthew Shellum on behalf of Churchill Retirement Living Ltd.

Date.....22/04/24.....

Signed: 

on behalf of Dorset Council.

Date: 22/04/2024

Agreed suggested conditions between parties (SoCG Appendix A)

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

Reason: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out strictly and only in accordance with the approved drawings and details forming the approved application:

Location Plan – 10127SB-PA00 Rev A

Proposed Site Plan - 10127SB-PA01 Rev A

Proposed Ground Floor Plan - 10127SB-PA02 Rev A

Proposed First Floor Plan - 10127SB-PA03 Rev A

Proposed Second Floor Plan - 10127SB-PA04 Rev A

Proposed Roof Plan - 10127SB-PA05

Proposed North Elevation - 10127SB-PA06

Proposed West, South & East Elevation - 10127SB-PA07

Proposed West, South & East Elevation - 10127SB-PA08

Landscaping Strategy Masterplan – JBA 23 – 220 – SK02 Rev A

Reason: For the avoidance of doubt and to clarify the permission.

3. Prior to the commencement of any development hereby approved a detailed surface water management scheme for the site, based upon the hydrological and hydrogeological context of the development, and including clarification of how surface water is to be managed during construction, must have been submitted to and approved in writing by the Local Planning Authority. The surface water scheme shall be fully implemented in accordance with the submitted details before the development is completed.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, and to improve habitat and amenity.

LPA comment: This is a standard condition recommended by the Lead Local Flood Authority. The details provided during the course of the application provided the necessary detail to substantiate the proposed surface water strategy. However, the requirement for a pre-commencement condition in this instance is to ensure that, prior to any works taking place, the developer will need to, as part of the discharge of this condition, ensure that the finalised infiltration-based SuDS scheme design meets with all expected Environment Agency water quality standards. The LLFA have also explained that the requirement for a pre-commencement condition is necessary to clarify matters relating to the foul sewer. The applicant has included drawings which indicate a foul sewer crossing the development site. It is accepted that this is currently a private asset and that the drawings are indicative, however the LLFA advises that the developer should not build over or within 3m of this asset. As such it may be necessary to redirect this foul sewer before construction commences.

4. Prior to the commencement of any development hereby approved details of maintenance and management of the surface water sustainable drainage scheme must have been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented and thereafter managed and maintained in accordance with the approved details. These should include a plan for the lifetime of the development, the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the development.

Reason: To ensure future maintenance of the surface water drainage system, and to prevent the increased risk of flooding.

LPA comment: This is another standard condition recommended by the Lead Local Flood Authority and relates to details for the maintenance and management of the final surface water scheme approved as part of suggested condition 3.

5. Prior to the commencement of any works on site, a detailed foul drainage scheme shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the development must be carried out in accordance with the agreed details prior to occupation or use of any dwelling hereby permitted.

Reason: To prevent flood risks and effluent issues on and off the site.

LPA comment: The LLFA have explained that the requirement for a pre-commencement condition is necessary to clarify matters relating to the foul sewer connection. The Flood Risk Assessment and indicative drawings submitted with the application indicate a private foul sewer crossing the development site. The LLFA advises that the developer should not build over or within 3m of this asset. As such it may be necessary to redirect this foul sewer before construction commences and information relating to this is therefore necessary prior to commencement.

6. The external materials to be used for the walls and roofs of the development hereby approved shall be constructed of the following materials:

Facing brick: Ibstock Red Multi – Brunswick Farmhouse Mixture

Detail brick: Ibstock Buff Multi – Brunswick Buff

Roof tile: Marley Ashmore Concrete Roof Tile in Smooth Red colour finish

Roof tile: Marley Ashmore Concrete Roof Tille in Smooth Grey colour finish

Cream Painted Brick

Thereafter the development shall be maintained in such materials and finishes.

Reason: To ensure a satisfactory visual appearance of the development.

7. Prior to the commencement of any development above damp course level, a soft landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full during the planting season November - March following commencement of the development or within a timescale to be agreed in writing with the Local Planning Authority. The scheme shall include provision for the maintenance and replacement as necessary of the trees and shrubs for a period of not less than 5 years.

Reason: In the interest of visual amenity.

8. Prior to the commencement of any development above damp course level, full details of hard landscape proposals shall be submitted to and approved in writing by the Local Planning Authority. These details shall include, where appropriate: proposed finished levels or contours, means of enclosure, , hard surfacing materials, minor artefacts and structures (eg; furniture, play equipment, signs, lighting, refuse or other storage units, proposed and existing functional services above and below ground

(eg; drainage, power, communication cables, pipelines, etc, indicating lines, manholes, supports etc). Thereafter, the development shall be carried out in accordance with the approved details.

Reason: To ensure the provision of amenity afforded by appropriate landscape design and maintenance of existing and/or new landscape features.

9. Prior to the first occupation of any apartment hereby approved the access, turning and parking areas shown on drawing number 10127SB-PA01 Rev A must be constructed. Thereafter, these areas must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper and appropriate development of the site.

10. Prior to the first occupation of any apartment hereby approved the buggy parking facilities shown on drawing number 10127SB-PA01 Rev A must be constructed. Thereafter, these areas must be maintained, kept free from obstruction and available for the purposes specified.

Reason: To ensure the proper construction of parking facilities.

11. Prior to the first occupation any apartment hereby approved a scheme showing details of cycle parking facilities for 4 cycles must have been submitted to and approved in writing by the Local Planning Authority. The approved scheme must be constructed before the development is commenced/occupied and, thereafter, must be maintained for the purpose specified.

Reason: To ensure the proper construction of the parking facilities and to encourage the use of sustainable transport modes.

12. Prior to the first occupation any apartment hereby approved a scheme showing precise details of the proposed surfacing of the service layby is submitted to and approved by the Local Planning Authority. The approved scheme must be constructed before the development is commenced/occupied and, thereafter, must be maintained for the purpose specified.

Reason: To ensure the proper construction of the service layby.

13. The development hereby approved shall proceed only in accordance with the details set out in the Arboricultural impact appraisal and method statement, dated 21 August 2023, setting out how the existing trees are to be protected and managed before, during and after development.

Reason: To ensure thorough consideration of the impacts of development on the existing trees.

14. The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the Tree Protection Plan (Ref: 23061-01) prior to any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made.

Reason: In order to prevent damage during construction to trees that are shown to be retained on the site.

15. The noise mitigation measures, as set out in the Noise Impact Assessment, (Technical Report: R10065-2 Rev 1, dated 13 November 2023, by 24 Acoustics), shall be carried out in accordance with the details within the assessment.

Reason: In the interests of the residential amenity of future occupiers of the development.

16. The Biodiversity Plan signed on 29/11/2020 must be implemented in full in accordance with the specified timetable in the approved Plan.

Reason: To ensure impacts upon designated wildlife sites, nature conservation interests and biodiversity are satisfactorily mitigated.

17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing

immediately to the Local Planning Authority. An investigation and risk assessment shall be submitted to and approved by the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report shall be submitted to and approved in writing by the Local Planning Authority. Reason: To safeguard the living conditions of future and neighbouring occupiers and to protect the water environment and other sensitive receptors.

18. Each dwelling hereby permitted shall be occupied only by: (i) a person aged 60 years or over; (ii) a person aged 55 years or older living as part of a single household with the person in (i); or (iii) a person aged 55 years or older who were living as part of a single household with the person identified in (i) who has since died.

Reason: To ensure the development is retained as retirement accommodation and so that the impacts of the proposal are acceptable in highway terms.