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Rt Hon Dominic Raab MP  
House of Commons  
London  
SW1A 0AA

9 October 2020

Dear Mr Raab,

I am CEO of Later Living at Legal & General, investing in quality retirement housing across the country with around £2.8bn committed to delivering these much needed homes.

We are in the process of submitting plans to convert the vacant, former Homebase site in the centre of Walton-on-Thames into a scheme operated by Guild Living Limited. Having attempted to engage proactively and positively with Elmbridge Borough Council on this scheme, I wanted to bring to your attention some activity which appears to undermine local and national policy, and is potentially discriminatory against the elderly.

As a business, we have a strong track record of working closely with local authorities to deliver schemes which meet local needs, create employment opportunities and support regional economic growth. We have invested billions of pounds across the UK into these types of projects, recycling hard-earned UK savings and pensions into real assets which promote job creation and can support cities' post-Covid economic bounce back.

Whilst recognising you have no power to intervene on Elmbridge Borough Council, I wanted to raise the following concerns with you, in light of your detailed knowledge of the area and housing market given your previous brief.

## Background

The Guild Living proposal is a part of a £2bn new business, in partnership with L&G, focusing solely on town centres. Rather than simply offering homes with restricted sales covenants, Guild Living will combine the kind of bespoke healthcare and tailored support rarely seen outside of the U.S., New Zealand or Australia. It will be priced for local homeowners to afford, with a mix of rental homes and transitional care beds – to relieve stress on local services – as well as a range of intergenerational facilities to bring different age groups together.

We have undertaken extensive consultation with the local community and are delighted that our two most immediate neighbours – the Ashley Park Residents Association and the Walton Cricket Club – are supportive.

## Housing need for older people

The National Planning Policy Framework sets out that local authorities are responsible for planning future housing provision for their whole population. For older people, that means housing designed appropriately and in the places it's needed, including town centres which offer easier access and safer transit.

Over the next 10 years, the number of people aged over 85 in the UK will double to 3.5 million. The number of older people living alone has grown by 500,000 since 2008. These national trends are even more striking in Elmbridge. The Council's own housing statistics show that while the population of some age cohorts will fall, those in the over 70s category will rise dramatically. These facts completely undermine the local planning officer's claim that there is no need for purpose built accommodation for older people in this area.

Recent planning applications and appeals in Elmbridge provide further evidence of the local need for specialist older persons housing. In determining the planning appeal for land at Whiteley Village (decision dated September 2018) the Inspector accepted evidence of a significant shortfall in the supply of specialised accommodation in the borough, even after accounting for extant planning permissions. In discussion of the 'planning balance', the Inspector noted that *"there is no doubt in my mind that there is a clear local need in Elmbridge for all forms of elderly persons' accommodation, and indeed this need is both urgent and growing."*

### Age discrimination

As stated above, Legal & General prides itself on working collaboratively with local authorities and we have been highly supportive of the PM's recent announcements about reforming care and housebuilding.

Within Elmbridge, despite the clear local need, our attempts to positively engage with the Council and bring forward this much needed scheme have been rebuffed.

The Council has raised no objections to the design, bulk or massing of the proposed development, nor the traffic and environmental impacts. However, planning officers are recommending the Homebase application be refused on the following points:

1. **"The proposed development fails to make efficient use of land by providing the type of elderly accommodation for which there is no short or medium term need."**
2. **"The application fails to support diversity in the town centre, it fails to add to the centre's competitiveness and would undermine the vitality and viability of [the] town centre."**

As we have seen over the current crisis, it has never been more important to provide safe homes for our elderly. The view from the Council that bringing older people into the heart of our community would undermine its vitality feels both inappropriate and discriminatory at a time when the whole country is focused on better supporting older people and creating more housing.

Our lawyers advise that the Council's proposed actions are discriminatory under the Equality Act 2010 (the "Act") which, as you will know, prohibits public authorities acting in a discriminatory way, including discrimination on the basis of age. Plainly, any decision not to grant planning permission simply because the intended residents will be elderly is a means of treating such people less favourably because of their age, which is a protected characteristic under the Act. Moreover, we do not believe that this discrimination could be said to achieve any legitimate aim nor, even if there were to be such a legitimate aim, would it be proportionate. Indeed, the Council appears to have proceeded on a gross misunderstanding regarding elderly people and their contribution to the local economy and society. Accordingly, we believe this decision would constitute clear unlawful age discrimination.

Whilst Guild and L&G will have the right to appeal a refusal by the Council (and seek costs due to the misguided and unsubstantiated nature of the reasons for refusal), this will further waste public funds at a time when these could be better directed elsewhere.

### Revitalising Walton high street and the grey pound

The Government's High Streets Task Force has been clear that residential and mixed-uses must play a large role in revitalising town centres. A key part of this must also lie in making them more attractive places for older people. They spend more money, spend more time near to home and have more complex health needs compared to other age groups.

Today, 50% of all consumer spending comes from the 'Grey Pound'. A study undertaken by the International Longevity Centre says total spending for households aged 65 and over grew by 75% from 2001 to 2018 and fell by 16% for younger households. They forecast that this trend will grow over the next 20 years.

Elmbridge Council's planning officers want to see regular housing for sale – although this would generate less local spend since homeowners typically do not stay in the local area during the day and have less spending power than older people. The Guild Living proposals are projected to inject £10.7m annually into Walton town centre; a sum far higher than the alternative housing projects the Council clearly favours.

## Protecting the greenbelt

You have previously spoken out against the Council's planning policies and its failure to protect its greenbelt. The Council does not have an up to date Local Plan in place. It must deliver 623 new homes per year. Over the last three years, it has delivered just 267, 130 and 427 units respectively. The Guild Living scheme will redevelop a prominent brownfield site, contributing 206 homes to the Council's annual housing targets. Refusing this will significantly increase the likelihood of development on the greenbelt.

In the same week as the Prime Minister pledged to "fix the injustice" of care home funding and boost housebuilding by rectifying England's "sclerotic" planning system, this appears to be a local Council which is blocking both.

I recognise that as the local MP you have no powers to intervene on Elmbridge Borough Council, but, as someone with detailed knowledge of the area and the housing market, we wanted to alert you to the current position with regard to the vacant Homebase site. I would be very happy for you to share this with your constituents and want to offer an assurance that we are keen to continue supporting the Government's policies and are appreciative of the progressive stance you and colleagues in MHCLG have taken on tackling some of the challenges our communities face.

Yours sincerely



Phil Bayliss  
CEO of Later Living at Legal & General

Cc Cllr Stuart Selleck, Leader of the Council  
Cllr Mary Marshall, Deputy Leader of the Council  
Cllr Karen Randolph, Portfolio Holder for Planning  
Cllr Shweta Kapadia, Chairman of the Planning Committee  
Cllr James Brown, Leader of the Conservative Group

T1 Background				
<ul style="list-style-type: none"><li>Guild Living is seeking to develop an extra care scheme providing 222 extra care apartments around a central courtyard, together with a range of care community services and facilities on the Homebase site, New Zealand Avenue, Walton-on-Thames KT12 1XA.</li><li>Carterwood Chartered Surveyors has been commissioned to prepare a need assessment in relation to the extra care element of the proposed development.</li></ul>				
T2 Indicative need for private extra care units (2023)				
Basis of assessment	Ref	Market (circa 10-mile radius)	Market (circa 5-mile radius)	Elmbridge Borough Council area
Demand				
Population aged 75 years and above	-	120,545	39,032	14,200
Demand – based upon ratio of 40 persons per 1,000 population aged 75 years and above	-	4,822	1,561	568
Supply				
Current provision of private extra care units	1	716	169	119
Units pending decision	2	829	177	76
Units granted permission and not under construction	3	587	202	0
Units granted permission and under construction	4	197	87	87
Total supply of private extra care units	-	2,329	635	282
Need				
Indicative need including all planned private units (Supply equates to the sum of references 1, 2, 3 & 4)	-	2,493	926	286
Indicative need including units under construction (Supply equates to the sum of references 1 & 4 only)	-	3,909	1,305	362
T3 Conclusions and recommendations				
<ul style="list-style-type: none"><li>Our analysis for 2023, the earliest likely occupation of the proposed extra care scheme, shows a significant unmet need within the 10-mile market catchment, the 5-mile market sensitivity catchment and the Elmbridge Borough Council area respectively, for 2,493, 926 and 286 private extra care units, when all existing provision and planned units are included within the analysis.</li><li>Our more realistic assessment of the balance of provision within the circa 10-mile catchment, 5-mile market catchment and local authority area, respectively, where only private extra care units that are currently under construction are included, indicates increased indicative need for 3,909, 1,305 and 362 units.</li><li>Indicative need is projected to increase significantly, with projections to 2031 at 3,387, 1,199 and 382 private extra care units within the 10-mile, 5-mile and local authority catchments respectively, when all planned units are included (Section 22 below).</li><li>We conclude that there is both a compelling quantitative and qualitative need for the proposed extra care scheme that is supported by the commissioning strategy of Surrey County Council.</li></ul>				

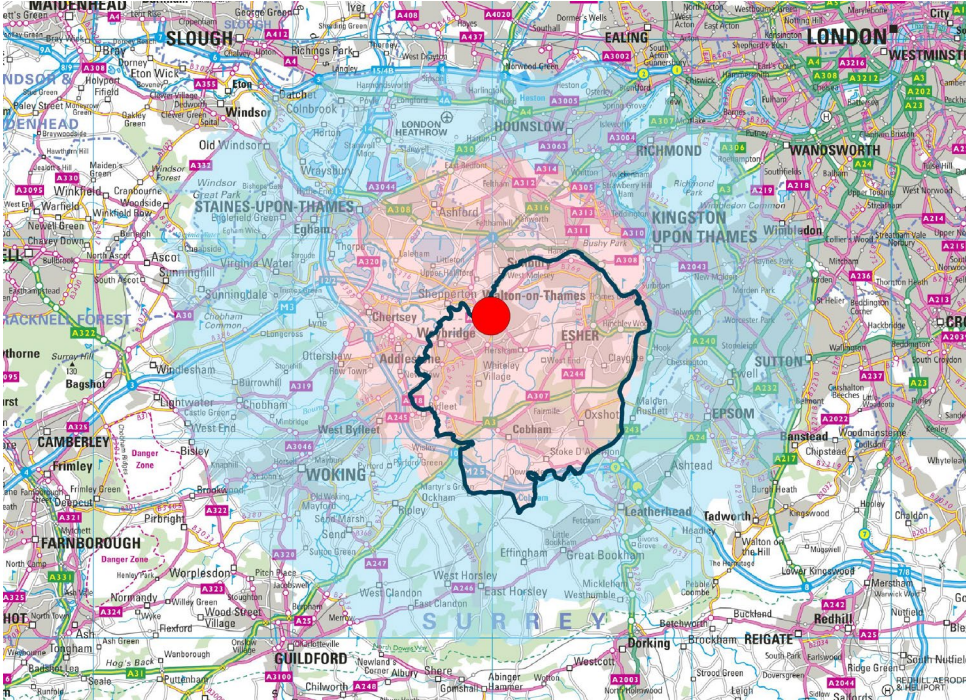


Figure 1: Location of the proposed scheme and our bases of assessment

Note: The subject site is indicated by the red dot. We have provided an assessment of need for the proposed private extra care units based on a market catchment, extending to circa 10 miles, as shown shaded pink and blue. We have also provided a circa 5-mile sensitivity catchment, shaded pink, and assessed the Elmbridge Borough Council local authority area, edged dark blue.

T4 Assessing demand for extra care and Local Authority commissioning position	
<ul style="list-style-type: none"><li>We have utilised a toolkit for assessing demand for extra care which sets out indicative levels of provision for private extra care per 1,000 of the population aged over 75 years. Predictions of demand will depend on a number of factors in each locality alongside an increase in the understanding and development of new forms of accommodation and care and its wider benefits by the older population, as an alternative to sheltered housing or care home provision.</li><li>The Surrey County Council commissioning document recognises that the supply of extra care should be increased in the local authority area and, as is the case with the majority of local authorities throughout England, there is a preference for further housing options for older people, including extra care, where care can be provided within a person's own home. The proposed extra care scheme seeks to address this requirement.</li></ul>	

# **APRA** *Ashley Park Residents' Association*

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## **LIMITED**

The Planning Officer  
RE 2020/0832  
Hombase/Guild Living Walton on Thames

Dear Sirs,

We wrote to you on 5<sup>th</sup> June 2020 regarding the above-mentioned development with our observations. In that letter we indicated we would consider revising our comments should APRA be satisfied with our going discussions with Guild Living and steps they may take to help mitigate some of the issues we envisaged.

We recognise that the land has been earmarked for strategic redevelopment by Elmbridge and on that basis the building of a high-quality elderly living facility would be an acceptable use from APRA's perspective. Covid has also meant that it is increasingly clear that there is now excessive retail space in the UK and as a result certain parts will be redeveloped or changed. This was highlighted in a recent interview with Nigel Wilson the CEO of Legal and General who spoke about it on Radio 4s the Today programme on 5<sup>th</sup> August 2020. In it he explained how Legal and General were actively repurposing some of their commercial real estate for other purposes including senior care.

Whilst we acknowledge that there have been a number of other retirement living facilities built in Walton in recent years, we believe Guild Living's offering is sufficiently different to these other facilities. Guild Living/Legal and General would provide a long-term partner, a stable freeholder and investor that would be a good strategic neighbour for Ashley Park Estate residents.

The reasons why APRA have updated our submission is that

- APRA understands that Guild Living, at APRA's suggestion, have offered to work with EBC to help remediate the loss of the "free" short-term parking for parents of the Ashley C of E Primary school who dropped off and collected their children in the Homebase car park by subsidising some local short-term parking. This we believe to be socially responsible and ensuring the safeguarding of these young children.
- We had registered our concern that the loss of parking would also result in the spill over of vehicles into the private roads of the Ashley Park Estate. We have discussed this with both Guild Living and their main contractor, Wates They have promised to work with APRA to help us mitigate this risk as far as reasonably possible.






- In addition, we have had discussions about the greenery, construction and security. We have been able to propose and agree With Guild Living some improvements which mitigate each of these concerns.
- We have reviewed the demolition delivery strategy with Wates. They have already adjusted their plans (e.g. relocated the crusher away from residential property) and have reassured APRA that they will manage our concerns about deliveries and access. Wates present themselves as a very professional contractor with a good local management team.

We see the need for the working hours agreed for the demolition to be the same for the construction phase (with no exceptions). Our comment about certain aspects of the building design also still apply.

As previously mentioned we have suggested to our residents that they too may wish and should respond as individuals and/or as residents of Walton-on-Thames. Their responses may therefore be different to APRA's reflecting their individual circumstances.

With these observation and in anticipation of APRA's ongoing professional and positive engagements with Guild Living Management and its contractors, the Directors of APRA - on balance - offer their SUPPORT for the redevelopment of the former Homebase Store by Guild Living.

Nigel Stapleton  
Chairman on behalf of APRA Ltd Directors  
APRA Ltd. 11th August 2020





## Walton-on-Thames Cricket Club

Ashley Park Pavilion  
197 Ashley Park Avenue  
Walton-on-Thames  
KT12 1ET

Elmbridge Borough Council  
Civic Centre  
High Street  
ESHER  
KT10 9SD

For the attention of Kim Tagliarni, Head of Planning Services

Ref No. 2020/0832

24 September 2020

Dear Mr Tagliarni,

I am writing on behalf of the Walton-on-Thames Cricket Club Management Committee in support of Guild Living's proposed Extra Care Community development of the former Homebase site.

As you are no doubt aware, ours is an inclusive, community-based club providing much needed sporting facilities and opportunities for young people from within the local area. The Club, founded in 1898, is self-funding and run entirely by unpaid volunteers who give freely and generously of their time and expertise to ensure its wellbeing; not just for the benefit of the current membership but also for that of future generations.

Unfortunately, much of the committee's time and the Club's hard-earned income is spent responding to numerous ongoing acts of anti-social behaviour on its property. For this reason and the Club's proximity to the proposed development, we view the plan as one of great importance to its future wellbeing. Consequently, we consider that such a development is the most beneficial to the Club's long-term future.

We believe the development will create a more secure environment for the Club and the surrounding area. It will enable us to welcome new residents to enjoy our facilities, whilst the Club could benefit from the additional time and expertise that many of our new neighbours will be able to offer.

If you require any further information about the Club, please do not hesitate to contact me.

Yours sincerely,



Brian Turner

**President**

Walton-on-Thames Cricket Club

