

Sadiq Khan (Mayor of London)
New London Plan
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BY EMAIL & POST

25615/A3/DO/RM
2 March 2018

Dear Mayor,

**NEW DRAFT LONDON PLAN
REPRESENTATIONS ON BEHALF OF QUANTUM GROUP**

We write on behalf of our client, Quantum Group, to submit representations in response to the New Draft London Plan, which has been published for consultation until 2 March 2018.

Background

Quantum Group is a specialist property developer, care provider, and investment manager. Working with its Registered Provider partners, the group creates vibrant, affordable healthcare communities and delivers secure, long-term real estate investments. Quantum's vision is focused on four fields:

- Affordable Housing – working with its partner Registered Providers on a mission to revolutionise retirement living in the UK;
- Secure Investment – Quantum designs and manages healthcare property investments to deliver safe and sustainable returns;
- Specialist Elderly Care – Quantum designs, builds and operates private care homes and care communities focused on delivering clinical excellence;
- Strategic Development – providing expertise and funding infrastructure to facilitate the delivery of locally-led communities

The comments set out below relate exclusively to the provisions of draft Policy H15 and its assertion that specialist older persons housing falls within Use Class C3, which in Quantum's view, is an incorrect classification as this type of provision should fall within Use Class C2.

Specialist older persons housing should be considered Use Class C2 due to the additional specialist and personal care provision provided to residents in need of such care. Such accommodation should be considered C2 due to the requirement for residents to purchase a care package, specialist design



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criteria and physical layout of accommodation, the provision of onsite health and communal facilities, eligibility criteria and management of care by a registered Care Quality Commission Care provider. Furthermore, the determination on whether extra-care housing and associated activities falls within either Use Class C2 or Use Class C3 is a point of law, rather than being determined by planning policy, particularly when validating a planning application.

There is compelling evidence to confirm that older persons housing, which includes a level of care, falls within Use Class C2. This has been recently demonstrated in a recent appeal decision in Sidmouth (ref: APP/U1105/W/17/3177340), where the inspector clearly sets out how the definition of Use Class C2 should be applied. The proposals were granted on appeal, where the Inspector agreed with the applicant that extra care apartments, providing a broad range of assistance, falls within Use Class C2. The Inspector also concludes that the statement in the Mayor of London's Housing SPG (March 2016) that extra care accommodation is normally C3 use, does not alter his views.

With consideration of the physical construction, the tenure of the property, facilities available, care provision, services and operation, this type of development is classified as residential care accommodation covered under use Class C2. Quantum is therefore of the view that the evidence base informing Policy H15, on its assertion that specialist older persons housing is Use Class C3, is unsound.

Summary

We trust that these representations will help the Mayor refine the next draft of the London Plan.

If there is anything that Officers would like to discuss, please do not hesitate to contact us at these offices.

Yours sincerely

BARTON WILLMORE LLP
ON BEHALF OF QUANTUM GROUP