Response to question 4(1) regarding Policies LH6 and LH7

1) Both policies impose a test upon an Applicant to justify a ‘local need’ for the development. Applicants generally do not have to justify the need for development within the planning system.

2) No special circumstances are applicable to South Northamptonshire District to justify such a restrictive policy test for developers delivering specialist housing and accommodation needs. For illustration, if a specialist developer wished to bring forward proposals for, say, an Acquired Brain Injury Unity (LH6), where patients may be sourced from across the country, why should such investment be denied because there is insufficient evidence of local need for such a facility. The investment and jobs should be welcomed into the District.

3) In the context of LH7, there is no justification for planning policy to resist inward investment into the District by a specialist care home operator to establish a new care home facility which may have no ‘established connection to the District’.

4) Criterion a) from Policy LH6 and Criterion 2a) from Policy LH7 should be omitted.

5) Policy LH7 is further not compliant with the tests for soundness in requiring appropriate eligibility occupancy criteria. If the development is permitted for Class C2 purposes – a residential institution – then it is a use for the ‘provision of residential accommodation and care to people in need of care’. The policy is flawed against the tests of soundness in requiring eligibility criteria and the assessment of care needs by a local planning authority. The LPA has no expertise to form a judgement whether occupation would satisfy an occupancy criteria that relates to an assessment of personal care needs. Such a criterion places an unnecessary constraint on patients and those who have responsibility to find care for their loved ones. The imposition of a planning process to require ‘approval’ of pending occupation is socially exclusive. No other prospective resident of housing has to secure approval from the LPA on the basis of the status of health.