



SPECIALISED HOUSING BACKGROUND PAPER

May 2016

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1.0 Introduction

This paper is a consideration of a series of topics related to housing, which have arisen as a consequence of recent changes to legislation, national policy or guidance. The paper is intended to provide more detailed justification and background, including evidence, in support of policies developed for the Publication Fylde Local Plan.

Notwithstanding the title, this paper is not an attempt to consider every plausible type of specialist accommodation; rather its purpose is to deal with the issues of the day.

2.0 Starter Homes

Introduction

Starter homes have formed an emerging part of planning policy, initially under the Coalition government before 2015, but with renewed impetus since the 2015 general election. The policy has been based on concerns that the lack of affordability of home ownership has led to the emergence of “generation rent”, yet long-term renting does not fulfil the expectations of young people for the home ownership that their parents enjoy. The policies have an intrinsic relationship with wider policies for the provision of affordable housing. This section is intended to set out the current context of the policy, how it might affect Fylde Borough, and to propose a potential policy for the Publication Local Plan. The policy will need to best assist the provision of housing that is affordable in Fylde, whilst complying with new and existing legislative requirements and national policy, and be deliverable, in order to pass the tests of soundness at examination.

Evolution of the Concept

Initial consultation: December 2014

This consultation was based on the aim to allow young people to “get a foot on the property ladder” by delivering 100,000 starter homes over 5 years. The means proposed would be by use of unviable or under-used brownfield land, in public and private ownership. Starter homes would be for young first-time buyers, sold at 20% discount to market value. Section 106 affordable housing contributions or CIL would not be payable. The government would identify a “cohort of vanguards” (*sic.*) to roll out the delivery model.

Ministerial Statement: March 2015: the exception site policy

The Ministerial Statement brought starter homes within the scope of formal policy, set out within the statement. Planning authorities should seek to provide exception sites for first-time buyer housing, on under-used or unviable commercial/industrial land that was not previously identified for housing, and approve such proposals unless overriding conflicts with the NPPF cannot be mitigated. Planning obligations must be attached, to require that the starter homes be marketed at 20% below open-market price, to young first-time buyers for owner-occupation, with a 5-year restriction to prevent open-market resale. Such sites would be exempt from section 106 affordable housing or tariff-based contributions. A small proportion of market housing is allowable to support the required level of discount. The text of the statement is reproduced in Appendix 3.

DCLG document Starter Homes Design March 2015

This document restates the importance of design, and then illustrates a range of exemplars, not to be replicated directly, but to demonstrate application of some of the design principles. Common features in the exemplars are the use of 2-storey terraced housing, the importance of walkable neighbourhoods, connected streets and well-designed streetscapes.

Pilot Areas

27 sites have been listed as potential sites for the exception sites policy, with five being taken forward initially as pilots, directly commissioned by government through the Homes and Communities Agency:

- Connaught Barracks in Dover
- Northstowe in Cambridgeshire
- Lower Graylingwell in Chichester
- Daedelus on Waterfront in Gosport
- Old Oak Common in north-west London

No sites within Fylde were put forward for consideration as pilot areas, there being no large sites that would be immediately suitable.

Planning Practice Guidance

The PPG sets out the application of the starter homes exception site policy in more detail. Local planning authorities should work in a positive and proactive way with landowners and developers to secure land for starter home exception sites. Councils and developers should determine the size and type appropriate for a particular site drawing on local knowledge. Starter homes should be priced after discount not significantly more than the average price paid by a first-time buyer. Buyers should be under 40. Although section 106 affordable housing contributions and tariff-based contributions to general infrastructure funds should not be sought, other section 106 payments can be required for specific mitigation and infrastructure to make the development acceptable in planning terms. Former industrial and commercial land in both public and private ownership can be considered. Developments of starter homes should be considered as windfall sites in the local plan, and should not be allowed for in the 5-year housing land supply until they have consistently come forward. Designs should be of high quality: exemplars have been published (this refers to the document Starter Homes Design).

This guidance remains in force in the form it was in March 2015.

DCLG Consultation on Changes to National Planning Policy December 2015

This was a consultation on a wide range of planning-related matters, but the concerns applicable here were:

- A proposal to alter the definition of affordable housing to include products that would not require affordability of the dwelling in perpetuity, or the recycling of subsidy: the effect of this being to include starter homes within the definition of affordable housing;
- Strengthening the policies in favour of the use of unviable industrial/commercial land as starter homes exception sites to require significant and compelling evidence for retention in industrial/commercial use.
- Allowing starter homes on underused retail, leisure and non-residential institutional sites
- Allowing starter homes within mixed-use commercial sites
- Allowing starter home exception sites through the existing rural exception site policy.

No direct formal response to this consultation has yet been released. The text of the relevant parts of the consultation are reproduced in Appendix 2.

The Housing and Planning Act 2016

The Bill for this Act was introduced to the House of Commons on 13 October 2015. It completed its stages in the Commons on 12 January 2016. The Bill then went to the House of Lords for consideration and this was completed on 27 April 2016. During the course of its consideration in the Lords a number of amendments were incorporated, but some of these would have significantly affected the provisions of the Bill that are considered here. The government indicated that it would not proceed without the amendments affecting starter homes being removed or at least altered such that their effects would be removed. The Bill then followed a process of “ping-pong” until the differences between the houses were resolved. The Bill received Royal Assent on 12th May 2016.

The text of Part 1 of the bill as introduced is reproduced in Appendix 1. The most important of the provisions related to starter homes in the Act are:

- **The General Duty.** Section 3(1) includes the provision:
An English planning authority must carry out its relevant planning functions with a view to promoting the supply of starter homes in England.
The Act clarifies the meaning of relevant planning functions to mean (for the purposes of Fylde) those under Part 3 of the Town and Country Planning Act, which relates to control of development, and those under Part 2 of the Planning and Compulsory Purchase Act 2004, which relates to local plan-making. The reference to England stresses the national objectives and application of the legislation.
- **The Starter Homes Requirement.** This is detailed in section 4. The requirement will be specified in regulations and will apply to residential developments of a description (to be given in forthcoming regulations). Section 4(1) states that:
The Secretary of State may by regulations provide that an English planning authority may only grant planning permission for a residential development of a specified description if the starter homes requirement is met.
Thus any requirement in the regulations would be absolute, on any developer of a scheme fulfilling the description.
- **The Definition of a Starter Home.** It has to be a new dwelling, available for purchase by qualifying first-time buyers only, to be sold at a discount of at least 20% to the market value, to be sold for less than the price cap (£250,000 outside Greater London), and subject to any restrictions placed in regulations. To qualify, a first-time buyer must be under 40; other restrictions may be placed by regulations.
- **Compliance Directions.** The Secretary of State may direct that no regard be had to a certain local plan policy, due to it being incompatible with the duty to promote the supply of starter homes.

The bill also requires councils to produce monitoring reports.

The Act will fundamentally change the importance of starter homes, from a scheme with applicability only where a site can be found that is suitable, to a requirement to be provided in most developments and therefore a matter of central importance in planning and housing development.

Recent Government statements

The 2015 Autumn statement included an announcement for funding of £2.3bn for starter homes. In the March 2016 Budget, the Government launched the £1.2bn Starter Homes Land Fund, inviting bids for acquisition, assembly and de-risking of land to provide starter homes sites, in partnership with the HCA.

In the document Starter Homes: Unlocking the Land Fund, which provided detail on the scheme, the Government described the planning reforms to deliver starter homes as including:

*a new requirement through the Housing and Planning Bill for a proportion of starter homes on all suitable 'reasonably sized' residential developments **as part of section 106 affordable housing contributions***

DCLG Consultation: Proposed Starter Homes Regulations: March 2016

This consultation sets out the proposed contents of the regulations. This is a crucial part of the legislative framework as it sets the starter homes requirement. The consultation proposes:

- the starter homes requirement should apply to most residential developments: a threshold would apply of 10 units or more, or 0.5 ha or more;
- a single national minimum requirement of 20% of all homes delivered on a development to be starter homes;
- an exemption to the requirement where it could be clearly demonstrated that the requirement would make the development unviable, and that no other affordable housing contributions are being provided;
- an exemption to the requirement for specialist housing for a particular group with an element of support, e.g. specialist accommodation with care for the elderly;
- an exemption to the requirement for publicly-subsidised estate regeneration schemes and schemes for 100% or approaching 100% affordable rent/shared ownership units;
- an exemption to the requirement for purpose-built student accommodation;
- an exemption to the requirement for custom-build housing;
- a provision for developers of purpose-built developments for private renting to pay contributions for off-site provision of starter homes
- A provision for developers of schemes of purpose built accommodation for the elderly to pay contributions for off-site provision of starter homes

Relationship between starter homes and affordable housing

Initially, the definition of a starter home was set out in the Ministerial Statement of 3rd April 2015, which related to exception sites. The PPG provides further guidance on what is intended

A Starter Home is expected to be well designed and suitable for young first time buyers. Local planning authorities and developers should work together to determine what size and type of Starter Home is most appropriate for a particular Starter Home exemption site reflecting their knowledge of local housing markets and sites. A Starter Home is not expected to be priced after the discount significantly more than the average price paid by a first time buyer. This would mean the discounted price should be no more than £250,000 outside London and £450,000 in London.

Following the enactment of the Housing and Planning Act 2016, the definition of a starter home has been formalised as that set out in Part 1 Chapter 1 Section 2 of the Act. This states as follows:

- (1) In this Chapter “starter home” means a building or part of a building that—
 - (a) is a new dwelling,*
 - (b) is available for purchase by qualifying first-time buyers only,*
 - (c) is to be sold at a discount of at least 20% of the market value,*
 - (d) is to be sold for less than the price cap, and*
 - (e) is subject to any restrictions on sale or letting specified in regulations made by the Secretary of State (for more about regulations under this paragraph, see section 3).**
- (2) “New dwelling” means a building or part of a building that—*
- (3) “Qualifying first-time buyer” means an individual who—
 - (a) is a first-time buyer,*
 - (b) is at least 23 years old but has not yet reached the age of 40, and*
 - (c) meets any other criteria specified in regulations made by the Secretary of State (for example, relating to nationality).**
- (4) “First-time buyer” has the meaning given by section 57AA(2) of the Finance Act 2003.*

The definition of affordable housing is currently set out in the glossary to the National Planning Policy Framework. It includes social rented, affordable rented and intermediate housing (including shared equity and other below-market sale and rent products), provided to eligible households whose needs are not met by the market. It is a requirement that the housing remains affordable for future eligible households or the subsidy recycled for other affordable housing provision. Low-cost market housing is specifically excluded from the definition.

The December 2015 consultation proposed that this definition be broadened to include products that do not have in-perpetuity restrictions or recycled subsidy. Starter homes can be included in the range of products considered by local authorities. The purpose of the change is to remove limits to the availability of home ownership options for households whose needs are not met by the market, and more widely, to plan for the housing needs of those who aspire to home ownership.

The March 2016 technical consultation on the regulations extended the consultation for a further period. At present, therefore, pending the outcome of the consultation and further decisions by the government, the extension to the definition of affordable housing to include starter homes is not yet implemented. Similarly, although the Housing and Planning Act is now enacted, regulations based on its provisions have not yet been made: therefore there is no starter homes requirement in place.

The change in the definition of affordable housing to include starter homes would represent a slight widening of the range of housing products on offer for those in affordable housing need. However, based on currently available information, starter homes will only be restricted to first-time buyers

under 40 (with possible provisions for ex-service personnel and where one partner is over 40); no restrictions to those with any form of local connection seem to be possible, other than through a rural exceptions policy. There would be no income restriction. Available for purchase at a discount of 20% to the market price, a certain level of income will be essential for potential purchasers. Therefore, although more affordable than market housing, there are likely to remain households for whom starter homes would not be a viable option.

How effective starter homes will be in providing for those in affordable housing need is a matter attracting differing views, and is discussed further below.

Affordable housing need in Fylde

Addendum 1 of the SHMA identifies a net annual affordable housing need for 249 dwelling units, with Addendum 2 identifying that any variation from this is likely to be insignificant.

People who wish to express an interest in potentially taking up affordable housing in Fylde, in whatever form the affordable housing would take, at present register their interest through the MyHomeChoiceFyldeCoast service, a choice-based lettings scheme operated on behalf of affordable housing providers (including Progress Housing who took over Fylde Council's former housing stock) and Fylde, Blackpool and Wyre councils. At the end of quarter 3 2015-16 there were 945 active applicants registered, with an average of 57 applicants bidding for available properties each month (calendar year 2015). 137 properties in Fylde were let through the service in quarters 1-3 2015-16.

The SHMA sets out the need for affordable housing in Fylde by dwelling size. Fig 12.1 of the SHMA shows that 64% of the need is for 1-bed, 16% for 2-bed, 11% for 3-bed and 9% for 4+bed. However the SHMA clarifies that this does not take account of the government's welfare reform programme, and that need for 1-bed flats is likely to be replaced with demand for bedsits (i.e. rooms in HMOs).

The private rented sector in Fylde is of considerable importance in providing accommodation for those in affordable housing need, particularly for small units of accommodation. The SHMA shows that 61.8% of housing benefit claimants in Fylde live in the private rented sector, compared to the figure of 34.5% for England. There has been a growing number of HMOs and flat conversions. Whether this has provided an ideal form of accommodation for those in housing need cannot be known for certain, but the expression of bids for the stock of the affordable housing providers through MyHomeChoiceFyldeCoast demonstrates demand unfulfilled by the private rented sector.

The extent of latent demand for house purchase by young first-time buyers in Fylde is unknown. However, the importance given to this in government policy and guidance, particularly the introduction of the duty to promote the supply of starter homes, means that providing for starter homes will be an important policy consideration.

Strategic Priorities for Affordable Housing in Fylde

Fylde has previously set a target for 80% of affordable housing to be for affordable rent. Intermediate housing in the form of low cost home ownership products, where the remaining equity has been registered with the land registry, has typically formed the balance of the requirement.

Problems with the deliverability of affordable rented properties in large numbers over a short period, due to limited take up by registered social landlords, has required the 80% target to be reconsidered. Recently, intermediate housing products have proved to be more deliverable. Therefore, in the interests of deliverability, the target for the proportion of affordable housing to be for affordable rent has now been reduced to 60%.

There is significant unfulfilled demand for affordable sheltered accommodation for the elderly in Fylde with data from MyHomeChoiceFyldeCoast showing 242 applicants specifically requiring sheltered housing (as at quarter 3 2015-16), with latent demand likely to be very much greater this due to the impact of the constraints on supply. Therefore the council will encourage schemes for this type of housing to come forward. Sheltered schemes will need to be for affordable rent in all cases.

The effect on affordable housing of the starter homes requirement

The starter homes requirement, if enacted as indicated in the consultation, will require developers of housing schemes to set aside 20% of all dwellings for sale to first-time buyers at a 20% discount to the market price. This represents a substantial amount of planning gain which would formerly have available for other types of affordable housing that fall under the current definition, including affordable rent and shared ownership schemes.

If and when the starter homes provisions are enacted as currently proposed, there will remain some potential to provide other types of affordable housing. It is unlikely that starter homes will be sufficiently affordable to provide a viable housing option for many of those identified to be in need of affordable housing, particularly for those with the very lowest incomes. The SHMA showed that the balance of affordable housing need to be 84% affordable rent to 16% intermediate, to ensure affordability for those in need. The overwhelming need will be for properties for affordable rent, as those who need this option will be least able to access the starter home option. Therefore, it is proposed that the policy provides for the eventuality of the starter homes requirement being enacted, and the balance of other affordable housing to change so that it is entirely for affordable rent, in consequence.

The starter homes requirement cannot apply retrospectively to permissions already granted where the section 106 agreement has been signed. Therefore, if and when the requirement becomes law, developers may choose to continue to develop in accordance with their existing approval. Alternatively, they may prefer to come forward with a revised scheme to provide starter homes within the mix.

Making affordable housing affordable: ensuring starter homes are within reach

A general principle of planning policies is that they should ensure delivery of the type of development that meets the economic and social needs of the population (with equal regard to environmental needs). Affordable housing policies have previously specified the size and type required, for instance in the Revised Preferred Option Local Plan:

The Council will usually expect the majority of affordable housing provided on a particular scheme to comprise 1, 2 and 3 bedroom homes.

As starter homes will draw planning gain away from other types of affordable housing product, it is vital that best effort is made to make them genuinely affordable for people in affordable housing

need. The legislation provides a price-cap of £250,000, which is far in excess of the median property price in Fylde (£167,500 in 2013 (SHMA Fig. 6.3)), let alone the lower quartile property price (£125,000 (*ibid.*)). Without other measures, developers would be free to discount any homes they chose below the price cap, provided the buyer met the criteria. To ensure that starter homes will genuinely encourage first-time buyers currently not provided for by the market, as is the objective of the national policy, it is essential that they be of a size and type that the consequent price would give new ownership opportunities in the borough.

The PPG states that a starter home should not cost significantly more after discount than a first-time buyer would typically pay. The price of housing in Fylde is significantly higher than in Blackpool, and this is notable for first-time buyer housing. The SHMA (fig. 6.3) shows that the lower quartile house price for Fylde in 2013 was £125,000 compared with Blackpool's £72,000.

ONS data shows the median prices of different types of home to the level of middle layer super output areas. In 2014, the median price of terraced houses varied between different areas of Fylde:

- Fylde 002 (Kirkham, Wesham, Wrea Green) £99,000
- Fylde 007 (Warton, Freckleton) £110,000
- Fylde 003 (Newton, Clifton) £112,000
- Fylde 004 (Blackpool Fringe, Airport) £120,000
- Fylde 006 Central St. Annes £125,000
- Fylde 005 NE St Annes, Heyhouses £145,000
- Fylde 001 Singleton, Weeton, Elswick, Staining £150,000
- Fylde 009 Lytham £197,500
- Fylde 008 Ansdell, Fairhaven £241,000

(It should be noted that the median terraced price in Fylde 008 Ansdell reads as a typographical error, as the median price of semi-detached houses there is £191,000, and for flats is £140,000).

The policy therefore requires starter homes to be 1- or 2-bed homes, to ensure that they have at least a reasonable degree of affordability, in accordance with the PPG requirement for the starter home price to be no more after discount than a first-time buyer would typically pay.

Affordable Housing and Starter Homes in Fylde's Rural Settlements

The Revised Preferred Option Local Plan policy S1 sets out a settlement hierarchy for the district, distinguishing between the Key Service Centres of Lytham, St. Annes and Kirkham, the Local Service Centres of Freckleton, Warton, Wesham and Whitehills, the Tier 1 Larger Rural Settlements of Newton, Staining and Wrea Green, and the Tier 2 Smaller Rural Settlements of Clifton, Elswick, Singleton and Weeton. Outside this, there exist small hamlets and groups of dwellings, as for instance at Treales, Greenhalgh and Thistleton. Policy DLF1 makes an allowance for windfalls and non-strategic sites of less than 10 homes within and adjacent to the Tier 1 Larger Rural Settlements and Tier 2 Smaller Rural Settlements.

Fig. 6.4 of Addendum 1 to the SHMA sets out the calculation of affordable housing need for each of the distinct areas within the borough. For the rural areas, this gives the following net annual affordable housing need:

- Rural East (Treales, Newton and Clifton) 2
- Rural SW ((Wrea Green and Westby) 5

- Rural NW (Singleton, Staining and Weeton) 19
- Rural NE (Elswick and Little Eccleston) 6

These numbers present challenges for delivery as rural exception sites of 100% affordable housing, as registered social landlords are often reluctant to take on developments of very small numbers of units.

Small housing schemes of less than 10 units would be exempt from the need to provide affordable housing in the form of either units on site or contributions for off-site provision. This could severely limit the provision of both starter homes and other affordable homes to fulfil rural housing need. Small rural sites are unlikely to come forward if market housing on such sites is considered acceptable.

However, developments of market housing will be brought forward in the Tier 1 Larger Rural Settlements and Tier 2 Smaller Rural Settlements in accordance with the development strategy, which will result in the delivery of affordable housing on-site. This is likely to go as far as could viably be delivered towards providing for the affordable housing needs of the rural settlements. Hamlets and collections of dwellings within the countryside, other than the Tier 1 Larger Rural Settlements and Tier 2 Smaller Rural Settlements, are not regarded as sustainable locations for the location of new housing development, including affordable housing; development in countryside areas is covered by local plan policy GD4.

The conclusion therefore is that a rural exceptions policy is not considered either necessary, or capable of viably delivering affordable housing.

Proposed government policy is that starter homes would be treated as affordable housing. However, the price of homes in some of the rural areas is very high compared with other parts of the borough. Fig. 6.5 of the SHMA gives lower quartile house prices for 2013 for each area of the borough, including the rural areas:

- Kirkham/Wesham/Freckleton/Warton £115,000
- Rural NW £125,000
- Lytham St Annes £125,000
- Rural NE £156,500
- Rural E £165,000
- Rural SW £246,747

In some areas, a 20% discount to the market price would not realistically deliver houses within reach of first-time buyers, without additional stipulations. This could be the requirement that the homes would be small houses, of 1 or 2 bedrooms, suitable for a young couple, perhaps with a baby.

PPG allows a local connection test to be applied exceptionally where affordable housing is developed on exception sites in rural areas, to provide for the needs of local people who would otherwise be unable to find a home where they grew up. The proposed government policy would also allow this with starter homes. When providing affordable housing in rural settlements, because they are less sustainable than homes located in the strategic locations for development, it is important that, where developments are permitted, they successfully fulfil the objective of providing for local housing need in the rural area, and do not draw people into rural locations from the urban area. Affordable housing in the Tier 1 Larger Rural Settlements and Tier 2 Smaller Rural Settlements should therefore provide for the needs for affordable housing in the particular village to provide for those with a connection to the village. Fylde operates a separate rural lettings policy as part of its

Area Lettings Plan: this requires a parish connection to be given highest priority for affordable lettings.

Implications for the Local Plan

The passing of the Housing and Planning Act 2016 has resulted in the imposition of the duty to promote the supply of starter homes. A starter homes requirement is likely to follow shortly, and although this is not currently in place any policy must have regard for its imposition. Notwithstanding the potential requirement, the council must in the meantime have regard to its duty to promote the supply of starter homes. The conclusion must be that inclusion of starter homes within a broader affordable housing policy is essential.

The extent of affordable housing need supports the retention of a 30% requirement overall, as does the viability testing of the Revised Preferred Option Local Plan which confirms that it will not impact on deliverability. The requirement will be split, so that 60% of affordable homes will be for affordable rent, in order to ensure deliverability.

Suggested policy

On-site provision of affordable housing

All market housing schemes of 10 or more homes will be required to provide 30% affordable housing / starter homes, unless robust viability testing has demonstrated that the cost of the affordable housing provision would prevent the development from being delivered.

i. For residential developments within or in close proximity to the Key Service Centres and Local Service Centres (i.e. the urban areas), the provision of affordable housing will be to meet the requirements identified for borough wide needs.

ii. For residential developments within rural areas, the provision of affordable housing will be primarily to meet the requirements identified for the closest Tier 1 Larger Rural Settlements: i.e. Newton, Staining and Wrea Green or Tier 2 Smaller Rural Settlements: i.e. Clifton, Elswick, Singleton and Weeton. If, having regard to an agreed assessment, the level of identified local need is less than the equivalent of 30% of the homes proposed, the balance of the provision will be delivered for borough wide needs.

The presumption is that affordable housing will be provided on the application site so that it contributes towards creating a mix of housing. In circumstances where the Council considers that affordable housing would be most appropriately provided off-site, for instance in relation to applications for residential park homes, the Council will require contributions for off-site provision of affordable housing equivalent in value to the provision of 43% of the number of market homes to be built on the site, this being the equivalent of providing 30% affordable housing on-site.

Tenure

Developers will be required to provide the number of starter homes on site to meet the Starter Homes Requirement in accordance with the proportion of new homes specified in the Regulations.

The remainder of affordable housing, to make the total to 30% of all new homes, should be for social rent or affordable rent through a Registered Social Landlord to applicants in housing need, unless otherwise specified by the Council.

The precise requirements for tenure of affordable homes will be negotiated on a case-by-case basis, having regard to the viability of individual sites, local need and compliance with other policies of the plan.

Size and type

Schemes of sheltered/extra care housing for social rent/affordable rent to the elderly may be provided to meet affordable housing requirements, in conjunction with a Registered Social Landlord. Such schemes should meet the requirements of 100% specialist accommodation for the elderly in policy H2.

Affordable housing provided for social rent or affordable rent should be 1, 2 or 3-bedroom homes. Starter homes should normally be 1 and 2-bedroom homes. The size and type of affordable housing on an individual scheme should be determined with reference to the SHMA or subsequent housing needs assessments undertaken by or on behalf of the Council. Affordable housing should meet the requirements of the National Technical Standards and Policy GD7 of this plan.

Viability

The Council will take account of viability when assessing individual schemes. If a level of affordable housing lower than that set out above is proposed for a specific scheme, the Council will expect robust financially-based justification to be provided by the applicant, demonstrating that the development would be unviable with a higher level of affordable housing than proposed. The Council may seek to independently verify such information, with any costs associated with the verification met by the applicant, before approving a scheme with lower levels of affordable housing than that specified above.

3.0 Retirement Housing

Introduction

Lytham and St. Annes have been traditionally known as towns favoured by those wishing to retire, and this somewhat stereotypical view is backed up by data, and is sufficient to affect the demographic picture of Fylde overall. The following is a consideration of the planning issues this raises and potential policy solutions for the Local Plan.

Planning Practice Guidance

Guidance is provided within the section on Housing and Economic Development Needs Assessments (reproduced in Appendix 4). Provision for older people is of critical importance: they will account for half of all new households. Plan makers should consider size, location and quality of dwellings needed for older people

to allow them to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish

The future need for specialist accommodation for older people should be assessed broken down by type. Need for residential institutions should be assessed. Local authorities should also identify particular types of general housing that is already suitable (e.g. bungalows) or can be adapted.

Guidance is also provided on the optional technical standards. The text is provided for reference in Appendix 5. The guidance explains the application of the standards and the evidence that councils should use to support the requirement for the optional standards. More detail on the actual standards is provided below.

The Revised Preferred Option Policy

The following text was included within policy H2:

Special Needs Housing and Specialist Retirement Accommodation

In order to meet the needs of an ageing population in Fylde, at least 20% of homes within residential developments of 15 or more homes should be designed specifically to accommodate the elderly, unless it is demonstrated that this would render the development unviable.

Special needs housing, including extra care accommodation for the elderly, will be required to be well located in communities in terms of reducing the need to travel to care and other service provision and a proportion of these properties will be sought to be affordable, subject to such site and development considerations as financial viability and contributions to community services.

Development proposals for accommodation designed specifically for the elderly will be encouraged if a need is demonstrated within settlements, or within Strategic Locations for Development provided they are accessible by public transport or within a reasonable walking distance of community facilities such as shops, medical services and public open space.

The Optional Technical Standards

The 2015 Building Regulations Approved Document Part M introduced three alternative standards for access to and use of buildings. In practice, the third standard is divided into two elements. In consequence we have:

- Category 1: “Visitable” (*sic.*) dwellings (requirement M4(1)). This is the basic standard enforced through building regulations. A new dwelling should make reasonable provision for most people, including wheelchair users, to approach and enter the dwelling and to access habitable rooms and sanitary facilities on the entrance storey.
- Category 2: Accessible and adaptable dwellings (optional requirement M4(2)). This standard would be applied only if a planning condition were imposed. For this standard, a new dwelling should make “reasonable provision for most people to access the dwelling and incorporates features that make it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users”. In practice this means dwellings in which a stairlift could be installed and enhanced circulation space.
- Category 3: Wheelchair user dwellings (wheelchair adaptable) (optional requirement M4(3A)). This standard would be applied only if a planning condition were imposed. A new dwelling should make reasonable provision for a wheelchair user to live at the dwelling and use any outside/communal space, but at some time in the future, following “simple adaptation”. Key parts of the accommodation, including sanitary facilities and kitchens should be capable of being easily altered to meet the needs of a wheelchair user.
- Category 3: Wheelchair user dwellings (wheelchair accessible) (optional requirement M4(3B)). This standard would only be applied if a planning condition were imposed. For this standard, a dwelling must meet the needs of occupants who use wheelchairs, at completion. Planning Practice Guidance states that local plan policies for wheelchair-accessible homes should only be applied where the local authority allocates/nominates a resident for the dwelling. Therefore, for Fylde, this standard cannot be expressed as a policy requirement.

The current and future elderly population of Fylde

The SHMA sets out projection for change in the population of older age groups, in order to provide for their housing requirements (SHMA Table 10.1). Overall, the population of Fylde was projected to change from 76,098 in 2011 to 82,854 in 2030, an increase of 6,756 or 8.9%. The over-65 population was projected to increase from 21,460 in 2011 to 30,311 in 2030, an increase of 8,851 or 41.2%. Thus, all of the increase in population is accounted for by an increase in the number of over 65s, with a slight reduction in the population of other age groups taken together.

The SHMA considers the population of older persons divided into 3 age groups.

Age range	Population Mid-year 2011	Proj. population Mid-year 2030	Change 2011-30	% change 2011-30
65-74	12,195	15,836	3,641	29.9%
75-84	6,517	9,420	2,903	44.5%
85+	2,748	5,055	2,307	84.0%

Thus more than one third of the entire population increase for Fylde would be due to the increase in people of 85 and over.

The data is updated by the SHMA Addendum 1 to reflect the 2012 Sub-National Population Projections (SNPP). Fig 5.1 of the SHMA Addendum 1 shows the projected change in the age structure of the population of Fylde between 2012 and 2037. Little change is projected in the under 40 population, a significant reduction in the population between 40 and 65, but the population of all age groups over 65 is expected to grow considerably. Those between 65 and 69 are predicted to grow by over 700, between 70 and 74 by approx. 2300, 75 and 79 by over 2000, 80 and 84 by over 1500 and those 85 and over by about 3900. This gives a projected total increase in over 65s of approx. 10,400, although this is of course beyond the plan period.

Data from the Institute of Public Care’s Projecting Older People Population Information System (POPPI) gives further projections on the accommodation, support requirements and health of the population aged 65 and over. In Fylde, between 2014 and 2030, it is predicted that:

- The population 65 and over unable to manage at least one self-care activity on their own (e.g. bathe, shower or wash, dress/undress, feed, take medicines) will increase from 6,778 to 9,625;
- The population 65 and over with a moderate or severe visual impairment (equivalent to qualification to be registered blind or partially sighted) will increase from 1780 to 2499: of these, the number of 75 and over with specific registrable eye conditions will increase from 621 to 934;
- The population 65 and over unable to manage at least one mobility activity on their own (e.g. going out of doors and walking down the road, getting up and down the stairs, getting to the toilet) will increase from 3,742 to 5,437.

The first thing to be concluded from the population data is that both the raw number and the proportion of older people in Fylde are both already large. There were 21,460 people aged 65 and over in the borough in 2011, which by itself equates to the size of a medium-sized town. As a proportion the population aged 65 and over represents more than 28% of the total population, which compares to 16.3% across England. There are already large numbers of elderly people who have difficulties with normal living, for instance problems with mobility, visual impairment or difficulties with their own basic care.

However, the projections for the future show that both the numbers and the proportion of older people will grow significantly, and correspondingly there will be a significant growth in the numbers with support needs of one kind or another. The raw number of older people in Fylde is predicted to grow to in excess of 30,000. The number of households headed by older people will increase from 13,000 to 20,000 by 2037 (excluding care homes) (Sub-National Household Projections: data tabulated in Appendix 8 of this document). Crucially, the growth in numbers of older people is

greater than the growth of the overall population; put another way, this means all of the population growth of the borough will be older people. This increased number of older people will result in more people with special requirements either for support or in the design of their accommodation.

Housing for the Elderly in Fylde: Current Position

Data from a user-requested ONS Census report (Appendix 6) has been used to analyse the type of accommodation inhabited by the elderly in Fylde. Unfortunately the data is by postcode, so a small rural area of the borough is omitted, and also excluded are those resident in caravans. However, the data does provide some useful background to the issue of accommodation for the elderly. It shows that, in 2011, 9097 people of 65 and over were living in homes with 3 or more bedrooms, which is more than half of all people over 65 in conventional homes. Of these, 2149 were aged 80 or over. It also shows that 3743 people of 65 and over were living in flats, of which 3269 were in Lytham and St. Annes; this highlights that very small numbers of older people in the rest of the borough were living in flats. This may reflect supply constraints.

The census shows that the proportion of Fylde's housing stock which are purpose-built flats, at 15.2%, is just below the national average of 16.7%. The actual number in 2011 was 5,707. Therefore, although the appearance of many of the flat developments in the borough might suggest that they are aimed at the retired, allowing for the fact that a proportion of retired people will be living as couples, a significant number of the purpose built flats, and possibly the majority, are occupied by those below 65.

Unfortunately census data does not distinguish between bungalows and other types of house, so it is impossible to be definite about the stock of bungalows in the borough, despite their inherent greater suitability for the elderly. There are significant numbers of bungalows in certain parts of the borough, for instance in St. Annes, Ansdell and Kirkham.

Information is not available concerning the extent to which dwellings within Fylde are accessible or visitable. However, national data is available in the DCLG's data sheet, which tabulates data from the English Housing Survey. The proportion of all housing and housing of different tenures is classified by the number of "visitability features" a dwelling has. The visitability features are: level access, flush threshold, sufficiently wide doors and circulation space and lavatory at entrance level. Across tenures, 25.4% of homes have no visitability features at all, 39.4% have one, 20.7% have two, 9.2% have three and just 5.3% of homes have all four. The borough's housing stock is characterised by fewer terraced homes than the national average, and more large dwellings: generally it could be concluded that the housing stock is more likely to be visitable than the national average, but the difference is not likely to be greatly significant.

The existing stock of accommodation marketed specifically to the elderly (Appendix 7) consists of 1072 units of sheltered accommodation, most of which will be capable of housing a couple. Of these, at least 97 are extra-care units where some element of care can be provided. A further 36 sheltered units are under construction. In addition, there are 40 care homes providing spaces for 1115 residents.

Thus, if there were no further developments of these types, the amount of accommodation intended specifically for the elderly would be sufficient for just 11% of the population aged 65 and over at the end of the plan period. It is therefore imperative that schemes are encouraged to come

forward, both to provide for the growth in need and as a means of improving the standard of provision.

What form should accommodation for the elderly take?

People will choose accommodation based on their own individual preferences, subject to their own budgets, and this applies equally to those who have retired as to any others. The accommodation currently inhabited by the elderly in Fylde will reflect these preferences, but will also reflect supply constraints. The provision of a greater supply of accommodation that better reflects the needs and aspirations of retired people is desirable on the grounds of general health and wellbeing for the population, and may release accommodation more suitable for other age groups back into the market.

Some elderly people are very active and benefit from the availability of outside space of their own as part of their accommodation, where they can do gardening or generally enjoy the outside space. For many, this will mean normal family housing. Often, retired people will choose to remain in the family home simply for reasons of personal attachment. The purpose of policy should not in any circumstances be to attempt to drive people out of certain types of accommodation, but instead to make other choices of accommodation type more widely available in the area to which they have attachments such as family and social networks.

No formal typology exists to cover the variety of accommodation types designed for the elderly. Some of the names given to accommodation types are discussed below:

- **retirement villages** generally refer to larger developments of 100 units or more, providing independent flats or bungalows, with a range of social, sport, leisure and retail facilities on-site that is only possible on a larger scheme, some with additional care elements for those who require it;
- **sheltered housing** or **retirement homes** both generally describe accommodation provided specifically for retired or elderly people, generally with a warden, although these may live off-site, often with a common room for social facilities, good heating, increasingly with doorways wide enough for walking frames and wheelchairs, communal laundry, shared garden and occasionally a guest suite. Tenure may be privately owned (leasehold, with management charges), or rented, almost always from a Registered Social Landlord.
- **assisted living/extra care housing** is accommodation where there is on-site management, all facilities found in sheltered accommodation but also an on-site meals service, and carers available to provide a certain amount of assistance with dressing and washing etc. (with the carers often based on-site), whilst the residents retain independence.
- **nursing/care homes** are for those dependent on care, to a greater or lesser extent. These involve a comprehensive package of services, at very considerable cost. It is preferable if elderly people can be accommodated in types of accommodation that fall short of this level of care provision where possible: the importance of the availability of the other types of accommodation is therefore paramount.

It is necessary to set criteria against which purpose-built accommodation for the elderly is demarcated from accommodation suitable for the general population. These criteria can be based on what are considered to be essential requirements that will provide for elderly residents where they become less mobile, have poor health or temporary health or mobility problems, or difficulties such as failing eyesight or hearing. The criteria are not so strict as to provide for those in need of regular care, who will require additional facilities; such accommodation will in any event satisfy these criteria. However, the criteria are designed to deliver accommodation that would obviate situations where people would need to move to a care home prematurely, rather, to maximise the potential for elderly people to retain their independence.

The Optional Technical Standards provide the opportunity to require the design of the access and accommodation to satisfy the needs of residents who are temporarily or permanently wheelchair-bound, or who are unable to use stairs. The standard M4(3A) (wheelchair-adaptable dwellings) allows for simple conversion to allow a wheelchair user to live in the dwelling, with a minimal degree of alteration. This standard is the necessary minimum to ensure that the building would be “fit for purpose” for elderly people, who may well require such adaptation on a permanent or temporary basis.

As many elderly people have significant mobility problems, and are unlikely to wish to venture outside in poor weather conditions, purpose-built accommodation specifically designed for the elderly should recognise that people have social needs, despite being housebound. Accordingly, a communal lounge or other similar social facility should be provided within developments. Such a facility should be for the exclusive use of all residents (and their personal guests).

Most modern developments intended for the elderly include a shared laundry service. This is a type of service that is more efficient if provided centrally, and provides for those elderly residents who would struggle to manage for themselves, and therefore should be a requirement for new developments of this type.

It is important, if accommodation is designed specifically for the elderly, that elderly people in housing need are those who occupy the development. Therefore, to be considered accommodation specifically designed for the elderly, the developer should accept a restriction to its marketing based on age. Historically, some developments have been marketed restricted to those 55 and over, and for sake of consistency, it is proposed that this is the restriction that should be used.

Although many retired people will cook their own food, difficulty in preparing meals can be a trigger for a crisis that can force a loss of independence prematurely. Although there are a number of companies offering delivery of frozen microwave meals, for some elderly people (for instance the blind or partially sighted) the need to use a microwave presents other difficulties. Therefore, the requirement for a facility to provide a daily hot meals service for those who require it, either through a central facility on-site or through an outside delivery service, is considered an essential component of modern accommodation purposely designed for the elderly.

An emergency call service is often important for elderly people in poor health and is typically provided by schemes for the elderly: it should be included as a requirement for purpose-built accommodation for the elderly.

Other important requirements that should be included are:

- Car parking on site for those residents who require it, with generous width to each space

- Some outside communal green space, managed to maintain a high standard of amenity, accessible by residents, with seating provided (not just for decoration)
- Security: the entrance needs to restrict access to the wider public as the residents may be vulnerable
- A pleasant outlook from habitable room windows.

Some types of retirement accommodation will also require the provision of:

- A dining room and meals preparation service
- Care workers based on site
- Pharmacy service on site
- A care wing to the development, to provide for those in need of constant care; however, this may be unpopular amongst potential residents for the main elderly accommodation

The role of the local planning authority can therefore be to proactively encourage schemes that are genuinely designed for the elderly and provide for their needs, whilst being careful to distinguish between those and other schemes of houses or flats that might be chosen by retired people but do not specifically cater for the needs of elderly residents. This will promote suitable schemes put forward by the private sector and by Registered Social Landlords, who have an important role to play with this type of accommodation.

The policy can require a proportion of all new dwellings to be suitable for the elderly, but without falling into a formal scheme. This will allow the development of significant numbers of wheelchair-adaptable dwellings, such as bungalows, which will be suitable for those older people who wish to retain a higher degree of independence from those in a formal retirement homes scheme. Alongside this, a generally permissive policy for formal schemes can be included, but which imposes strict criteria on the type of scheme which qualifies, in order to genuinely provide for the needs of elderly residents.

Developers may choose to include accommodation suitable for the elderly, whether as a formal scheme or as other dwellings meeting the wheelchair-adaptable standard, as affordable rented or social rented housing to be taken on by a registered social landlord, in order to fulfil their requirements for this type of accommodation, if it is agreed with the council that there is a need for this type of affordable accommodation.

Where should purpose-built accommodation for the elderly go?

There is no purpose in planning potential sites for accommodation for the elderly in locations where they will not themselves choose to live. Therefore, considerable regard needs to be had for some of the basic locational requirements:

- To be located in an area without of crime or anti-social behaviour, other than for care homes where residents are never permitted to leave unaccompanied

- To be located very close to local facilities including community meeting places, a place of worship and a convenience shop (all within 500 metres, preferably closer), without the need to cross major roads
- To be located very close to a bus stop with regular services to the nearest town centre and hospital. The site should be selected to be very close indeed, preferably within 100 metres, and to have a safe road crossing such as a pelican between the site and the bus stop.

In addition, because older people are likely to spend considerable time within their accommodation, the visual outlook of the accommodation is very important. Sites overlooking public open spaces are often ideal.

Although elderly people often need regular access to medical facilities, when they do, they are very rarely able to walk to do so unless the facility is very close indeed. Access to medical facilities is therefore best achieved by ensuring that the site chosen is very close to a bus stop with a regular service, the route of which provides access to the medical facility. However, where sites can be found that would be juxtaposed with a medical facility, that would be more preferable still.

The Promenade areas of St. Annes were a favoured area for large developments of flats during the 1970s-1990s, resulting in a fundamental change of character due to the loss of many traditional buildings including landmark large hotels. The large developments of flats in this area provide an existing source of accommodation sometimes chosen by retired people, although almost all are not purposely designed for accommodating those with mobility problems and lack the alarms, shared laundry and social facilities that would be expected in even those modern retirement housing schemes without any care element provided.

Although there remains some demand for modern retirement accommodation to be located on the sea front, it is important that schemes do not cause further harm to the character and appearance of the area, which is strategically important for tourism. The dismissal of an appeal in Fairhaven (APP/2325/W/15/3039279) for a demolition of a house and replacement by 6 flats confirms that maintenance of the traditional character remains very important. The inspector stated:

the proposal would be a very dominant feature in the street scene, exacerbated by its corner plot location and further still by it being positioned slightly forward of the neighbouring apartment block. It would fail to respect the prevailing pattern of development, both on Inner Promenade and Beach Avenue, introducing a discordant note to the street scene.

And crucially

Whilst there are examples of development within Fairhaven that are similar to the proposal, these do not offer any particular positive contribution to the character or appearance of the area and should not be considered as precedents.

Although this does not imply that no such site will be suitable for flat developments, it does lead to the conclusion that a wider range of potential sites for retirement developments needs to be considered.

The approved development for McCarthy and Stone (14/0327) provides one model of how retirement accommodation can be delivered. However, for schemes of this size (36 apartments in this case) sites need to be sensitively chosen. The opportunity should therefore be taken to include

such developments into the major strategic sites, on specific sites suitable for this type of development.

There is therefore a requirement for a policy which sets some criteria for the location of purpose-built development for the elderly, and for its design, but which is sufficiently flexible that it can allow for suitable sites to be found more easily than hitherto. Planning Practice Guidance supports the setting of targets for the number of homes required, and the use of a criteria-based policy for such developments.

Proposed Policy

In order to meet the needs of an ageing population in Fylde, at least 20% of homes within residential developments of 20 or more homes should be designed specifically to accommodate the elderly, including compliance with optional technical standard M4(3A) (wheelchair-accessible dwellings), unless it is demonstrated that this would render the development unviable. Affordable housing requirements set out in policy H4 may be met partly by the provision of homes designed to accommodate the elderly, where these also fall into the definition of affordable housing set out in the Framework.

Developments to provide 100% specialist accommodation for the elderly, including residential care homes, will be approved providing that:

- **It is situated to provide easy access to regular public transport. Within larger development sites, the part of the site in closest proximity to bus stops with a regular service should be chosen for this type of accommodation;**
- **The proposal is well-designed, avoiding unnecessary use of high fencing around the perimeter, orientated towards the street with an entrance on the street side of the building providing the shortest possible pedestrian access, including usable outside landscaped gardens with seating, and access and parking for vehicles well separated from pedestrian routes;**
- **The development complies with the development strategy and other policies of the plan; and**
- **Convenient access arrangements are provided for vehicles providing hospital transport.**

Developments will be considered by the council to be purpose-built 100% specialist accommodation for the elderly if:

- **All areas used by residents will comply with optional technical standard M4(3A) (wheelchair-adaptable dwellings);**
- **A communal lounge or similar social facility for the exclusive use of all residents is included within the development;**
- **A shared laundry service is provided for the use of all residents;**
- **The development will be marketed with a restriction on age for residents of over 55;**
- **A daily hot meals service is provided either through a central facility on-site or through an outside provider to residents who require it; and**
- **An emergency alarm call service is provided for all residents.**

On sites where 100% specialist accommodation for the elderly is proposed as defined above, affordable housing contributions will not be sought.

4.0 Custom- and self-build housing

Introduction

The development of individual custom-build and self-build dwellings has been a common form of residential development in other developed nations, in some the most common form. In the UK, it has been very uncommon, the way the planning system has operated up to now, with land allocations often reflecting the submissions of large developers promoting their own comprehensive developments. The difficulty for potential self-builders in obtaining suitable plots with the prospect of planning permission has led to changes in government policy to promote this development model.

The Meaning of Custom and Self-Build Housing

The category of custom and self-build encompasses a range of options for those seeking to build:

- a self-build one-off home, where the individual is responsible for the whole design-and-build process;
- a contractor-built one-off home, where the individual appoints an architect and contractor;
- a kit home, where a company provides all the necessary materials to a design, with contractors required for the groundworks;
- an independent community collaboration;
- a supported community self-build group, where people on low incomes can build with the aid of grant and loan funding;
- a developer-built one-off home, to a design from a series of choices or a bespoke design; and
- a developer-led group project, where a group approaches a developer to provide a number of dwellings selected by the individuals from a book of designs, or to bespoke designs.

The National Custom and Self-Build Association (NaCSBA) Toolkit classifies the delivery models according to whether the council is involved:

- individual opportunities, council initiated: the council delivers serviced building plots on land it owns or acquires purposely.
- Individual opportunities, working with others: a third party such as a custom-build developer, housing association or charity, provides serviced plots on private land
- Group projects, council initiated: the council identifies land, markets the opportunity, helps groups form, devises assessment criteria, assesses proposals and awards sites to the most robust groups;
- Group projects, working with others: private groups work with charities/housing associations/councils to identify land and receive assistance in relation to planning and finance.

The approach of NaCSBA presumes a considerable degree of direct involvement from councils whichever option is chosen.

Legislation, Policy and Guidance

National Planning Policy

The NPPF requires councils to:

*plan for a mix of housing based on existing a current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and **people wishing to build their own homes**) (my emphasis)*

Councils should identify the size, type, tenure and range of housing required in particular locations reflecting local demand, with the objective of delivering a wide choice of homes, widening opportunities for home ownership and creating sustainable, inclusive and mixed communities.

The Self-build and Custom Housebuilding Act 2015

This short Act requires councils to maintain a register of individuals and associations seeking to acquire serviced plots to build houses to occupy.

The Act imposes a “Duty as regards registers”, which applies to local planning authorities. The duty requires that an authority must have regard to the register when carrying out its functions related to planning, housing, the disposal of any of its land, or regeneration.

The Act requires that councils must have regard to any guidance issued by the Secretary of State regarding the registers or the duty.

The Act also allows the Secretary of State to make regulations regarding the registers or the duty.

The Self-build and Custom Housebuilding (Register) Regulations 2016

These regulations specify the meaning of a “serviced plot of land”. It has to have:

- Access to a public highway
- Connections for electricity, water and waste water

Also specified are details regarding eligibility for inclusion in the register, the form and content of applications, the requirements of councils for the determination of applications and procedures for the removal of entries.

The Regulations came into force on 1st April 2016, and the council was therefore required to maintain the register from that time.

The Community Infrastructure Levy (Amendment) Regulations 2014

This amendment to the CIL regulations provides (in sections 54A, B, C and D) for the exemption of self-build homes from the requirement to pay CIL.

Housing and Planning Act 2016

The Act received Royal Assent on 12th May 2016. It makes minor changes to definitions of terms from the existing Act, in particular a serviced plot of land would be amended to mean:

a plot of land that—

(a) has access to a public highway and has connections for electricity, water and waste water, or

(b) can be provided with those things in specified circumstances or within a specified period

The Act also introduces provisions for the Secretary of State to require local planning authorities to keep registers of land of either a prescribed description, or satisfying prescribed criteria. It permits the Secretary of State to make regulations to achieve this. The text of the relevant section is shown in Appendix 4.

The Act also introduces the concept of permission in principle. This may be granted for development following application or by a development order. A development order will be able to grant permission in principle to land allocated for development or for development of a particular description. Where permission in principle is granted, approval of an application for technical details consent will be necessary before development can commence. (See Appendix 5)

Technical consultation: February 2016

This consultation sets out proposals for possible changes that may follow on now that the Housing and Planning Act 2016 is enacted. The changes may include:

- the requirement for local planning authorities to maintain a register of brownfield land suitable for development;
- the introduction of permission in principle. This would either be granted on application, in the case of small sites, on allocation, in the case of local plan sites, or on inclusion on brownfield registers. Information required would be very minimal, much less than required for an outline planning application;
- the requirement for local planning authorities to maintain a register of small sites. The sites would not necessarily be acceptable for development in planning terms.

Planning Practice Guidance

The PPG for Self Build and Custom Housebuilding Registers came into force on 1st April 2016. It clarifies the purpose of the registers is to

provide valuable information on the demand for self-build and custom housebuilding in a relevant authority's area and should form a key part of a relevant authority's evidence base of demand for this type of housing

The guidance then goes on to set out how councils should use the information:

Local planning authorities should use the demand data from the registers in their area, supported as necessary by additional data from secondary sources (as outlined in the Housing and economic development needs guidance), when preparing their Strategic Housing Market Assessment to understand and consider future need for this type of housing in their area. Plan-makers will need to make reasonable assumptions using the data on their register to avoid double-counting households.

Further guidance details advises on publicity for registers.

The guidance goes on to clarify the meaning of the “Duty as regards registers”. Regarding planning, the duty may be a material consideration when decision-taking, and when plan-making, authorities should use their evidence on this form of housing from the registers in developing their local plan and associated documents. Regarding housing, local housing authorities should consider the evidence of demand for this form of housing from the registers when carrying out housing functions, such as developing housing strategies, and when building housing on council land. When disposing of land and developing regeneration proposals, demand for custom and self-build housing should be considered in the decision.

The PPG for Housing and Economic Development Needs Assessments also makes reference to custom and self-build housing. Paragraph 21 considers how needs for all types of housing should be considered, and for custom and self build housing requires that reference is made to the registers. It then continues:

In order to obtain a robust assessment of demand for this type of housing in their area, local planning authorities should supplement the data from the registers with secondary data sources such as: building plot search websites, ‘Need-a-Plot’ information available from the Self Build Portal; and enquiries for building plots from local estate agents.

The PPG for CIL Relief provides guidance on the operation of the CIL exemption for self-build homes. Relief must be claimed before development has commenced, by submitting a claim form to the collecting authority.

Need for and Supply of Plots in Fylde

The NPPF requires councils to plan for a mix of housing based on the needs of different groups including people wishing to build their own homes. The Self Build and Custom Housebuilding Act and Regulations require councils to have a register of those who wish to acquire a plot for a self-build or custom-build dwelling, and the Act requires councils to have a duty to have regard to the need for plots expressed by the register. Fylde Council has had a register in place since 24th March 2016.

As yet the council’s register has one name. However, it will be difficult to consider the register a true reflection of demand for custom and self-build plots until a considerable period has elapsed and the existence of the register has become widely known. PPG advises that other sources of data can be used to gain an improved understanding.

The Need-a-Plot service run by NaCSBA on their website represents an established means by which individuals can register their interest in finding a plot of land for self/custom build. Free to use, and without a direct commitment, and yet only likely to be used by those genuinely searching for a plot, it represents the most reliable source of data available at present for understanding the level of demand. Data from the site has been interrogated and tabulated in Appendix 3.

The data from Need-a-Plot shows requests for 2 plots specifically within Fylde, and 5 plots within wider areas but including parts of Fylde. The need for the latter would be shared with other neighbouring authorities. Given these numbers, it is hard to be definitive on the scale of custom and self-build plots needed, except to conclude that the numbers involved are small.

The context of this expression of demand is a consideration of the supply of planning permissions for single dwelling units on building plots. The Fylde Council Housing Land Availability Schedule lists sites for which permission has been granted for housing, whether in outline form, full or with reserved matters approved. The 2015 Schedule, which has a base date of 31st March 2015, has been interrogated to identify plots for a single house, with permission, where development has not commenced, where the land was previously an empty plot (i.e. it is not a replacement dwelling, conversion or replacement for e.g. agricultural buildings or commercial use). Also considered, but separately, were similar sites but for more than one but less than 10 houses. The results are:

Settlement	Number of single plots	Plots on other small sites (less than 10 homes)
Lytham St. Annes	8	7
Freckleton/Warton	3	14
Kirkham/Wesham	3	0
Elswick	1	9
Greenhalgh	0	3
Little Eccleston	0	5
Newton/Clifton	0	0
Wrea Green	2	0
Singleton	1	0
Staining	0	2
Treales	0	3
Westby	0	0
Weeton	0	0
Total	18	43

Although not all of the owners of these sites will wish to sell to a custom/self-builder, the data clearly shows that there is a supply of sites, and that the number greatly exceeds the expressed demand for custom/self-build at present. The data above, in excluding replacement dwellings, omits an established source of plots for those who wish to self-build, and therefore the potential number of plots available at present is greater still. Therefore, compliance with the “Duty as regards registers” need not require any deliberate immediate planning interventions.

The introduction of the small sites register may result in an increase in sites coming forward for development. It is possible that many, or even most, of these sites will be unsuitable in relation to local plan policies. However, local plan policy DLF1 provides for the possibility that small sites will be accepted in principle. Such sites could provide an important fillip to the supply of suitable sites for custom-/self-build homes.

It is quite possible, given the positive government policies to encourage custom and self-build, that the level of interest will increase over and above this over the plan period. In consequence of the “Duty as regards registers”, the local plan must be sufficiently flexible to provide for any increase in the number on the register, to provide for the delivery of the number of units needed. There is therefore a need for a policy formulated to allow for this flexibility and delivery of the units needed.

The results from the Need-a-Plot search also reveals the unrealistic expectations of some of those seeking plots. Typical requirements for plot size of “¼ acre”, or “up to ½ acre” would result in a density of development far below what would be expected of other types of housing development.

Allowing disproportionate plot sizes for custom and self-build homes would not optimise the potential of sites to accommodate development, as required by paragraph 58 of the NPPF. The approach to the density of housing needs to be set by the local planning authority to reflect local circumstances (paragraph 47 of the NPPF), but to allow a very low density for a specific type of housing (such as self/custom build) could not be justified. Most house buyers might desire larger plot sizes: the local planning authority has to respond by providing for the numbers of dwellings needed to meet the objectively assessed need whilst ensuring effective use of land in the interest of sustainable development.

Whilst the legislation and guidance require the council to plan for a mix of housing including custom/self build, and to have a duty to have regard to the demand for them, there is no specific requirement for active involvement in the provision of plots to the extent of acquisition of land or arranging the laying on of services to plots of land. Unless the council were to develop a policy of direct involvement in the provision of plots, the need for involvement of the council only extends to ensuring that the planning process is capable of bringing sufficient plots forward, if necessary involving land allocations or criteria-based policies.

Potential sites for custom and self-build in Fylde

In the event that a need was demonstrated through entries in the register for custom/self-build plots within Fylde, consideration would have to be given as to how the need would be met. Potential methods for the delivery of plots are explored below:

Sites allocated without current permission

The only strategic site remaining in the Local Plan for which permission has not yet been sought is Cropper Road West (Local Plan site HSS5). Consideration could be given to encouraging the site owners to give the site or part of the site over to custom and self-build plots. The site owners would need to work with a partner to deliver the plots serviced with road access, drainage, water supply and electricity connections. Finance would need to be raised for this, or provided by a third party; either way, it provides obstacles to delivery which may encourage landowners to prefer a more typical development, funded by the developer.

Strategic sites already with planning permission

Large sites with an existing permission promoted by a developer still provide an opportunity for a part of the site to be devoted for custom and self-build housing even where reserved matters approvals cover the whole site. Developers could offer certain plots for sale, with servicing, or offer a custom-building service themselves, offering either a bespoke or catalogue product. A discrete reserved matters (or full) permission would then be required for each individual plot.

Unless the development is phased, the CIL exemption may no longer be available for units of custom/self-build on a site, as development will have commenced. However, it is anticipated that developers and their agents will become familiar with the need to find ways to proceed that avoid this eventuality.

Whether developers will engage with this possibility is unclear. For some, it may be outside their preferred business model. It may be that self/custom-build is viewed as being in competition with

their own product. For some developers, however, it may be seen as a method of providing cash flow to assist with the viability of the rest of the development, or it may be seen as an opportunity to develop bespoke design-and-build services as part of their product offer.

In order to facilitate the potential for plots to be put forward, it will be prudent to make a provision for custom- and self-build dwellings to be included on strategic sites in the policy. Provisions will be needed to ensure that the overall density and mix of the strategic site is maintained.

Smaller sites, sold with outline planning permission

Occasionally, a landowner will make an outline application for a site with the intention of selling it on once permission has been granted. This could provide the opportunity for such sites to be developed for custom/self-build housing.

Two sites have been advertised for sale recently that could be candidate sites: one in Wrea Green and the other in Warton. Whilst there is no imperative in either of these sites being taken on for this purpose, development of sites such as these for probably less than 10 homes provides a potential delivery model for custom and self-build homes.

Smaller sites, put forward specifically for custom/self-build

Policy DLF1 of the plan sets out development locations for Fylde. It states that an allowance is made for windfalls and non-strategic sites

Windfalls and non-strategic sites will occur within the Strategic Locations for Development. An allowance should be made for non-strategic sites within the Strategic Locations for Development and within and adjacent to Tier 1: Larger Rural Settlements and Tier 2: Smaller Rural Settlements.

This policy provides for small sites continuing to come forward. Such sites could be suitable for custom/self-build. Policy could therefore encourage such sites to come forward specifically for custom/self-build, providing that they are compliant with the strategic policy, and are acceptable in other respects. Some of these sites may be put forward on the small sites register, if this is introduced.

Applicants may wish to apply for permission specifically to create serviced plots for dwellings, which would then be sold individually with access and utilities ready. If using the existing outline/reserved matters model for obtaining permission for housing, this presents difficulties, as reserved matters must be applied for within three years, and necessarily would have to follow the sale of each plot, with time required for the design and for obtaining of finance.

To provide for potential need, policy therefore should provide for applications on small sites, where the details of the individual dwellings will not be known, in order to allow for the access and services to be provided and the site divided into appropriate plots. If the need develops markedly, an SPD could be developed to set out the form and content required of applications.

Other delivery methods and general comments

The implication of NaCSBA guidance that the council should take a leading role in providing plots through direct provision, requiring site ownership or partnership arrangements, is an option that the council could consider in the future when expedient on a site considered suitable. However, committing the council to this in the Local Plan would subject the council to very considerable financial risks and therefore no reference should be made in policy to direct council involvement.

Schemes brought forward by groups or under other models can be considered on case-by-case basis. A general cross-reference to the design policy is required to stress that custom-and self-build do not have an exception to that policy.

Although policy wording will be positively-framed as required by the NPPF, and therefore appear permissive, the amount of development coming forward under this policy is only likely to reflect market demand. Therefore, providing development is required to comply with the development strategy and generic policies, positively-framed additions to the policy will contribute to the wider objectives of the plan.

Suggested Policy

Proposals to include plots for custom- and self-build homes within larger housing development sites will be approved, subject to compliance with other requirements of the plan with respect to layout, density, mix and access. Developers of strategic housing sites will be encouraged to devote a proportion of the site to provide serviced plots for custom- and self-build homes.

Applications to provide serviced plots for custom- and self-build homes on small sites (of less than 10 dwellings) will be supported where the site is located in accordance with policy DLF1, subject to compliance with other policies of the plan.

Wherever custom- and self-build homes are proposed, they should be well-designed, in accordance with Policy GD7.

5.0 Optional Water Efficiency Standards

Introduction

Detailed standards for housing construction, including Building Regulations and Code for Sustainable Homes, were merged into a single system, implemented through the Building Regulations, through the Deregulation Act 2015 and as set out in the ministerial statement of 25th March 2015. Optional technical standards over and above the national standard may be applied only where justified. The council therefore has to consider whether the optional standards should be applied.

Policy and Guidance

National Planning Policy Framework

The Framework requires local planning authorities to adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.

The Revised Preferred Option Policy

The following text was included:

Policy CL1 Flood Alleviation, Water Quality and Water Efficiency

Planning decisions should follow the sequential, risk-based approach to the location of development, as required under paragraph 100 of the Framework.

All new development is required to minimise flood risk impacts on the environment and mitigate against the likely effects of Climate Change on present and future generations. This will be achieved by:

...

c) Improving water efficiency standards by minimising the use of potable mains water in new development and incorporating measures to recycle and conserve water resources.

Planning Practice Guidance

Encourages early engagement between local planning authorities and water companies to ensure water infrastructure is in place to support new development. Local planning authorities can also consider whether a tighter water efficiency requirement for new homes is justified to help manage demand. All new homes already have to meet the mandatory national standard set out in the Building Regulations (125 litres/person/day). Where there is a clear local need, local planning authorities can set out Local Plan policies requiring new dwellings to meet the tighter Building Regulations optional requirement of 110 litres/person/day. A clear need would need to be demonstrated based on existing evidence, consultations with the local water/sewerage company, the Environment Agency and catchment partnerships, having regard to viability. Evidence should be based on the Environment Agency Water Stressed Area Classification and River Basin Management Plans.

The Optional Technical Standard

The Building Regulations Approved Document G provides two alternative standards for Requirement G2 Water Efficiency of New Dwellings. The requirement is either 125 litres per person per day, or 110 litres per person per day. A planning condition is required for the latter standard to apply.

Evidence Documents

The River Basin Management Plan

River Basin Management Plans are produced by the Environment Agency. They set out statutory objectives and a programme of action for “water bodies” and protected areas, in relation to water management issues. These include effects of physical changes to river, lakes and estuaries, pollution from waste water, pollution from urban areas and transport, pollution from rural land uses, pollution from abandoned mines, effects of invasive species, and changes to the natural flow and level of the water.

It is only this last issue that relates to the changes in the Planning Practice Guidance. The problem arises where reduced flow and water level in watercourses, due to abstraction or drought, results in adverse effects on fish and other wildlife and a scarcity of water for domestic, industrial and agricultural uses.

The North West River Basin Management Plan identifies that only 2% of water bodies in the North West (including Cumbria) are affected by this issue, and this principally relates to a problem with abstraction from rivers in West Cumbria. Within the Ribble catchment, no measures are proposed relating to this issue, and it is not one of the priority issues for the catchment.

Environment Agency: Water Stressed Areas

EA’s document Water Stressed Areas makes an assessment of the relative water stress of the different water companies and the areas they cover in England and Wales. Overall, United Utilities is given the classification “not serious” and is therefore not an area considered to be an “Area of serious water stress” under water industry legislation. The document also shows a map detailing the “water bodies at risk of stress” within the individual water company areas: this shows the whole of the borough of Fylde classified as “low”, which is the lowest classification.

The document states:

The designation resulting from the new methodology provides a more complete and realistic picture of stress on water resources, and uses the most up-to-date data sets. It has the potential to be applied to purposes other than metering, such as encouraging or supporting higher water efficiency measures in new build, or to support retrofitting initiatives.

The identification of the whole of Fylde under the classification “low” for risk of water stress, means that in this area, measures over and above the requirement for the standard level of water efficiency cannot be supported by this evidence.

Recommendation

The council has to consider whether a tighter water efficiency requirement for new homes than the national standard is justified to help manage demand. Evidence to be considered includes whether adverse effects on wildlife and scarcity of water, resulting from reduced stream/river flow, are likely to occur, and whether the area is likely to become “water stressed”. Neither of these is likely to be an issue in Fylde, based on the available evidence.

Therefore, it is not recommended that the requirement for optional technical standards for water be taken forward as a requirement in the Submission Local Plan.

6.0 References/evidence documents

Starter Homes

The Stationery Office (2016) Housing and Planning Act 2016 Chapter 22

<http://www.legislation.gov.uk/ukpga/2016/22/contents/enacted>

DCLG (2014) Stepping on the Ladder: High Quality Starter Homes for First-Time Buyers: Consultation:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/387297/141215_starter_homes_final_formatted_with_signatures.pdf

DCLG (2015) Stepping on the Ladder: High Quality Starter Homes for First-Time Buyers: Consultation Response:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408455/150302_-_Gov_response_Starter_Homes.pdf

Written ministerial statement 2nd March 2015:

<http://www.publications.parliament.uk/pa/cm201415/cmhansrd/cm150302/wmstext/150302m0001.htm#1503022000006>

DCLG (2015) Starter Homes Exception Sites: Guidance March 2015

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/408477/Starter_homes_guidance.pdf

DCLG (2015) Planning Practice Guidance: Starter Homes

<http://planningguidance.communities.gov.uk/blog/guidance/starter-homes/starter-homes-guidance/>

DCLG (2015) Starter Homes Design, March 2015

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/419212/150330_-_Starter_Homes_Design_FINAL_bc_lh_pdf.pdf

DCLG (2016) Starter Homes: Unlocking the Land Fund

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/508164/Starter_Homes_unlocking_the_land_fund.pdf

DCLG (2015) Consultation on Proposed Changes to National Planning Policy (7 December 2015)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/488276/151207_Consultation_document.pdf

DCLG (2016) Starter Homes Regulations: Technical Consultation

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/510478/Starter_homes_regulations_technical_consultation.pdf

DCLG and Greg Clark (2015) First wave of Starter Homes to Begin with £8 million Government Funding, press release 7th December 2015

<https://www.gov.uk/government/news/first-wave-of-starter-homes-to-begin-with-8-million-government-funding>

Specialised Housing Background Paper – Publication Version

Prime Minister's Office and DCLG (2016) PM: the government will directly build affordable homes: Press release 4th January 2016

<https://www.gov.uk/government/news/pm-the-government-will-directly-build-affordable-homes>

Turley Associates (2013) Fylde Coast Strategic Housing Market Assessment

<http://www.fylde.gov.uk/assets/files/5207/Fylde-Coast-SHMA-Report-2014.pdf>

Turley Economics (2014) Analysis of Housing Need in light of the 2012 Sub-National Population Projections: Fylde Coast Strategic Housing Market Assessment – Addendum

<http://www.fylde.gov.uk/assets/files/6490/SHMA-Addendum-Revised-Figures.pdf>

Turley Economics (2015) Fylde Addendum 2: Analysis of Housing Need in light of the 2012 Sub-National Household Projections

<http://www.fylde.gov.uk/assets/files/6491/Fylde-Addendum-2-to-the-2014-Fylde-Coast-SHMA.pdf>

Office for National Statistics (2015) House Price Statistics for Small Areas

<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/housepricestatisticsforsmallareas>

Retirement Housing

DCLG (2016) Planning Practice Guidance: Housing and Economic Development Needs Assessments <http://planningguidance.communities.gov.uk/blog/guidance/housing-and-economic-development-needs-assessments/methodology-assessing-housing-need/>

DCLG (2015) Guide to Available Disability Data

<https://www.gov.uk/government/publications/building-regulations-guide-to-available-disability-data>

House of Lords Select Committee on Public Service and Demographic Change (2013) Ready for Ageing

<http://www.parliament.uk/business/committees/committees-a-z/lords-select/public-services-committee/report-ready-for-ageing/>

Demos (2013) Top of the Ladder (A New Generation of Retirement Housing Could Set Off a Property Chain Reaction)

www.demos.co.uk/files/TopoftheLadder-web.pdf?1378922386

Institute of Public Care, Oxford Brookes University (2012) Identifying the Health Gain from Retirement Housing

http://ipc.brookes.ac.uk/publications/pdf/Identifying_the_health_gain_from_retirement_housing.pdf

Shelter (2012): A Better Fit: Creating Housing Choices for an Ageing Population

http://england.shelter.org.uk/__data/assets/pdf_file/0005/427730/Policy_report_A_better_fit.pdf

Specialised Housing Background Paper – Publication Version

New Policy Institute (2012): Market Assessment of Housing Options for Older People
http://npi.org.uk/files/5213/7485/1289/Market_Assessment_of_Housing_Options_for_Older_People.pdf

Henley Business School, University of Reading (2011) Housing markets and independence in old age: expanding the opportunities
centaur.reading.ac.uk/24443/1/HousingMarketsinOldAge.pdf

Office for National Statistics (2016) CT0556_2011 Census - Accommodation type (excluding caravans temporary structures) by number of bedrooms by age by tenure - postal sectors in England and Wales
<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/adhocs/0055102011censusaccommodationtypeexcludingcaravanstemporarystructuresbynumberofbedroomsbyagebytenurepostalsectorsinenglandandwales>

Turley Associates (2013) Fylde Coast Strategic Housing Market Assessment
<http://www.fylde.gov.uk/assets/files/5207/Fylde-Coast-SHMA-Report-2014.pdf>

Turley Economics (2014) Analysis of Housing Need in light of the 2012 Sub-National Population Projections: Fylde Coast Strategic Housing Market Assessment – Addendum
<http://www.fylde.gov.uk/assets/files/6490/SHMA-Addendum-Revised-Figures.pdf>

Turley Economics (2015) Fylde Addendum 2: Analysis of Housing Need in light of the 2012 Sub-National Household Projections
<http://www.fylde.gov.uk/assets/files/6491/Fylde-Addendum-2-to-the-2014-Fylde-Coast-SHMA.pdf>

DCLG (2015): Household Projections
<https://www.gov.uk/government/statistical-data-sets/live-tables-on-household-projections>

Institute of Public Care (2014) Projecting Older People Population Information System (POPPI)
<http://www.poppi.org.uk/index.php?&PHPSESSID=dus7n15gjka43iemo5k7su48r4&areaID=8519&np=1>

Custom- and self-build housing

The Self-build and Custom Housebuilding (Register) Regulations 2016
<http://www.legislation.gov.uk/uksi/2016/105/contents/made>

DCLG (2016) Self-build and custom housebuilding: draft planning practice guidance
<https://www.gov.uk/government/publications/self-build-and-custom-housebuilding-draft-planning-practice-guidance>

DCLG and Brandon Lewis (2015) Brandon Lewis announces large-scale custom build pilot, press release 9th December 2015
<https://www.gov.uk/government/news/brandon-lewis-announces-large-scale-custom-build-pilot>

Self-build and Custom Housebuilding Act 2015
<http://www.legislation.gov.uk/ukpga/2015/17/contents/enacted>

Specialised Housing Background Paper – Publication Version

NaCSBA (2016) The Self Build Portal: Need a Plot

http://www.selfbuildportal.org.uk/index.php?option=com_plotfinder&b=-1&ppw=-1&pps=-1&ws=1&wg=1&we=1&sl=FY8&sr=1000&task=setSearch

DCLG (2014) Planning Practice Guidance: Community Infrastructure Levy: Relief: Self build exemption

<http://planningguidance.communities.gov.uk/blog/guidance/community-infrastructure-levy/relief/self-build-exemption/>

The Community Infrastructure Levy (Amendment) Regulations 2014

<http://www.legislation.gov.uk/uksi/2014/385/regulation/7/made>

Fylde Council (2015) Housing Land Availability Schedule

<http://www.fylde.gov.uk/council/planning-policy--local-plan-/housing-land-schedule/>

DCLG (2016) Technical consultation on implementation of planning changes

<https://www.gov.uk/government/consultations/implementation-of-planning-changes-technical-consultation>

The Stationery Office (2016) Housing and Planning Act 2016 Chapter 22

<http://www.legislation.gov.uk/ukpga/2016/22/contents/enacted>

Optional water efficiency standards

DCLG (2015) Planning Practice Guidance: Housing – Optional Technical Standards: Water Efficiency Standards

<http://planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/water-efficiency-standards/>

DCLG (2015) Approved Document G: Sanitation, hot water safety and water efficiency 2015 Edition

<http://www.planningportal.gov.uk/buildingregulations/approveddocuments/partg/approved>

Environment Agency (2016) North West River Basin District River Basin Management Plan

<https://www.gov.uk/government/collections/river-basin-management-plans-2015#north-west-river-basin-district-rbmp-2015>

Environment Agency (2016) North West River Basin District Information and Results

<https://ea.sharefile.com/d-s9546a39bc1f4d778>

United Utilities (2015) Water Resources Management Plan

<http://corporate.unitedutilities.com/waterresourcesplan.aspx>

Environment Agency (2013) Water Stressed Areas – Final Classification

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/244333/water-stressed-classification-2013.pdf

7.0 Appendices

Appendix 1

Text from the Housing and Planning Bill (as introduced), chapter 1 Starter Homes

PART 1

NEW HOMES IN ENGLAND

CHAPTER 1

STARTER HOMES

1 Purpose of this Chapter

The purpose of this Chapter is to promote the supply of starter homes in England.

2 What is a starter home?

(1) In this Chapter “starter home” means a building or part of a building that—

- (a) is a new dwelling,
- (b) is available for purchase by qualifying first-time buyers only,
- (c) is to be sold at a discount of at least 20% of the market value,
- (d) is to be sold for less than the price cap, and
- (e) is subject to any restrictions on sale or letting specified in regulations made by the Secretary of State.

(2) “New dwelling” means a building or part of a building that—

- (a) has been constructed for use as a single dwelling and has not previously been occupied, or
- (b) has been adapted for use as a single dwelling and has not been occupied since its adaptation.

(3) “Qualifying first-time buyer” means an individual who—

- (a) is a first-time buyer,
- (b) is under the age of 40, and
- (c) has any other characteristics specified in regulations made by the Secretary of State (for example, relating to nationality or minimum age).

(4) “First-time buyer” has the meaning given by section 57AA(2) of the Finance Act 2003.

(5) “Purchase”: the reference to a building or part of a building being available for purchase is to a freehold or a leasehold interest in the building or part being available for purchase.

(6) The “price cap” is set out in the table.

<i>Location of starter home</i>	<i>Price cap</i>
Greater London	£450,000
Outside Greater London	£250,000

(7) The Secretary of State may by regulations amend the definition of “first-time buyer”.

(8) The Secretary of State may by regulations amend the price cap; and the regulations may provide for different price caps to apply—

- (a) for starter homes in different areas in Greater London;
- (b) for starter homes in different areas outside Greater London.

3 General duty to promote supply of starter homes

(1) *An English planning authority must carry out its relevant planning functions with a view to promoting the supply of starter homes in England.*

(2) A local planning authority in England must have regard to any guidance given by the Secretary of State in carrying out that duty.

(3) “English planning authority” means—

(a) a local planning authority in England, or

(b) the Secretary of State when exercising a function relating to the grant of planning permission on an application in respect of land in England.

(4) “Relevant planning functions” means—

(a) functions under Part 3 of the Town and Country Planning Act 1990, other than functions relating to the grant of permission in principle;

(b) functions under Part 8 of the Greater London Authority Act 1999;

(c) functions under Part 2 of the Planning and Compulsory Purchase Act 2004.

(5) The Secretary of State may by regulations—

(a) amend the definition of “English planning authority” in subsection (3);

(b) amend the definition of “relevant planning functions” in subsection (4).

4 Planning permission: provision of starter homes

(1) The Secretary of State may by regulations provide that an English planning authority may only grant planning permission for a residential development of a specified description if the starter homes requirement is met.

(2) “English planning authority” means—

(a) a local planning authority in England, or

(b) the Secretary of State when exercising a function relating to the grant of planning permission on an application in respect of land in England.

(3) “The starter homes requirement” means a requirement, specified in the regulations, relating to the provision of starter homes in England.

(4) Regulations under this section may, for example, provide that an English planning authority may grant planning permission only if a person has entered into a planning obligation to provide a certain number of starter homes or to pay a sum to be used by the authority for providing starter homes.

(5) The regulations may confer discretions on an English planning authority.

(6) The regulations may make different provision for different areas.

(7) In section 70 of the Town and Country Planning Act 1990 (determination of applications: general considerations), for subsection (3) substitute—

“(3) Subsection (1) has effect subject to the following—

(a) section 65 and the following provisions of this Act;

(b) section 15 of the Health Services Act 1976;

(c) sections 66, 67, 72 and 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990;

(d) regulations under section 4 of the Housing and Planning Act 2015 (starter homes requirements).”

5 Monitoring

(1) A local planning authority in England must prepare reports containing information about the carrying out of its functions in relation to starter homes.

(2) The Secretary of State may by regulations make provision about reports under this section, including—

(a) provision about their form and content;

(b) provision about their timing;

(c) provision requiring them to be combined with reports under section 35 of the Planning and Compulsory Purchase Act 2004.

(3) The regulations may require a report to contain information about applications to which regulations under section 4 apply and details of how those applications have been dealt with.

(4) An authority must make its reports under this section available to the public.

6 Compliance directions

(1) The Secretary of State may make a compliance direction if satisfied that—

(a) a local planning authority has failed to carry out its functions in relation to starter homes or has failed to carry them out adequately, and

(b) a policy contained in a local development document for the authority is incompatible with those functions.

(2) A “compliance direction” is a direction that no regard is to be had to the policy for the purposes of any determination to be made under the planning Acts.

(3) A compliance direction remains in force until revoked by a further direction given by the Secretary of State.

(4) A direction under this section must include the Secretary of State’s reasons for making it.

(5) The Secretary of State must publish any direction under this section and give a copy to the local planning authority.

7 Interpretation of this Chapter

In this Chapter—

“development” has the meaning given by section 336 of the Town and Country Planning Act 1990;

“functions in relation to starter homes”, in relation to a local planning authority, means the authority’s functions under—

(a) section 3, and

(b) regulations under section 4;

“local development document” is to be read in accordance with sections 17 and 18(3) of the Planning and Compulsory Purchase Act 2004;

“local planning authority” means a person who is a local planning authority for the purposes of any provision of Part 3 of the Town and Country Planning Act 1990;

“the planning Acts” has the meaning given by section 117(4) of the Planning and Compulsory Purchase Act 2004;

“planning obligation” means a planning obligation under section 106 of the Town and Country Planning Act 1990;

“planning permission” has the meaning given by section 336 of the Town and Country Planning Act 1990;

“residential development” means a development that includes at least one dwelling;

“starter home” has the meaning given by section 2.

Appendix 2

Text from DCLG Consultation, December 2015

Supporting delivery of starter homes

34. National planning policy contains an exception site planning policy to release land specifically for starter homes. This allows applicants to bring forward proposals on unviable or underused commercial or industrial brownfield land not currently identified in the Local Plan for housing.

Unviable and underused commercial and employment land

35. National planning policy is clear that the planning system should support sustainable economic growth and local planning authorities should plan positively to meet the business development needs of their areas. A balance needs to be struck between making land available to meet commercial and economic needs, and not reserving land which has little likelihood of being taken up for these uses. Paragraph 22 of the National Planning Policy Framework is clear that where there is no reasonable prospect of land allocated for employment uses in the Local Plan coming into use, such land should not be subject to long term protection.

36. The Productivity Plan set out our intention to bring forward proposals to extend the current exception site policy, and strengthen the presumption in favour of Starter Home developments, starting with unviable or underused brownfield land for retail, leisure and institutional uses. It also set out our commitment to consider how national policy and guidance can ensure that unneeded commercial land can be released for housing.

37. We want to ensure that unviable or underused commercial and employment land is released under the exception site policy for starter homes. We propose to amend paragraph 22 of the Framework to make clear that unviable or underused employment land should be released unless there is significant and compelling evidence to justify why such land should be retained for employment use. At a minimum, this would include an up-to-date needs assessment and significant additional evidence of market demand. As set out in Planning Practice Guidance, appropriate consideration should also be given to trends in land values for commercial and employment uses, against land values for other uses including residential.

38. To avoid uncertainty on land availability, we wish to ensure our policy is as robust as possible. We are interested in views on the level and type of evidence which would justify retention of employment and commercial land. We are considering the merits of expecting local planning authorities to adopt a policy with a clear limit on the length of time (such as 3 years) that commercial or employment land should be protected if unused and there is not significant and compelling evidence of market interest of it coming forward within a 2 year timeframe. We would welcome views on this approach.

39. There is no comprehensive data on the amount of underused or unviable employment land across England as a whole. Data suggests there were approximately 850 hectares of greenfield land allocated for employment use in the West Midlands in 2012-13. If a similar situation were replicated across England, this would equate to roughly 13,000 hectares in England. However, many of these sites are likely to be in the process of being developed or there may be clear market interest in developing them, but we do not know how many or the extent the sites would be viable for residential development. As an illustration, if around 10% of the 13,000 hectares of allocated employment land were vacant or underused and around 50% of such sites could be viably developed, this could free up an additional 650 hectares for housing.

Q13. What evidence would you suggest could be used to justify retention of land for commercial or similar use? Should there be a fixed time limit on land retention for commercial use?

40. Alongside these proposals, we propose to widen the scope of the current exception site policy for starter homes to incorporate other forms of unviable or underused brownfield land, such as land which was previously in use for retail, leisure and non-residential institutional uses (such as former health and educational sites). This will provide clarity about the scope of the exception site policy for applicants and local planning authorities, and release more land for starter homes.

Q14. Do you consider that the starter homes exception site policy should be extended to unviable or underused retail, leisure and non-residential institutional brownfield land?

41. The current exception site policy states that a planning application for a Starter Home development on an exception site should be approved unless the local planning authority can demonstrate that there are overriding conflicts with the National Planning Policy Framework that cannot be mitigated. The interpretation of this policy has created uncertainty for applicants seeking to bring forward the first Starter Home applications.

42. To ensure there is greater certainty that planning permission will be granted for suitable proposals for starter homes on exception sites, we propose to be clearer about the grounds on which development might be refused, and to ensure that this is fully embedded in national planning policy. Specifically, we propose to amend the exception site policy to make it clearer that planning applications can only be rejected if there are overriding design, infrastructure and local environmental (such as flood risk) considerations that cannot be mitigated.

Q15. Do you support the proposal to strengthen the starter homes exception site policy? If not, why not?

Encouraging starter homes within mixed use commercial developments

43. We are keen to understand whether there is the potential to encourage a greater proportion of housing in general and starter homes in particular within mixed use commercial developments across the country, for example new town centre developments or existing town centre regeneration. As shopping patterns have changed, so have the shape of our town centres. Bringing starter homes into those centres will not only bring footfall, but help drive the regeneration of those towns, benefitting the wider community and helping to safeguard the future of town centres.

44. In cases where existing mixed use commercial developments contain unlet commercial units, we consider that where appropriate they could usefully be converted to housing including as starter homes. There would need to be clear evidence that the unit has remained unlet for a reasonable period or there is little likelihood of the unit being let for a commercial use.

Q16: Should starter homes form a significant element of any housing component within mixed use developments and converted unlet commercial units?

Encouraging starter homes in rural areas

45. The Government's Rural Productivity Plan set out priorities for growing the rural economy and the need to increase the availability of housing in rural towns and villages to enable them to thrive. The use of rural exception sites is an established means for supporting sensitive housing growth where it is locally supported and meeting local needs.

46. Starter homes can provide a valuable source of housing for rural areas and, if classified as affordable housing, then we consider it should be possible to deliver starter homes through the existing rural exception site policy. Local planning authorities have been bringing forward rural exception sites for a number of years. Data on affordable housing units built on rural exception sites is collected by the Department for Communities and Local Government¹⁴. In 2013/14 there were 1,642 units built. Rural exception sites are a useful tool for local planning authorities in rural areas to help meet a local community need.

47. We propose that starter homes on rural exception sites should be subject to the same minimum time limits on resale (5 years) as other starter homes to ensure local people are able to maximise the value of the home and secure a long term place in the local housing market. However, we also

propose that local planning authorities would, exceptionally, have the flexibility to require a local connection test. This would reflect the particular needs of some rural areas where local connections are important and access to the housing market for working people can be difficult and would be consistent with existing policy on rural exception sites.

Q17. Should rural exception sites be used to deliver starter homes in rural areas? If so, should local planning authorities have the flexibility to require local connection tests?

Q18. Are there any other policy approaches to delivering starter homes in rural areas that you would support?

Enabling communities to identify opportunities for starter homes

48. Neighbourhood plans prepared by local communities present a further opportunity to provide housing for young people wishing to enter the housing market. We want them to consider the opportunities for starter homes in their area as they develop their plans.

49. National planning policy currently considers limited affordable housing for local community needs as “not inappropriate” in the Green Belt, where this is consistent with policies in the Local Plan. This does not give express support to neighbourhood plans which seek to allocate land in the Green Belt to meet housing need, where this is supported by the local community. We consider that the current policy can hinder locally-led housing development and propose to amend national planning policy so that neighbourhood plans can allocate appropriate small-scale sites in the Green Belt specifically for starter homes, with neighbourhood areas having the discretion to determine the scope of a small-scale site. This will support local areas in giving affordable home ownership opportunities to young people and young families by enabling a small level of development that is sympathetic to local concerns and is clearly supported by local people.

Q19. Should local communities have the opportunity to allocate sites for small scale Starter Home developments in their Green Belt through neighbourhood plans?

Brownfield land in the Green Belt

50. We are firmly committed to making sure the best possible use is made of all brownfield land that is suitable for housing, to reduce the need as far as possible to release other land. This could potentially include some brownfield land that sits within the Green Belt that already has buildings or structures and has previously been developed.

51. We are committed to protecting the Green Belt, and are maintaining the strong safeguards on Green Belt set out in national planning policy. These policies set a high bar against inappropriate development in Green Belt, while recognising that some parts of the Green Belt contain living and working communities that need to thrive. National planning policy sets out that most development in the Green Belt is inappropriate and should not be approved except in very special circumstances.

52. Only 0.1% of land in the Green Belt is previously developed brownfield land suitable for housing, often with structures or buildings in place. Limited infilling or the partial or complete redevelopment of such land – where this would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development - is already deemed not inappropriate.

53. Since introduction of the initial exception site policy for starter homes in March 2015, we have given further consideration to the potential release of brownfield land in the Green Belt as part of our overall approach to delivering 200,000 starter homes. The Autumn Statement 2015 set out that we will bring forward proposals to amend national planning policy to allow for the development of brownfield land in the Green Belt providing it contributes to starter homes. We propose to change policy to support the regeneration of previously developed brownfield sites in the Green Belt by allowing them to be developed in the same way as other brownfield land, providing this contributes to the delivery of starter homes, and subject to local consultation. We propose to amend the current policy test in paragraph 89 of the National Planning Policy Framework that prevents development of

brownfield land where there is any additional impact on the openness of the Green Belt to give more flexibility and enable suitable, sensitively designed redevelopment to come forward. We would make it clear that development on such land may be considered not inappropriate development where any harm to openness is not substantial.

54. Based on data from the 2010 National Land Use Database, we estimate that across England there were 500 to 600 hectares of brownfield land in the Green Belt viable for starter homes development and not on open land¹⁵. There is no data to indicate how much of this land has subsequently been built on (including potentially commercial or industrial units), or how much further land of this type may have become available.

Q20. Should planning policy be amended to allow redevelopment of brownfield sites for starter homes through a more flexible approach to assessing the impact on openness?

Appendix 3

Text from Ministerial Statement 2nd March 2015

COMMUNITIES AND LOCAL GOVERNMENT

Starter Homes

The Minister of State, Department for Communities and Local Government (Brandon Lewis): I would like to update hon. Members on the outcome of the Government's consultation, launched by the Prime Minister in December, seeking views about our proposals for planning reform to support the development of 100,000 new high-quality, low-cost starter homes for young first time buyers.

We are determined to ensure young people are not denied what their parents took for granted—the opportunity to buy their own home, settle down and enjoy the security that home ownership brings. Nearly 192,000 households have now been helped by the Government to buy or reserve a home since 2010, through schemes like help to buy and the reinvigorated right to buy. But we know there are still far too many hard working young people from all walks of life struggling to gain a foot on the property ladder, so we want to go further and give them access to a new generation of high-quality, low-cost starter homes.

Our starter home consultation proposed the introduction of a new national exception site planning policy to enable starter homes to be built on under-used or unviable commercial or industrial sites not currently identified for housing, on both public and private land; for these starter homes to be only sold to young first time buyers at a minimum 20% discount below their open market value; that local planning authorities should not seek section 106 affordable housing and tariff-style contributions on starter homes; and they should be exempt from the community infrastructure levy to enable developers to help deliver the discounted sale price.

2 Mar 2015 : Column 43WS

We received over 250 responses to the consultation. There was strong endorsement from prospective first time buyers for the starter homes policy. Many local authorities, developers and lenders also endorsed more support for first time buyers, and made helpful comments about how this new planning policy could be implemented. The Government have published their consultation response today, and I will place a copy in the Library of the House. It will also be available online at: www.gov.uk.

After careful consideration of these responses, the Government are today making the following change to national planning policy:

Local planning authorities should work in a positive and proactive way with landowners and developers to secure a supply of sites suitable for housing for first-time buyers. In particular, they should look for opportunities to create high quality, well designed starter homes through exception sites on commercial and industrial land that is either under used or unviable in its current or former use, and which has not currently been identified for housing.

Where applications for starter homes come forward on such exception sites, they should be approved unless the local planning authority can demonstrate that there are overriding conflicts with the national planning policy framework that cannot be mitigated.

Planning obligations should be attached to permissions for starter homes on starter homes exception sites, requiring that the homes are offered for sale at a minimum of 20% below open market price, to young first- time buyers who want to own and occupy a home. They should also prevent the re-sale and letting of the properties at open market value for a five year period.

In view of their contribution to meeting housing needs, starter homes exception sites should not be required to make section 106 affordable housing or tariff-style contributions.

Exception sites may include a small proportion of market homes, at the planning authority's discretion, where this is essential to secure the required level of discount for the starter homes on the site.

2 Mar 2015 : Column 44WS

Starter homes developments are expected to be well- designed and of a high quality, contributing to the creation of sustainable places where people want to live, work and put down roots to become part of the local community. A new design advisory panel set up by the Government, involving leading industry experts, is developing an initial set of exemplar designs for starter homes which we expect to publish shortly for wider comment. While recognising the need for local flexibility, we would expect these designs over time to become the default approach to design to be considered for starter homes developments.

This new national planning policy should be taken into account in plan-making and decision taking, and should be read alongside other policies in the national planning policy framework.

We will shortly publish revised planning guidance to assist local planning authorities in implementing this policy change. This guidance will support implementation of the policy, including the definition of under-used or unviable land and young first time buyers.

We will also work with developers, lenders, and local authorities on the development of further supporting technical material.

In addition to this policy change, the Government will seek to amend the community infrastructure levy regulations in the next Parliament to exempt discounted starter home developments from the levy. We will also consider further how the development of more starter homes can be encouraged through further planning reforms, including the opportunity to use other forms of land.

This written ministerial statement sets out agreed coalition Government policy to deliver a national starter homes scheme and planning policy; it is separate from the announcement by the Prime Minister today setting out further Conservative policy intentions on starter homes for the next Parliament.

Appendix 4

Extract from Planning Practice Guidance: Housing and Economic Development Needs Assessments (paragraph 021)

Housing for older people

The need to provide housing for older people is critical given the projected increase in the number of households aged 65 and over accounts for over half of the new households (Department for Communities and Local Government Household Projections 2013). The age profile of the population can be drawn from Census data. Projection of population and households by age group should also be used. Plan makers will need to consider the size, location and quality of dwellings needed in the future for older people in order to allow them to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish. Supporting independent living can help to reduce the costs to health and social services, and providing more options for older people to move could also free up houses that are under occupied. The future need for specialist accommodation for older people broken down by tenure and type (e.g. sheltered, enhanced sheltered, extra care, registered care) should be assessed and can be obtained from a number of online tool kits provided by the sector. The assessment should set out the level of need for residential institutions (Use Class C2). Many older people may not want or need specialist accommodation or care and may wish to stay or move to general housing that is already suitable, such as bungalows, or homes which can be adapted to meet a change in their needs. Local authorities should therefore identify particular types of general housing as part of their assessment.

Appendix 5

Extract from Planning Practice Guidance: Optional Technical Standards

Introduction

Paragraph: 001 Reference ID: 56-001-20150327

What are the new optional technical housing standards?

The Government has created a new approach for the setting of technical standards for new housing. This rationalises the many differing existing standards into a simpler, streamlined system which will reduce burdens and help bring forward much needed new homes. The Government set out its policy on the application of these standards in decision taking and plan making in a Written Ministerial Statement, which also withdraws the Code for Sustainable Homes aside from legacy cases.

Revision date: 27 03 2015

Paragraph: 002 Reference ID: 56-002-20150327

What optional technical housing standards can local planning authorities set?

Local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard. Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans.

Revision date: 27 03 2015

Paragraph: 003 Reference ID: 56-003-20150327

How should local planning authorities assess viability concerns for setting optional Building Regulation requirements and the nationally described space standard?

Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment. In considering the costs relating to optional Building Regulation requirements or the nationally described space standard, authorities may wish to take account of the evidence in the most recent Impact Assessment • issued alongside the Housing Standards Review.

Revision date: 27 03 2015

Accessibility and wheelchair housing standards

Paragraph: 005 Reference ID: 56-005-20150327

Can local planning authorities require accessibility, adaptability and wheelchair standards in new dwellings?

The National Planning Policy Framework (NPPF) is clear that local planning authorities should plan to create safe, accessible environments and promote inclusion and community cohesion. This includes buildings and their surrounding spaces. Local planning authorities should take account of evidence that demonstrates a clear need for housing for people with specific housing needs and plan to meet this need.

Revision date: 27 03 2015

Related policy

National Planning Policy Framework

• Promoting Healthy Communities

Paragraph: 006 Reference ID: 56-006-20150327

How should local planning authorities assess the need for accessibility requirements?

The National Planning Policy Framework requires local planning authorities to have a clear understanding of housing needs in their area, including those for people with specific housing needs. The Framework provides guidance on the methodology that can be used to undertake the needs assessments.

Revision date: 27 03 2015

Related policy

National Planning Policy Framework

· Paragraph 50

Paragraph: 007 Reference ID: 56-007-20150327

What evidence should local planning authorities use to demonstrate a need to set higher accessibility, adaptability and wheelchair housing standards?

Based on their housing needs assessment and other available datasets it will be for local planning authorities to set out how they intend to approach demonstrating the need for Requirement M4(2) (accessible and adaptable dwellings), and / or M4(3) (wheelchair user dwellings), of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:

- the likely future need for housing for older and disabled people (including wheelchair user dwellings).
- size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).
- the accessibility and adaptability of existing housing stock.
- how needs vary across different housing tenures.
- the overall impact on viability.

To assist local planning authorities in appraising this data the Government has produced a summary data sheet. This sets out in one place useful data and sources of further information which planning authorities can draw from to inform their assessments. It will reduce the time needed for undertaking the assessment and thereby avoid replicating some elements of the work.

Revision date: 27 03 2015

Paragraph: 008 Reference ID: 56-008-20150327

What accessibility standards can local planning authorities require from new development?

Where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and / or M4(3) of the optional requirements in the Building Regulations. They should clearly state in their Local Plan what proportion of new dwellings should comply with the requirements. There may be rare instances where an individual's needs are not met by the wheelchair accessible optional requirement – see paragraph 011 below.

Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied.

Revision date: 27 03 2015

Paragraph: 009 Reference ID: 56-009-20150327

What issues should local planning authorities consider in determining whether dwellings should be fully wheelchair accessible or adaptable?

Part M of the Building Regulations sets a distinction between wheelchair accessible (a home readily useable by a wheelchair user at the point of completion) and wheelchair adaptable (a home that can be easily adapted to meet the needs of a household including wheelchair users) dwellings.

Local Plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.

Revision date: 27 03 2015

Paragraph: 010 Reference ID: 56-010-20150327

How should authorities determine whether accessible and adaptable or wheelchair user dwellings (M4(2) or M4(3)) should be required in non-lift serviced flats?

The Building Regulations for accessible and adaptable or wheelchair user dwellings require that these types of dwelling should achieve step-free access. In setting policies requiring M4(2) and M4(3) compliant dwellings, local planning authorities will need to assess whether this has an impact on non-lift serviced multi-storey development in their local housing mix. Where step-free access in this type of development is not viable, neither of the Optional Requirements in Part M should be applied.

Revision date: 27 03 2015

Paragraph: 011 Reference ID: 56-011-20150327

Where an individual has specific needs that would not be met by the wheelchair accessible optional requirement can a local planning authority ask for a different standard?

Where there is a very specific and clearly evidenced accessibility need, which is outside of what is provided for by the wheelchair accessible standard, a local planning authority can have different requirements in order to meet that need. This should only be required to meet the needs of a specific individual and therefore should only be required of a home where a local authority allocation policy applies. Such a requirement would also be subject to viability considerations.

Revision date: 27 03 2015

Paragraph: 012 Reference ID: 56-012-20150327

Where can I find out more about the access standard?

Approved Document M, volumes 1 – access to and use of dwellings and 2 – access to and use of buildings other than dwellings are available from the Planning Portal.

Revision date: 27 03 2015

Appendix 6

Census report: Accommodation type by age (postcode areas)

	FY8 1 Central St Annes, Fairhaven	FY8 2 North St Annes, Airport	FY8 3 Heyhouses	FY8 4 Ansdell, North Lytham	FY8 5 Central Lytham	FY3 0 Staining	FY4 5 Blackpool periphery	PR4 1 Warton Freckleton	PR4 2 Kirkham Wrea Green	PR4 3 Wesham Newton Weeton	Total
Total residents	8920	8624	9798	10125	5674	1926	4813	8973	7854	8165	74872
65+ total	1591	1846	2677	2864	1237	322	1196	1750	1649	1178	16310
65+ 1 bed	360	271	261	236	153	18	177	124	129	70	1799
65+2 bed	983	918	1104	964	383	92	470	624	408	278	6224
65+ 3 bed	525	582	1043	1078	400	147	408	746	806	554	6289
65+ 4 bed	309	214	235	516	164	55	118	214	270	238	2333
65+ 5+bed	114	61	34	60	57	10	23	42	36	38	475
65+flat(any)	1143	804	464	456	402	9	193	95	125	52	3743
80+ total	733	771	830	818	398	82	276	390	415	245	4958
80+ 1 bed	128	118	88	94	87	5	66	50	47	26	609
80+ 2 bed	385	350	370	308	160	28	98	167	108	76	2050
80+ 3-bed	122	234	310	295	91	34	86	129	195	92	1588
80+ 4 bed	68	41	52	104	48	11	20	38	54	43	429
80+ 5+ bed	30	28	10	17	12	4	6	6	11	8	132

Office for National Statistics: CT0556 - Accommodation type (excluding caravans/temporary structures) by number of bedrooms by age by tenure

Dataset population: All usual residents in households (excluding caravans/temporary structures)

Geographical level: Postal sectors in England and Wales

Source : 2011 Census (27 March)

Appendix 7

Existing Accommodation for the Elderly in Fylde

Accommodation for the elderly: sheltered housing schemes

Name	Address	No. of units	Type and facilities	Tenure	Notes
Abbeyfield House	1 Park Ave LSA	8	Meals provided but no care staff	Social rent	Studio flats in large converted house
Abbeyfield House	32-34 Cecil St LSA	11	Meals provided, staff on site, but not clear that care element included	Social rent	Studio flats in converted house: not fully accessible
Amounderness Court	Marsden St. Kirkham	35	Lift, lounge laundry guest facilities garden; no meals/care	Social rent	Purpose built flats (1988)
Ancenis Court	School Lane, Kirkham	36	Lounge laundry guest facilities garden; no care/meals	Social rent	Purpose-built flats (1980)
Ashton Garden Court	St Andrews Rd N., St Annes	35	Lift, lounge, laundry, guest facilities, no care/meals	Leasehold	Purpose built (1993) 2-bedroom flats; fully accessible; very accessible location
Ashton View	St Georges Rd., St. Annes	58	No details	Leasehold	Purpose-built 1 & 2 bed flats (2008)
Croft Court	Naze Lane Freckleton	22	“Sheltered plus” scheme: on-site care staff; crisis avoidance	Social rent	Purpose-built flats (1986)
Croft Manor	Mason Close, Freckleton	42	45+ age exclusive housing. Lounge, laundry, guest facilities; no care/meals	Leasehold	Purpose built 1 and 2 bed flats

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Name	Address	No. of units	Type and facilities	Tenure	Notes
Derby House	Park Lane, Wesham	36	Lounge, laundry, guest facilities, garden, no care/meals	Social rent	Purpose-built flats, bungalows
Fair Haven Court	65 Woodlands Rd Ansdell	31	Age exclusive housing: lounge, laundry, guest facilities, no care/meals	Shared ownership	Purpose-built 1-bed flats
Fosbrooke House	8 Clifton Drive LSA	32	60+ Meals available. Wide range of facilities incl hair salon, library, laundry, guest facilities, no declared care element	Social rent	Purpose-built 1-bed flats: church connected
Gisburn Ave/ Ilkley Ave	Ansdell	58	Lounge laundry garden, no care/meals	Social rent	Purpose-built flats/ bungalows
Homelinks House	Clifton Drive South LSA	40	Lift lounge laundry garden, regular social events, no care element/meals	Leasehold	Purpose-built flats (1986) McCarthy & Stone
Jubilee Cottage	143-145 St Andrews Rd S LSA	17	Lounge laundry garden, no care	Leasehold	1- and 2- bed flats converted from houses
Lemon Tree Court	Clifton Drive N, Squires Gate	63	55+ lift lounge laundry library, regular social events, no apparent care/meals	Leasehold	Purpose-built 1 and 2 bed flats (1994) McCarthy & Stone Very accessible location
Liggard Court	Mythop Rd LSA	41	Lift lounge laundry garden, no care/meals	Social rent	Purpose-built flats

Specialised Housing Background Paper – Publication Version

Name	Address	No. of units	Type and facilities	Tenure	Notes
Links View	Frobisher Drive LSA	59	Extra care housing; on-site care staff, lounge, dining room, hobby room activities room, shop, hair salon, library, assisted bathing facility, some meals	Leasehold/ shared ownership/ market rent	Purpose built flats (2008)
Lystra Court	103 South Promenade	41	60+ lift lounge laundry, regular social events, no care/meals	Leasehold	Purpose-built flats McCarthy & Stone
Moor Street/Aitken Court	Kirkham	8	Age exclusive housing; alarm but no other facilities	Social rent	Purpose-built flats
Orchid Court	35-37 South Promenade	36 U/C	60+ lift, lounge, guest facilities, garden; no care/meals	Leasehold	Under construction. Purpose-built 1 and 2 bed flats, McCarthy & Stone
Oxford Court	Oxford Rd Ansdell	57	55+ Lift lounge laundry guest facilities garden, regular social activities, no care/meals	Leasehold	
Poplar Court	Kings Rd LSA	74	60+ lounge, laundry, no care/meals	Leasehold	Purpose-built flats (McCarthy & Stone 1989)
Porritt House	13 St Thomas Rd	16	65+ Enhanced sheltered housing: 24 hour staff, some meals, assisted bathing facility, hair salon, shop	Market rent	Studio/1 bedroom flats converted from large house; very accessible location
Sandhurst Grange	Sandhurst Ave LSA	33	55+ lounge/laundry, no meals/care	Leasehold	Flats converted from dwelling(s?)

Specialised Housing Background Paper – Publication Version

Name	Address	No. of units	Type and facilities	Tenure	Notes
Shalom Lodge	22 York Rd LSA	22	55+ lounge laundry, no care/meals	Social rent (Manchester Jewish Housing Association)	Purpose-built flats
South Hey and Worsley Rd	Ansdell	95	Lounge, laundry, no care	Social rent (New Fylde Housing)	Flats, bungalows
St. Andrews Court	St. Andrews Rd N., St. Annes	40	55+ no meals/care. Lounge, laundry	Leasehold	Purpose-built 1- and 2-bed flats
St. Johns Court	Warton St LSA	31	Lounge/dining, no care	Social rent (New Fylde Housing)	Purpose built 1-bed flats
The Homestead	Henry Street, LSA	31	56+ no meals/care	Leashold	Purpose-built 1-bed flats, management staff, lounge etc

Source:

<http://www.housingcare.org/sheltered-housing/area-2-fylde.aspx>

Specialised Housing Background Paper – Publication Version

Care homes

Name	Address	No. of places	No of units
Alistre Lodge Nursing Home	69 St Annes Rd E LSA	43	17
Beacholme	35 Derbe Road LSA	3	?
Belmar Nursing Home	25 Clifton Dr LSA	44	29
Brooklands House	3 Woodland Terrace LSA	30	?
Chaseside Residential Care Home	St Georges Square St Annes	24	23
Cross and Passion Convent	19 East Beach Lytham	16	20 (?)
Delaheys Nursing Home	215 Clifton Drive S LSA	28	14
Fairhaven Lodge	7/9 Fairhaven Rd St Annes	25	20
Headroomgate Nursing Home	1 Oxford Road LSA	17	12
Hedges House	37-39 Church Rd Lytham	34	30
Lakeview	10-12 Lake Rd Fairhaven	29	24
Le Grand	Preston Old Rd Freckleton	28	28
Lytham Court	2 Lowther Terrace LSA	31	28
Millbank	Station Road Kirkham	44	?
Moor Villa	53 Moor Street Kirkham	16	7
New Thursby Care Home	604 Clifton Drive N St Annes	40	36
Newfield Lodge Rest Home	93/99 St Andrews Rd S LSA	32	34 (?)
Priory Court Nursing Home	51 Clifton Drive Lytham	28	26
Rathmore	3 St Annes Rd East St Annes	8	8
Redlands Rest Home	44/46 Park Rd Lytham	23	21
Richard Peck House	1 St Thomas Rd LSA	30	30
Riverside Rest Home	17 West Beach Lytham	26	23
Rosewood Lodge	491 Clifton Drive N LSA	24	24
Rossendale Nursing Home	96 Woodlands Rd Ansdell	27	7
Royal Care Home	16-18 York Rd St Annes	27	28
Spindrifft Care Home	37/39 Cleveland Road LSA	34	26
Starr Hills	18 Ansdell Rd S Ansdell	36	37
Stella Matutina Care Home	16 Clifton Drive Ansdell	42	42
St George's Nursing Home	2-4 Marine Drive Fairhaven	26	27
The Bellingham Residential Home	47 Church Rd LSA	15	20
The Chimes	83 Park Rd St Annes	21	18
The Knights	365 Clifton Dr N St Annes	31	29
The Manse Nursing Home	Kirkgate Kirkham	40	39
The Moorings	60 North Promenade LSA	29	?
The Old Vicarage	15 Naze Lane Freckleton	35	26
Thistleton Lodge Care Home	Fleetwood Rd Thistleton	54	47
Tudor Care Home	62 Orchard Rd St Annes	18	15
Villarose	256 Clifton Drive S LSA	15	13
Wentworth House	283 Clifton Dr South LSA	15	11
Westholme	24/28 Victoria Rd St Annes	26	20

<http://www.housingcare.org/housing-care/results.aspx?ath=6%2c7&atc=4%2c5&lst=re&ct=England&cn=Lancashire&ca=Fylde&stp=1&sm=3&vm=list&rp=10&page=1>

Appendix 8

DCLG Sub National Household Projections

Information from Table 414: Household Projections by Age and District

E07000119 Fylde

	Households in 2012	Households in 2037
Under 25	1000	1000
25-34	3000	3000
35-44	5000	5000
45-54	7000	6000
55-64	6000	6000
65-74	6000	8000
75-84	5000	7000
85+	2000	5000

All projections are 2012-based and project forward 25 years from 2012 (base year) to 2037. The 2012-based household projections are linked to the Office for National Statistics 2012-based sub-national population projections.

They are not an assessment of housing need or do not take account of future policies, they are an indication of the likely increase in households given the continuation of recent demographic trends.

All figures from 2012 are based on the methodology used for the 2012-based projections and may differ to those published under previous projections.

Throughout this release the 2001 Census definition of household is used.

The assumption is that the definitional differences do not affect household representative rates at the aggregate national level. Future updates would be consistent with the 2011 definition of a household.

‘A household is defined as one person living alone, or a group of people (not necessarily related) living at the same address with common housekeeping – that is, sharing either a living room or sitting room or at least one meal a day.’

A dependent child is a person in a household aged 0 to 15 (whether or not in a family) or a person aged 16 to 18 who is a full time student in a family with parents.

The household representative is the individual that is taken to represent that household. This is usually taken as the eldest male within the household.

The age of household is based on the household representative. This is the individual that represents that household and is usually taken as the eldest male within the household.

The private household population is the total resident population minus the institutional population.

Appendix 9

Extract from Planning Practice Guidance: Local Plans – Key Issues

Paragraph: 006 Reference ID: 12-006-20150320

How should local planning authorities express the need for different types of housing in their Local Plan?

Local planning authorities should ensure that the policies in their Local Plan recognise the diverse types of housing needed in their area and, where appropriate, identify specific sites for all types of housing to meet their anticipated housing requirement. This could include sites for older people’s housing including accessible mainstream housing such as bungalows and step-free apartments, sheltered or extra care housing, retirement housing and residential care homes. Where local planning authorities do not consider it appropriate to allocate such sites, they should ensure that there are sufficiently robust criteria in place to set out when such homes will be permitted. This might be supplemented by setting appropriate targets for the number of these homes to be built.

Revision date: 20 03 2015 See revisions