

Stephanie Shone

From: Julie Glaister
Sent: 09 June 2021 16:51
To: graham@smithlove.co.uk; Joanne Harding
Cc: Tony Blackburn; Eddie Graves; Stephanie Shone; Mark Evans
Subject: PRFLP32 Policy H2
Attachments: Policy H2 - proposed changes v1 09062021.docx; Policy H2 - proposed changes v2 09062021.docx; Policy H2 - proposed changes v3 09062021.docx

Dear Graham and Joanne,

Please find attached three versions of Policy H2. The Council wishes to invite further comments on these versions from the HBF and Smith Love.

1. No change to the existing policy

The Council did not identify Policy H2 as a policy which required revising in relation to NPPF19 and therefore was not included in the scope, or the Schedule of Revisions (SDPR01) of the Partial Review. The inclusion of the policy as part of the Examination derives from representations concerning the slight amendment to the definition of 'older people' in national policy and guidance, the need to have regard to paragraph 64b of NPPF19 and the need to align with the illustrative categories of older people's accommodation in PPG. In relation to these:

- Older people was defined in NPPF12 but the Council used the word elderly in relation to the policy, as a distinction from the NPPF12 (or NPPF19) definition of older people. The policy applies to those types of housing providing for those with support needs, not to all types of older people's housing, and this is made clear in the existing supporting text.
- The criteria in the policy accord with reasonable requirements for the types of accommodation described in the 2nd 3rd and 4th bullets of the PPG paragraph 010 which in any case is only an illustrative list.
- The Council's affordable housing concession contained within the policy is the Council's own viability-tested policy but is in any case considered to align with the circumstances when paragraph 64b of NPPF19 ("*specialist accommodation for a group of people with specific needs...such as...the elderly*") would operate.

However, as the policy has been included within the Examination of the Partial Review of the FLP32, the Council has sought to address issues raised, as far as possible within the scope of the Partial Review.

2. Minimal change to the existing policy

The Council has been requested to reconsider the overall structure of the policy to improve clarity, whilst having regard to national policy and guidance. This version addresses these points.

The Council's application of the policy has been that, where specialist housing is proposed that seeks to meet the needs of the elderly through the compliance with all criteria in parts 2 and 3 of the policy as used at the hearing session, the exemption from the Council's general requirement for 30% affordable housing in Policy H4 will apply. The hearing sessions identified anomalies and inconsistencies in the wording used in different parts of the policy which have led to a lack of clarity as to how the policy actually applies. The Council, as requested, has proposed to introduce headings to the relevant sections and to remove the reference to "purpose built" which was the specific source of confusion raised at the hearing session.

3. Changes to address all issues raised

The Council has been requested to consider all issues raised in the hearing session and in representations to reach an agreed form of wording covering points raised. The Council has produced this version with this in mind but considers that the representations received advocate that the policy should allow an exemption from the affordable

housing requirement for age-restricted market housing for older people. The existing policy does not do this and it would not be justified: the existing policy incentivises the provision of accommodation for the elderly with support needs, as identified in the FLP32 Inspector's Report EL3.002, paragraphs 159-161. The Council has restricted its changes to those clarifying the operation of the existing policy, including the introduction of headings, the use of the term "older people" and the introduction of text to clarify the relationship with the illustrative list in PPG. It does not extend part 2 of the policy to a wider range of types of older people's accommodation, which would widen the remit compared to the existing policy.

These modifications are to help clarification of the policy for decision makers and applicants, and are a response to the proceedings of the hearing session, representations and comments made by the Inspector.

The deadline for any further comments on these versions is 5.00pm on Thursday 24th June.

Kind regards

Julie