Suffolk Coastal Local Plan Examination

Note on proposed modifications to SCLP5.8 Housing Mix

1. This note responds to the Inspector’s post hearings letter dated 31st January 2020 and also the Inspector’s comments within the first review of the table of modifications that has been prepared by the Council to identify amendments to the plan.

2. Following the hearing session on Wednesday 18th September 2019 on Matter 4 Policies the Council submitted a note to the Inspector proposing modifications to Policy SCLP5.8 Housing Mix (Note on Policy SCLP5.8 Housing Mix, Document J13). In relation to accessible and adaptable dwellings the modifications proposed to Policy SCLP5.8 in the Note are set out below:

“On proposals of 10 units or more at least 50% of the dwellings will need to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations, and will be required to demonstrate how the proposal contributes to increasing the choice and mix of housing available for the older population. Only in exceptional circumstances would a lower percentage of M4(2) dwellings be permitted. In such circumstances applicants would need to demonstrate that provision is either unfeasible or unviable and that the development incorporates alternative measures to enhance accessibility and adaptability where possible.”

3. This followed the Council’s response to the Inspector’s question 4.6, as set out in the Council’s Hearing Statement Matter 4 Policies (August 2019), which asked whether Policy SCLP5.8 is justified and consistent with national policy in applying M4(2) standards to at least 50% of dwellings on developments of more than 10 units. The Council’s response referred to data relating to the ageing population, the needs for specialist accommodation, the projected increase in population with a limiting long term illness and past applications for Disabled Facilities Grant. The response identified that there is likely to be a cross-over between some of this data and therefore referred to the increase in those with a limiting long term illness and the average annual number of Disabled Facilities Grants in demonstrating that 50% is an appropriate requirement.

4. The Inspector in his post hearings letter has asked that the Plan be amended so that it is clear that Part M4(2) of the Building Regulations should apply to specialist housing given the likely needs of future occupants. The Inspector has also asked the Council to revisit the calculation of the minimum percentage of dwellings which should meet the requirements of M4(2), having regard to the contribution that would be made by specialist housing to meeting the overall requirement. The Council has sought clarification from the Inspector who has confirmed that he wishes to understand whether a 50% requirement on market housing (i.e. excluding specialist accommodation) would be justified.
5. The total needs for specialist housing are set out in paragraph 5.42 of the Final Draft Local Plan and are identified as 1,287 specialist dwellings (sheltered housing, enhanced sheltered housing and extra care) and 1,118 spaces in residential care.

6. Subtracting the needs for specialist accommodation from the equation previously presented (Council’s Hearing Statement Matter 4 Policies, August 2019) would therefore produce the following result:

<table>
<thead>
<tr>
<th>Need over the plan period</th>
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<tr>
<td>Increase in people aged 65 or over with a limiting long term illness (SHMA Part 2, Document D15, page 97)</td>
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<td>Average disabled facilities grants per year suggests that of the existing stock approximately 80 per year would need to be adapted</td>
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<tr>
<td>Potential housing needs related to existing and future housing stock (3,120 + 1,440)</td>
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<tr>
<td>Needs for specialist housing (1,287 sheltered, enhanced sheltered and extra care + 1,118 residential care)</td>
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<tr>
<td>Potential needs minus identified needs for specialist housing (4,560 – 2,405)</td>
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7. This would suggest that M4(2) requirements should be applied to 2,155 non-specialist dwellings, on the assumption that all specialist accommodation would meet M4(2) standards.

8. The Council’s previous response to the Inspector’s question 4.6 (Hearing Statement Matter 4 Policies, August 2019, page 13, paragraph 49) referenced the fact that almost 7,000 dwellings of the requirement to 2036 are already committed (as at 31.3.2018) as set out in Table 3.5 of the Final Draft Local Plan (Document A1, page 38). The Local Plan plans for at least a further 5,170 dwellings (including windfall) (Final Draft Local Plan, page 38-39, paragraph 3.38-3.39).
9. Subtracting the need for sheltered housing, enhanced sheltered housing and extra care (1,287 dwellings) from the figure of 5,170 would leave a total of 3,883 dwellings. It is not considered appropriate to also subtract the need for residential care spaces from this figure as this represents a need for accommodation that is not housing, as set out in the Strategic Housing Market Assessment Part 2, Document D15, page 93-94, paragraph 6.13). Part M4(2) applies only to dwellings (i.e. houses and flats), as set out in Building Regulations 2010 Access to and Use of Buildings Approved Document – Volume 1 Dwellings, 2015 Edition Incorporating 2016 Amendments. It is reasonable to consider that some of the need for residential care could however be met by housing and this would potentially be addressed by setting a requirement to apply to non-specialist housing.

10. As a percentage, 2,155 dwellings of the potential 3,883 non-specialist dwellings would equate to 55%.

11. The Council’s previous response to the Inspector’s question 4.6 (Hearing Statement Matter 4 Policies, August 2019, page 13, paragraph 49) had considered the potential demand for M4(2) as a percentage of the total housing requirement. However following the Inspector’s question it is considered appropriate to consider this in relation to the residual need as a ‘new’ policy requirement and bearing in mind the extent of potential need.

12. It is however also necessary to consider that the need for specialist housing will not necessarily be provided for through the types of accommodation identified in the Strategic Housing Market Assessment, and that some of this need would be accommodated through the provision of market housing which is more accessible and adaptable. This is consistent with the Strategic Housing Market Assessment Part 2 (paragraph 6.11, page 93) which identifies that the needs for specialist accommodation may not necessarily be met through traditional forms of provision and is also consistent with the Planning Practice Guidance on Housing for Older and Disabled People which states that “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.” (Planning Practice Guidance, Document C2, Housing for Older and Disabled People, Paragraph: 012 Reference ID: 63-012-20190626). Therefore a requirement to secure M4(2) dwellings as part of the provision of non-specialist accommodation is further justified.

13. It is also necessary to acknowledge that the majority of older people live in general housing (market and affordable), rather than specialist accommodation, as set out in the Council’s September 2019 Note on Specialist Housing (Document I8, page 6). This identifies that the gross requirements for accommodation for older persons households is for 35,754 general housing dwellings, 2,307 sheltered housing units, 490 enhanced sheltered / extra care units and 2,365 residential care spaces (taken from the table on page 6 of Document I8). This further highlights the importance of securing accessible and adaptable dwellings as part of the general housing stock.
14. The requirement for 50% has been subject to viability assessment through the Whole Plan Viability Study (Document D38, page 44) which has concluded that the delivery of the Plan, including Policy SCLP5.8, is viable.

15. Based upon the further consideration above, it is considered that the application of the M4(2) requirement to specialist accommodation and to at least 50% of non-specialist accommodation on developments of 10 dwellings or more would contribute to meeting the needs for specialist accommodation and accommodation for older people. It is understood that specialist accommodation by its very nature would often meet or exceed the requirements of M4(2).

16. The Council would therefore put forward the following modifications to paragraph 3 of Policy SCLP5.8.

17. Modifications are shown in strikethrough for deleted text and in underline for additional text. The Council will include these revisions in the schedule of modifications that has been collated as part of the Examination. This replaces the previous modification put forward in the Council’s Note on Policy SCLP5.8 Housing Mix (Document J13).

Modification to paragraph three of Policy SCLP5.8:

“On proposals of 10 units or more non-specialist dwellings at least 50% of the dwellings will need to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations, and will be required to demonstrate how the proposal contributes to increasing the choice and mix of housing available for the older population. All specialist dwellings will be expected to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations. Only in exceptional circumstances would a lower percentage of M4(2) dwellings be permitted. In such circumstances applicants will be expected to demonstrate the level of provision that can be provided to make a scheme feasible and viable and that the development incorporates alternative measures to enhance accessibility and adaptability where possible.”

Modification to paragraph 5.43:

“In 2015, the Government introduced two new ‘optional’ Building Regulations standards relating to accessible dwellings, which set standards in relation to accessible and adaptable dwellings (Part M4(2)) and wheelchair accessible dwellings (Part M4(3)) which are over and above the minimum requirements\(^1\). Local authorities can apply these optional standards by incorporating a requirement within their planning policies. The SHMA identifies that there will be an increase of 3,120 people over 65 in Suffolk Coastal with a limiting long term illness by 2030. Considered alongside the number of adaptations made annually to the existing stock\(^2\) and the scale of projected growth in population aged over 65, it is considered that there is a clear need for a significant proportion of new dwelling

\(^1\) Part M4(2) and Part M4(3) are references to the relevant Building Regulations Approved Documents.

\(^2\) Part 2 of the Strategic Housing Market Assessment shows this to be around 100 per year on average over the past five years, and is consistently higher than the other authorities.
stock to be built to higher accessible and adaptable standards. Such dwellings are not only beneficial to older people but may also help to meet the needs of other groups for example families with young children. **Alongside expecting developments of 10 or more non-specialist dwellings to demonstrate how needs for older people are met, the policy therefore requires at least 50% of dwellings in developments of 10 non-specialist dwellings or more to meet the requirements of Part M4(2). This includes developments incorporating specialist and non-specialist dwellings where 10 or more non-specialist dwellings are proposed.** In recognition of the types of needs being met by specialist accommodation, the policy expects that all specialist accommodation would meet the requirements for M4(2) dwellings. Whilst the Council will support the development of dwellings built to the wheelchair accessible standard, a requirement for these will not be set as the needs for them will be specific to individual circumstances. This approach also supports the Joint Health and Wellbeing Strategy for Suffolk which identifies the provision of greater choice and innovation in housing for those with disabilities as one of its priorities, and the East Suffolk Housing Strategy which identifies a need for more accessible accommodation.”

**Note –** the full text of Policy SCLP5.8 including supporting text showing all proposed modifications is also provided as a separate document for clarity.