

Insight focus

JULY 2019

Solutions to an age old problem in the North East



The population of north east England is ageing rapidly. Consequently, there is an urgent need to provide more specialist accommodation for older people.

This Insight Focus follows on from Lichfields' national research, [Solutions to an Age Old Problem](#), in exploring the planning issues and the policy context for older people's housing in the North East.

The number of people aged 65 and over in the North East is expected to increase by 39% between 2016 and 2041, equivalent to 199,400 people. This includes an additional 64,400 people aged 85 and over (an increase of 103%).² By comparison, the overall population is anticipated to increase by 16% during this period.

All of the 12 local authorities in the region are expected to experience significant growth in the number of people aged 65 and over during the 25-year period, ranging from 31% in Redcar and Cleveland to 47% in Stockton. The highest absolute increase is expected in County Durham (41,000) and Northumberland (32,100).

Need for specialist housing

Most older people live in general housing. However, for a variety of reasons many people

will move to specialist housing at some point in their lives. Key factors affecting accommodation choices include the individual's health, financial position, the desire to be closer to family, the suitability of their current accommodation and the

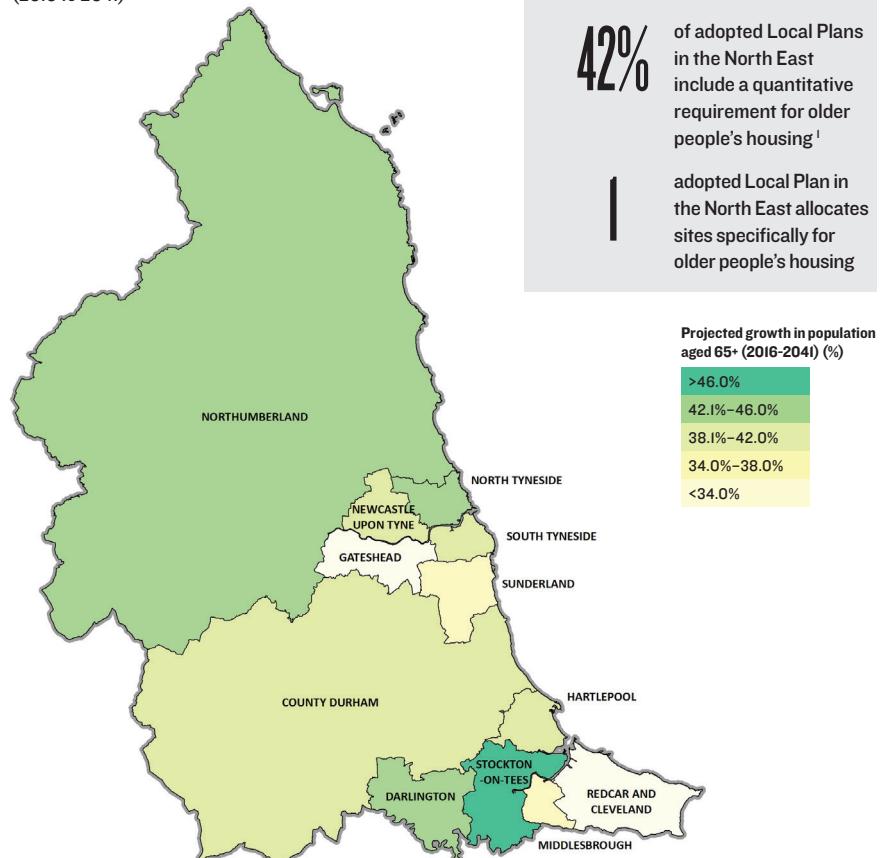
extent to which it can be adapted to meet specific needs.

HEADLINE FIGURES

39%	additional people in the North East aged 65+ in 2041, compared to 2016
29.3k	additional specialist units needed in the North East by 2041
92%	of adopted Local Plans in the North East contain policies to support older people's housing
42%	of adopted Local Plans in the North East include a quantitative requirement for older people's housing ¹
1	adopted Local Plan in the North East allocates sites specifically for older people's housing

Based on the anticipated population growth in the North East region, approximately 29,300 additional specialist units will be required in the North East between 2016 and 2041.³

Figure I: Projected growth in population aged 65+ (2016 to 2041)



Source: ONS 2016-based sub-national population projections

¹ Generally related to home adaptations rather than number of specialist units

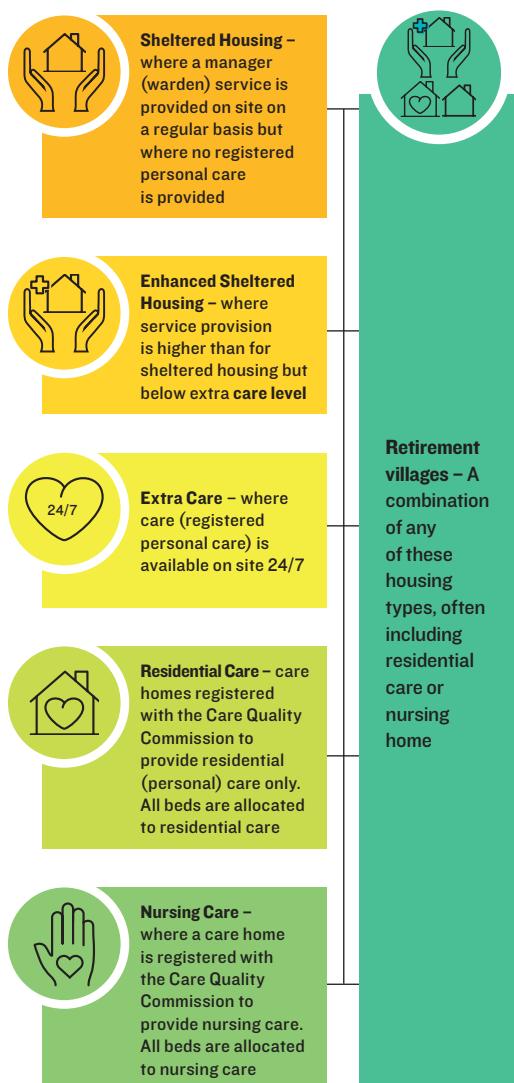
² ONS 2016-based population projections

³ Assessed using the national standard ratio of 170 units per 1,000 people aged over 75 identified by the Housing Learning and Improvement Network (HLIN)

Types of housing for older people

A wide range of different specialist housing and accommodation products are now available for older people. The most commonly applied categories are summarised in Figure 2:

Figure 2: Key types of elderly accommodation for older people



Source: Elderly Accommodation Council National Housing Database (2014)

Additional facilities, such as shops, restaurants and recreational facilities are often provided at retirement developments that offer self-contained units.

In addition to the types of housing above, whilst not traditionally classed as older people's housing, there are also park homes (mobile homes): pre-fabricated single-storey homes designed for permanent residence and aimed at older people.

National planning policy context

National Planning Policy Framework

The revised National Planning Policy Framework (NPPF) (February 2019) states that planning policies should reflect the size, type and tenure of housing needed by different groups, including older people.⁴

The NPPF defines older people as:

"People over or approaching retirement age, including the active, newly-retired through to the very frail elderly; and whose housing needs can encompass accessible, adaptable general needs housing through to the full range of retirement and specialised housing for those with support or care needs." (Lichfields emphasis).

Planning Practice Guidance

The Planning Practice Guidance (PPG)⁵ states that the need to provide housing for older people is "critical".⁶ It emphasises that strategic policy makers should consider both how to support older people to live independently and safely in their own homes and should support the provision of specialist accommodation, e.g. sheltered, extra care and registered care. It states that:

"an understanding of how the ageing population affects housing needs is something to be considered from the early stages of plan-making through to decision-taking... Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people."⁸

Housing Delivery Test

The revised NPPF introduced the new Housing Delivery Test (HDT), an annual measurement of housing delivery, against which local planning authorities are judged, and sanctions applied, in order to boost supply. The first HDT results were published in February 2019. The HDT 2018 Measurement Technical Note states that the delivery of bedspaces in communal establishments, e.g. residential care homes, will be counted towards this test on a pro rata basis.⁹ This means that delivery of all types of specialist accommodation for older people will contribute towards local authorities' housing supply and can help them meet the HDT.

Housing for Older People Inquiry

In its response to the Housing, Communities and Local Government Select Committee inquiry into Housing for Older People (2017-19),¹⁰ the Government emphasised its commitment to "*do more to ensure that more homes suitable for older people are being built*".¹¹ It also recognised the need to provide a better choice of accommodation for older people to "*enable them to live independently for longer, improve their quality of life and free up more family homes for other buyers*".

Lichfields has undertaken a review of the treatment of specialist housing for older people in Local Plans in the North East. The results of this analysis are summarised in Figure 3.

Only one Local Authority (North Tyneside) explicitly publishes monitoring information on the delivery of housing for older people.

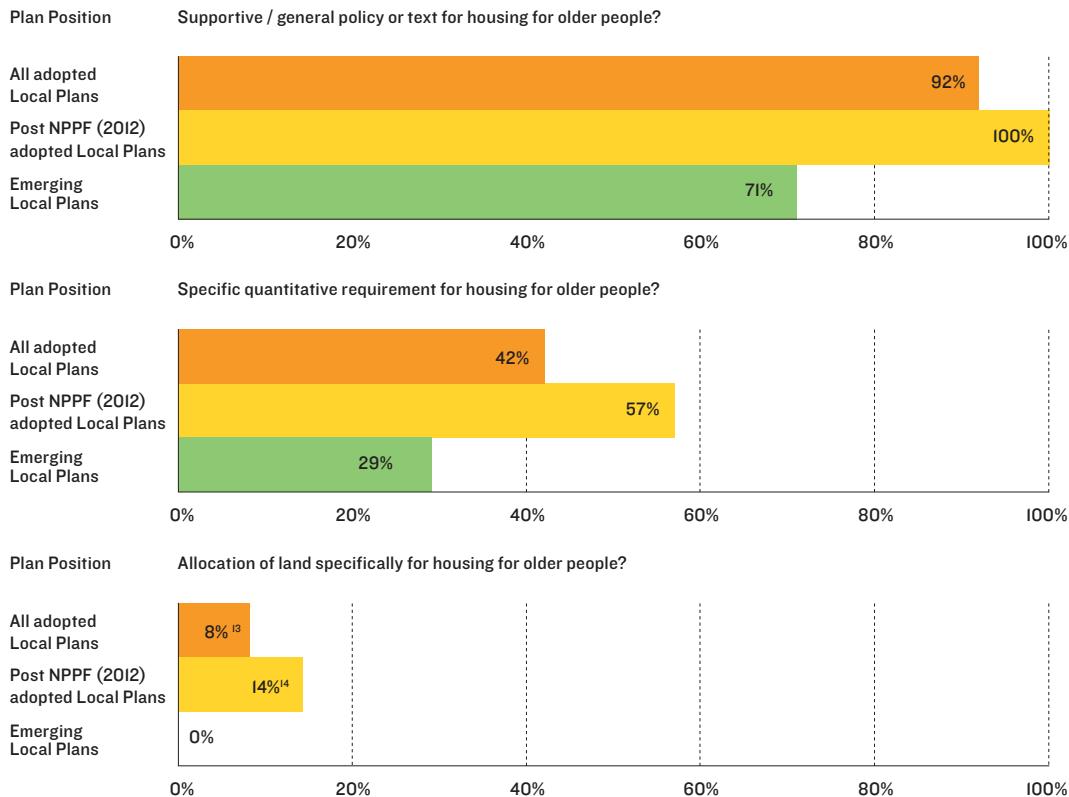
This assessment demonstrates that, whilst few formal measures are currently in place to ensure that housing for older people is delivered, there are policy "hooks" in many adopted Plans in the North East to support planning applications for older people's housing. However, if we are to see a step change in the delivery of accommodation for older people, there is a need for stronger local policy to support this type of housing. (Lichfields' national policy recommendations are set out in our Insight,

Solutions to an Age Old Problem and are copied to the side.)

Appendix 1 summarises the Local Plan status in each local authority area in the North East and identifies the policy measures currently in place to meet the need for housing for older people. It also highlights areas where there may be opportunities to promote sites for housing for older people as part of the Plan-making process. However, any of these plans may need to be revised to reflect national policy changes in the revised NPPF.¹² Hence, there will be opportunities in many areas for the development industry to influence the formulation of new policy to support older people's housing.

More Plans must include specific requirements and allocations for older people's housing.

Figure 3: Analysis of Local Plans in the North East



Source: Lichfields analysis

Recommendations

- The Government should publish a national strategy providing detail on how the housing needs of older people will be met.
- Expedite the new statutory duty on the Secretary of State to produce guidance for local planning authorities on how their local development documents should meet the housing needs of older people, requiring LPAs to include positive policies and allocations for housing for older people and monitor its delivery. Parallel guidance should be issued by Scottish Government and Welsh Government.
- Clarity should be provided in PPG, PPW and SPP regarding standard definitions of older people's housing and what Use Classes they fall within, including whether a new Use Class is required.
- National guidance should be produced on how older people's housing is considered within CIL Charging Schedules and other obligations such as affordable housing.
- Clear guidance must be published on how housing for older people is considered when calculating the objective assessment of housing need. We recommend that it is made clear that this requirement is in addition to meeting other needs.
- Adopt an older people's Housing Delivery Test whereby failure will result in, for example, an LPA entering special measures or facing Government intervention to ensure that adequate delivery is achieved.

¹² The revised NPPF states at paragraph 212 that plans may need to be revised to reflect national policy changes. However, it sets out at paragraph 213 that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of revised NPPF

¹³ One Local Plan

¹⁴ One Local Plan

Appeal decisions: key planning considerations

Lichfields has analysed 23 recent appeal decisions associated with older people's housing.

Use Class: C2 or C3?

Traditional residential care homes, where meals and other facilities are provided on a communal basis, will fall within Use Class C2. However, for self-contained housing types such as extra care/assisted living, where some communal facilities and personal care are provided, the distinction is less clear. This was a point of contention in several of the appeals assessed.

The assigned use class has financial implications in regard to policy requirements and obligations, such as CIL charges and affordable housing requirements. C3 uses typically attract planning obligations, whilst those in C2 do not.

The Town and Country (Use Classes) Order 1987 definition of Use Class C2 (Residential Institutions) includes:

1. *"Use for the provision of residential accommodation and care to people in need of care (other than a use within class C3 (dwelling houses))"; and,*
2. *"Use as a hospital or nursing home".*

The definition of Use Class C3 (Dwellinghouses) includes the qualifying characteristic that residents form a single household, whether or not care is provided. Article 2 of the Town and Country Planning (Use Classes) Order 1987 defines "care" as personal care for people in need of such care by reason of, inter alia, old age. Personal care was defined in one appeal as including a broad range of assistance, for example aiding in use of internet, accompanying residents to on-site activities, as well as more traditional means of care. However, most appeals applied a narrower definition of care, e.g. personal hygiene, dressing, feeding.

Figure 4 summarises the key factors that were considered by Inspectors to give weight to the classification of schemes within Use Class C2.

Figure 4: Key factors leading to the classification of schemes within Use Class C2

Characteristics of Use Class C2
One or more occupiers of each unit aged 55+ and assessed as being in need of personal care
Residents receive at least 2 hours of personal care per week as a condition of occupancy
Care manager resident onsite and/or carers are able to stay onsite
Provision of services and communal facilities that are "inextricably linked to an expected way of life"

Other material considerations

Our analysis has identified the following additional key planning considerations that were specific to accommodation for older people:

Figure 5: Key planning considerations for older people's accommodation

Key planning considerations for older people's accommodation
Current supply of accommodation of the type proposed (over or under-provision)
The potential to free up general housing
Access to local facilities
A recognition that extra care schemes needed to be of a sufficient size to support shared facilities

Source: Lichfields analysis of appeal decisions relating to older people's accommodation

In many cases general planning principles (e.g. the sustainability of the location) and site-specific factors (e.g. impact on highway safety) were considered to outweigh the benefits of providing accommodation for older people, and the need for specialist housing was not a determinative factor. However, in one case in West Malling¹⁵ an Inspector found that the benefits of a proposal located in the Green Belt constituted "very special circumstances" that justified its release from the Green Belt. These benefits included its potential contribution towards addressing unmet need for specialist housing, health and wellbeing benefits, and its ability to free up general housing. In this instance, the site had already been identified for release from the Green Belt for residential use in the Reg. 19 Draft Local Plan but since it had not passed the Plan examination, limited weight was given to this factor.

¹⁵ Land to the rear of 237-259 London Road, West Malling, Kent, ME19 5AD (APP/H2265/W/18/3202040) (19 December 2018)

Source: Lichfields analysis of appeal decisions relating to older people's accommodation

Whilst there are policy “hooks” in many adopted Plans in the North East to support proposals for older people’s housing, far more needs to be done to plan positively for this rapidly expanding section of the population. The preparation of new and future revised Plans in the North East will offer valuable opportunities for the development industry to engage with policy makers and champion the need for a step change in the delivery of homes for older people.

There is no evidence to suggest that the benefits of providing older people’s housing will overcome objections that would render a site unsuitable for general residential development.

However, the West Malling decision demonstrates that the need for older people’s housing can add significant weight to the planning balance, including in the case of Green Belt release.

It is therefore important that development proposals for older people’s accommodation are accompanied by robust evidence to demonstrate the need for and the advantages of this specialist type of accommodation. Lichfields’ Carecapacity Toolkit can assist in this.

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Appendix 1: Local Plan status

Table I: Local Plan* status (February 2019)

LPA	Status of adopted Local Plan			Policy Analysis (Adopted Plan)			Status of emerging Local Plan / Local Plan review				Policy Analysis (Emerging Plan)			Monitor delivery of housing for older people?
	Local Plan adopted within last 5 years	Local Plan older than 5 years but adopted post 2012 NPPF	Plan adopted pre 2012 NPPF	Supportive / general policy or text for housing for older people?	Specific quantitative requirement for housing for older people?	Allocation of land specifically for housing for older people?	No emerging Plan/Plan review underway	Initial Stages	Reg. I& Draft Local Plan Published	Draft Local Plan submitted for examination	Supportive / general policy or text for housing for older people?	Specific requirement for housing for older people?	Allocation of land for housing for older people?	
Darlington	0	0	I	I~	I	0	0	0	I	0	Not available	Not available	Not available	0
Durham	0#	0#	I#	I#	0	0	0	0	0	I	I	I	0	0
Gateshead	I	0	0	I	0	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0
Hartlepool	I	0	0	I	0	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0
Middlesbrough	I<	0	0	I	0	0	0	0	I	0	I	0	0	0
Newcastle upon Tyne	I	0	0	I	I>	0	0	0	0	I	I	I"	0	0
Northumberland	0	0	I	I	0	0	0	0	0	I	I	0	0	0
North Tyneside	I	0	0	I	I"	0	0	n/a	n/a	n/a	n/a	n/a	n/a	I
Redcar and Cleveland	I	0	0	I	I^	I	0	n/a	n/a	n/a	n/a	n/a	n/a	0
South Tyneside	0	0	I	0	0	0	0	I	0	0	0	0	0	0
Stockton on Tees	I	0	0	I	I*	0	0	n/a	n/a	n/a	n/a	n/a	n/a	0
Sunderland	0	0	I	I	0	0	0	0	0	I	I	0	0	0

- I Yes < Housing Local Plan (Nov 2014)
- 0 No " Relating to Building Regs
- # None of the former Unitary Authorities ^ In supporting text not policy
- ~ Related to home adaptations * Explicitly included in overall housing numbers
- > 25% adaptable | Specialist

Source: Lichfields analysis of local authority documents

Appendix 2: Appeal decisions

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Table 2: Appeal decisions

Address	No. specialist units/bedrooms	Housing type (as stated in the appeal decision)	Use class	Decision Date	Allowed (A)/dismissed (D)	PINS Ref.
Land south of Cross Lanes, Lanstephan, Launceston, Cornwall	30	Age restricted (55 years+) bungalow/chalet bungalow dwellings	C3	11/02/2019	A	APP/D0840/W/I8/3I99I63
The Knowle, Station Road, Sidmouth, East Devon	II3	Extra care units	C2	22/01/2018	A	APP/UII05/W/I7/3I77340
Land off Tregenna Lane, Camborne, Cornwall	60	Residential care facility	C2	09/02/2017	A	APP/D0840/W/I6/3I42806
James House, Broken Cross, Calne, Wiltshire	6	Flatted units	C3	28/11/2016	A	APP/Y3940/W/I6/3I55069
Bosvale Community Centre, Hillside Road, Falmouth, Cornwall	75	Extra care dwellings	C2	11/10/2016	A	APP/D0840/W/I6/3I49721
Three Ashes Care Home, Ledbury Road, Oxenhall, Newent, Forest of Dean	72	Care home	C2	18/06/2015	D	APP/PI615/W/I5/3002325
Field known as Day House Leaze, Wotton Road, Charlfield, South Gloucestershire	60 bed care home / no. of sheltered units not specified	Dementia care home / sheltered housing	C2 / C3	27/11/2014	A	APP/POI19/A/I4/2222I75
Marden Farm, Calne, Wiltshire	85	Dementia care facility	C2	01/04/2014	A	APP/Y3940/A/I3/2206076
Former Gas Works Site, Wharf Road, Penzance, Cornwall	60	Sheltered apartments for the elderly	C2	28/01/2013	A	APP/D0840/A/I2/2I79440
Land east of Quakers Walk, off London Road, Devizes, Wiltshire	I39 extra care apartments/ cottages / 80 bed care home	Care village, including extra care apartments/cottages and a care home	C2	05/11/2012	A	APP/Y3940/A/I2/2I738I4
Former Portishead Primary School, Slade Road, Portishead, North Somerset	51	Residential accommodation with care (supported independent living with care)	C2	09/10/2012	A	APP/DOI21/A/I2/2I689I8
4 Rowlands Hill, I8 and Garden House Cuthburga Road, Wimborne, East Dorset	49	Extra care assisted living retirement apartments for older persons	C2	27/09/2012	D	APP/UI240/A/I2/2I7349I
Badgers Walk, Ferndown, East Dorset	38	Residential care apartments for the elderly	C2	14/05/2012	D	APP/UI240/A/I2/2I6733I
Other regions						
Land to the rear of 237-259 London Road, West Malling, Tonbridge and Malling	79	Extra care	C2	19/12/2018	A	APP/H2265/W/I8/3202040
8 Gainsborough Road, New Malden, Kingston-upon-Thames	6	Care home	C2	29/10/2018	D	APP/Z5630/W/I8/3205595
Carlton Tavern, I40 Acomb Road, York	74	Care home	C2	22/08/2018	D	APP/C274I/W/I8/3200I94
Land West of Street 5, Thorp Arch Estate, Wetherby, Leeds	66	Care home	C2	12/07/2018	D	APP/N4720/W/I7/3I68897
Kenley Police Station, 94-96 Godstone Road, Kenley, Croydon	I8	Care home	C2	19/06/2018	D	APP/L5240/W/I7/3I87576
81-87 Summerhouse Drive, Bexley, Dartford	60	Care home	C2	12/06/2018	D	APP/T22I5/W/I7/3I85438
Land at West End Farm, Brackley Road, Buckingham, Aylesbury Vale	72	Extra care units	C2	05/04/2018	A	APP/J0405/W/I7/3I8II40
Stable Field, Kidford Road, Wisborough Green, Chichester	30	Extra care units	C2	16/03/2018	D	APP/L38I5/W/I7/3I80078
Balcombe's Hill, Goudhurst, Cranbrook, Tunbridge Wells	II3	Housing with care for the elderly	C2	14/06/2017	D	APP/M2270/W/I6/3I6I379
Sandhurst Lodge, Wokingham Road, Crownthorpe, Berkshire	8	Serviced retirement apartments	C3	07/03/2016	D	APP/R0335/W/I5/3I288I207

Source: Lichfields analysis of appeal decisions relating to older people's accommodation