

# Insight focus

SEPTEMBER 2019

## Solutions to an age old problem in London



London's population of older people is growing 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 London.

The number of people aged 65 and over in London is expected to increase by 71% between 2019 and 2044, equivalent to 786,600 people. This includes an additional 321,000 people aged 85 and over, almost double the current number (i.e. an increase of 104%).<sup>2</sup> By comparison, the overall population is anticipated to increase by 20% during this period.

All of the 33 local authorities in the Capital are expected to experience significant growth in the number of people aged 65 and over during the 25-year period, ranging from 108% in Tower Hamlets to 38% in the City of London and 48% in Havering, the next lowest.

The highest absolute increase is expected in Barnet (44,600 people) and Croydon (39,900).

### 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.

Based on the anticipated population growth of older people in London, approximately 81,800 additional specialist units will be required in the Capital between 2019 and 2044.<sup>3</sup>

### HEADLINE FIGURES

**71%** additional people in London aged 65+ in 2044, compared to 2019

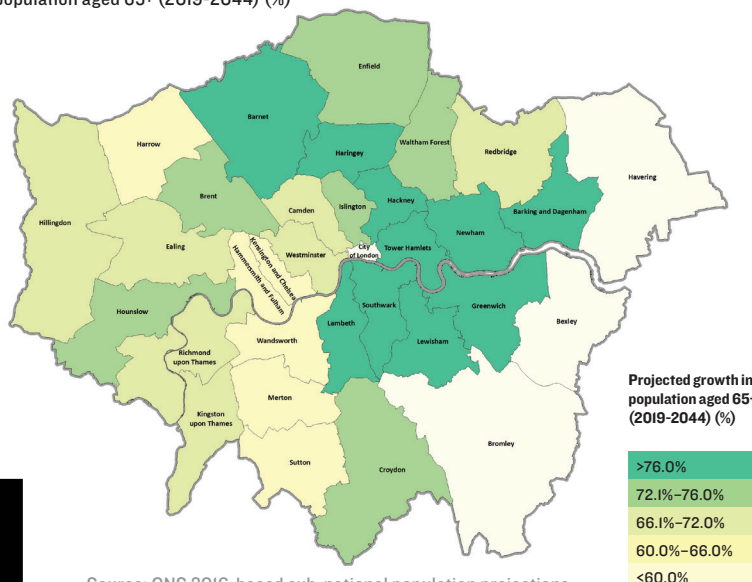
**81.8k** additional specialist units needed in London by 2044

**92%** of adopted Local Plans in London contain policies to support older people's housing

**84%** of adopted Local Plans in London include a quantitative requirement for older people's housing<sup>1</sup>

**3** adopted Local Plan in London allocates sites specifically for older people's housing

Figure I: Projected growth in population aged 65+ (2019-2044) (%)



Source: ONS 2016-based sub-national population projections

<sup>1</sup> Generally related to home adaptations rather than number of specialist units

<sup>2</sup> GLA 2016-based household projections, central trend

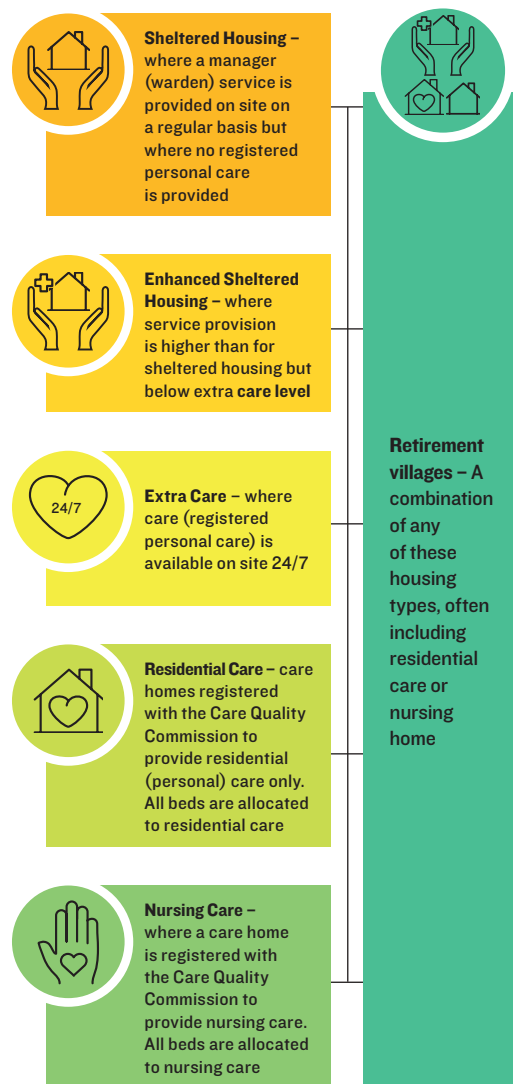
<sup>3</sup> Assessed using the national standard ratio of 170 units per 1,000 people aged over 75 identified by the Housing Learning and Improvement Network (HLIN)



# 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.<sup>4</sup>

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).<sup>5</sup>

### Planning Practice Guidance

The Planning Practice Guidance (PPG)<sup>5</sup> states that the need to provide housing for older people is "critical".<sup>6</sup> 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."<sup>8</sup>

### 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.<sup>9</sup> 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),<sup>10</sup> the Government emphasised its commitment to "do more to ensure that more homes suitable for older people are being built".<sup>11</sup> 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".

<sup>4</sup> NPPF, paragraph 61

<sup>5</sup> As at 26 June 2019

<sup>6</sup> Reference ID: 63-001-20190626

<sup>7</sup> Reference ID: 63-001-20190626

<sup>8</sup> Reference ID: 63-006-20190626

<sup>9</sup> The HDT is based on the number of net homes delivered. Bedrooms in communal establishments are included based on a ratio of the average number of adults per household in England from the most recent Census (1.8 in the 2011 Census)

<sup>10</sup> Housing, Communities and Local Government Committee, Housing for Older People: Second Report of Session 2017-19 (9 February 2019)

<sup>11</sup> Government Response to the Second Report of Session 2017-19 of the Housing, Communities and Local Government Select Inquiry Committee into Housing for Older People (September 2018)

## Local planning policy

The London Plan is a strategic document issued by the Mayor of London which sets out the economic, environmental, transport and social framework for the development of London over the next 20-25 years. The 2016 plan (The London Plan consolidated with alterations since 2011) is still the adopted plan. However, in 2017 the Mayor issued a new London Plan. The examination ended in May 2019 and is expected to be adopted early 2020.

One of the key objectives of the Plan is to deliver the type of homes Londoners need. The SHMA has identified a need for 66,000 additional homes per year and specifically includes requirements for specialist older persons accommodation within the overall figure. Policy H15 specifically relates to specialist older person housing. It recognises that boroughs should work with providers to identify sites which may be suitable for specialist older person housing taking account of:

- Local housing need
- Access to relevant facilities, social infrastructure, health care and public transport.
- The increasing need to provide accommodation suitable for people with dementia.

The policy goes on to require housing for specialist older people to deliver:

- Affordable housing
- Accessible housing
- The highest standards of accessible and inclusive design
- Suitable levels of safe storage and charging facilities for residents' mobility scooters
- Suitable drop off and pick up areas for taxis, minibuses and ambulances.

Following the Examination in Public, amendments have been made to Policy H15 to remove specific reference to Specialist Older person housing being defined as C3 use and goes on to define Specialist Older Person Housing in Paragraph 4.15.3B.

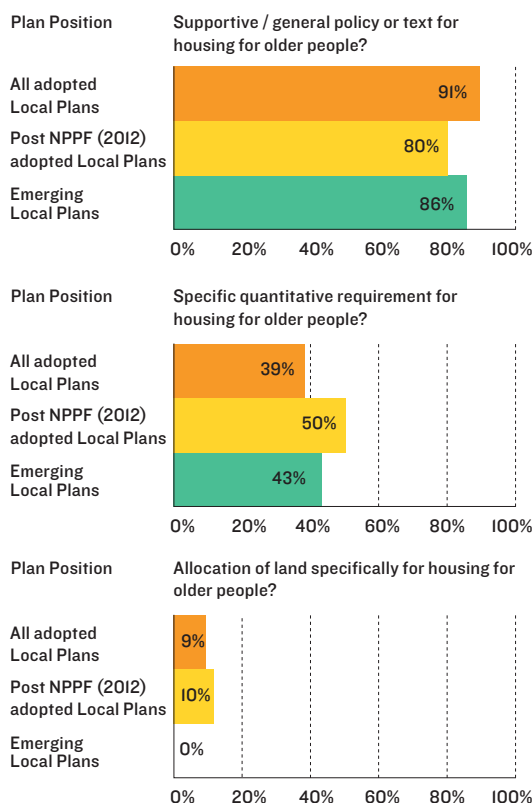
The London Plan recognises that boroughs should plan proactively to meet identified need for older person's accommodation and an annual borough benchmark for specialist older person housing 2017 – 2029 is set out for each borough in table 4.4 of the Plan.

### Local planning policy

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

Ten of the 33 authorities in London (Brent, Bromley, Hackney, Harrow, Havering, Islington, Lambeth, Lewisham, Sutton and Waltham Forest) publish monitoring information on the delivery of housing for older people.

Figure 3: Analysis of Local Plans in London



Source: Lichfields analysis

Figure 3 demonstrates that whilst relatively few local authorities have allocated land specifically for housing for older people in most authorities there are supportive policy “hooks” to support planning applications for older people's housing.

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. Recommendations for national policy changes are set out in Lichfields' Insight: [Solutions to an age old problem](#).

Appendix 1 summarises the Local Plan status in each London Borough 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, many of these plans may need to be revised to reflect national policy changes in the revised NPPF.<sup>12</sup> Hence, there will be opportunities in many areas for the development industry to influence the formulation of new policy that effectively supports the delivery of older people's housing.

### Recommendations

1. The Government should publish a national strategy providing detail on how the housing needs of older people will be met.
2. 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.
3. National guidance should be produced on how older people's housing is considered within CIL Charging Schedules and other obligations such as affordable housing.
4. 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.
5. 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.

<sup>12</sup>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

## Appeal decisions: key planning considerations

Lichfields has analysed 23 recent appeal decisions associated with older people's housing in London (post NPPF).

### 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 (dwelling house) 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 has been 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.

### Appeal Decisions in London

Figures 4 and 5 summarises the key factors that were considered by Inspectors to give weight to the developments providing for specialist homes for the elderly in London.

Figure 4: Key factors leading to the Inspectors Allowed Decisions

Allowed
AH provision acceptable and inclusion of late stage review for affordable housing provision
Meeting housing need
The potential to free up general housing and releasing larger family homes
Not harmful to the MOL
Low parking acceptable

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

Figure 5: Key factors leading to the Inspectors Dismissed Decisions

Dismissed
Overdevelopment
Dispute over c2 vs c3 use
Lack of affordable housing
Harm to character and appearance of the area
Impact on highway safety
Flood risk
Lack of demand for the need (C2 use)
Unacceptable impact on living conditions to neighbours or future occupiers

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

Of the 23 appeal cases reviewed 14 were dismissed and 9 were allowed. In the majority of cases dismissed, the reason related to lack of affordable housing provision associated with the C3 use.

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 the case of Wandsworth<sup>13</sup> the Inspector and Secretary of State found that the benefits of a proposal which included MOL within the Appeal site, would not be harmfully affected, would increase its openness and would benefit from the changes proposed. These benefits included its improved mental health facilities, the contribution to housing supply, the provision of land for a school and the overall benefits to the MOL collectively outweigh the level of harm identified and that the very special circumstances therefore justify the loss of MOL.

<sup>13</sup> Land at Springfield University Hospital, 61 Glenburne Road, London, Wandsworth (Appeal Ref APP/H5960/A/11/2156427)

Whilst there are policy “hooks” in many adopted Local Plans in London that support proposals for older people’s housing and the new London Plan goes some way to further support the need for homes for older people, far more still needs to be done to plan positively for this rapidly expanding section of the population and meet the need for 81,800 additional specialist units. The preparation of new and future revised Local Plans in London 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. 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.

#### Disclaimer

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# Appendix 1: Local Plan status

Table 1: 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.18 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?	
Barking and Dagenham	0	0	1	1	0	0	0	0	1	0	1	0	0	1 (lifetime homes)
Barnet	0	1	0	1	1	0	0	1	0	0	0	0	0	0
Bexley	0	0	1	1	0	0	0	0	1	0	1	1	0	0
Brent	0	0	1	1	0	0	0	0	1	0	1	1	0	1
Bromley	1	0	0	1	1	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1
Camden	1	0	0	1	1	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0
City of London	1	0	0	1 (lifetime)	0	0	0	0	1	0	1	1	0	1 (lifetime)
Croydon	1	0	0	1	0	0	1	0	0	0	0	0	0	0
Ealing	0	1	0	0	0	0	1	0	0	0	0	0	0	1 (lifetime)
Enfield	0	0	1	1	0	0	0	0	1	0	1	0	0	0
Greenwich	0	1	0	1	0	0	1	0	0	0	0	0	0	0
Hackney	0	0	1	1	1	0	0	0	0	1	1	1	0	Partially
Hammersmith and Fulham	1	0	0	1	1	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0
Haringey	1	0	0	1	0	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0
Harrow	0	0	1	1	0	0	1	0	0	0	0	0	0	1
Havering	0	0	1	1	1		0	0	0	1	1	1	n/a	1
Hillingdon*	0	0	1	1	0	0	0	0	0	1	1	0	0	0
Hounslow	1	0	0	1	1	1		Refer to plan reviews below						0
				West of Borough* →			0	0	0	1	0	0	0	0
				Great West Corridor* →			0	0	0	1	0	0	0	0
Islington	0	0	1	1	0	0	0	0	1	0	1	0	0	1
Kensington and Chelsea	1	0	0	1	0	0	0	0	0	1	1	1	0	0
Kingston upon Thames	0	1	0	1 (lifetime)	0	0	0	0	1	0	1	0	0	0
Lambeth	1	0	0	1	0	0	0	0	1	0	1	1	0	1
Lewisham	1	0	0	1	0	0	0	0	1	0	1	0	0	1
Merton	0	0	1	1	0	0	0	1	0	0	0	0	0	0
Newham	1	0	0	1	1	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0
Redbridge	1	0	0	1	1	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0
Richmond upon Thames	1	0	0	1	1	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	0
Southwark	0	0	1	0	0	0	0	0	1	0	1	0	0	0
Sutton	1	0	0	1	1	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	1
Tower Hamlets	0	0	1	1	0	0	0	0	0	1	1	0	Unknown	0
Waltham Forest	0	0	1	1	1	1	0	0	1	0	1	0	Not available	1
Wandsworth	1	0	0	1	1	1	0	0	1	0	0	0	0	0
Westminster	1	0	0	0	0	0	0	0	1	0	1	0	Not available	0

Source: Lichfields analysis of local authority documents | Yes 0 No ^ In supporting text not policy

## Appendix 2: Appeal decisions

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Table 2: Appeal decisions

Address	LPA	No. Specialist units/bedrooms	Housing type	Use class	Decision Date	Allowed (A)/ Dismissed (D)	PINS Ref	DCS Ref
Gondar Gardens Reservoir, Gondar Gardens	Camden	82 self-contained apartments/ 15-bed nursing home	Care village / Nursing home	C2 / C3	10/07/2019	D	A	APP/ D0840/W/18/3199163
20, 22 and 24 Station Road, Orpington	Bromley	27	Age restricted retirement apartments	C3	09/04/2019	A	APP/ G5180/W/18/3204365	200-008-492
Oakwood Methodist Church, Westpole Avenue, Enfield	Enfield	28	Retirement living - Sheltered apartments for the elderly	C3	03/04/2019	D	APP/ Q5300/W/18/3197451	200-008-358
6-12 Woodcote Valley Road, Purley	Croydon	26	Age restricted retirement apartments	C3	27/03/2019	A	APP/ L5240/W/18/3204818	200-008-336
11-17 Banstead Road, Purley	Croydon	34	Retirement living apartments	C3	27/03/2019	D	APP/ L5240/W/18/3213708	200-008-339
Pear Tree House, 24 Gordon Road, Chingford, London	Waltham Forest	33	Retirement Living apartments	C3	26/02/2019	D	APP/ U5930/W/18/3204281	200-008-291
Interi, 24 Blacksmiths Lane, Orpington	Bromley	24	Supported living / residential care	C2	22/02/2019	D	APP/ G5180/W/18/3212029	400-021-101
2 Queen Annes Grove, Enfield	Enfield	10	Supported housing facility	Sui	25/06/2019	D	APP/ Q5300/W/18/3196259	200-007-901
Land at 174-178 Twickenham Road, Isleworth, Hounslow	Hounslow	29	Retirement living apartments sheltered housing	C3	26/07/2017	A	APP/ F5540/W/16/3152603	200-006-680
186 High Street, Barnet	Barnet	34	Retirement living	C3	24/07/2017	D	APP/ N5090/W/16/3164683	200-006-672
Kenley Police Station, 94-96 Godstone Road, Kenley, Croydon	Croydon	18	Care home	C2	13/06/2017	D	APP/ L5240/W/17/3167224	400-015-646
The Thatched House Hotel, 135-139 Cheam Road, & 133 Cheam Road, Cheam, Sutton	Sutton	30	Sheltered apartments	C3	12/05/2017	A	APP/ P5870/W/16/3159137	200-006-412
Queen Mary House, Manor Park Road, Chislehurst	Bromley	52	Assisted living apartments	C2	23/02/2017	A	APP/ G5180/W/16/3155059	200-006-159
Vic Johnson House, Armagh Road	Tower Hamlets	60	Age-restricted apartments sheltered housing scheme	C2	14/02/2017	A	APP/ E5900/W/16/3149198	400-014-467
St Raphaels Residential Home, 32 Orchard Road, Bromley	Bromley	75	Retirement living apartments	C2	04/01/2017	D	APP/ G5180/W/16/3156413	400-013-974
1, 3, 5, 7 & 9 Church Road, Biggin Hill, Bromley	Bromley	32	Retirement living apartments	C3	11/07/2016	A	APP/ G5180/W/15/3140733	200-005-314
33, 34, 35 and 36 Sanderstead Court, Addington Road, South Croydon	Croydon	32	Retirement living apartments	C3	06/07/2016	D	APP/ L5240/W/15/3141247	200-005-288
22-24 Swanage Lodge, Swanage Way, Hayes, Hillingdon	Hillingdon		Care home	C2	01/06/2019	D	APP/ R5510/W/15/3133694	400-011-768
223-225 St Mary's Lane, Upminster, Havering	Havering	40	Care home	?	02/09/2013	D	APP/ B5480/A/13/2190698	400-001-731
92 & 94 Higher Drive, Purley	Croydon	22	Specialist residential care home	C2	08/07/2013	D	APP/ L5240/A/12/2189705	200-000-637
76 High Street, Orpington, Bromley	Bromley	50	Sheltered flats for over 60s	C2	06/02/2013	A	APP/ G5180/A/12/2182301	100-080-830
Hall Grange, 17 Shirley Church Road, Croydon	Croydon	45 bed care home / 23 close care units	Care home and close care units	C2	05/11/2012	D	APP/ L5240/A/12/2172329	100-079-535

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