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Strategic Growth Team
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
Bedfordshire
SG17 5TQ

14th March 2023

Dear Sirs,

RESPONSE ON BEHALF OF McCARTHY STONE TO THE CENTRAL BEDFORDSHIRE DRAFT HOUSING POLICY TECHNICAL GUIDANCE SPD

Thank you for the opportunity to comment on the Central Bedfordshire draft Housing Policy Technical Guidance SPD. McCarthy Stone is the leading provider of specialist housing for older people. Please find below our comments which specifically addresses specialist housing for older people

3.10 Alternative housing mix approach

Para 3.10.1 makes it clear that a more pragmatic approach to housing mix will be required for some types of housing development. For the SPD to be in accordance with PPG 'Housing for Older and Disabled People' Paragraph 003 Reference ID: 63-003-20190626, Paragraph 006 Reference ID: 63-006-20190626' and Paragraph: 012 Reference ID: 63-012-20190626, older person's housing should also be included as an example. Older person's housing schemes are often delivered on smaller brownfield sites, that are well located close to town centres and consist of flatted developments of 1 and 2 bedroom apartments.

Para 3.10.1 should therefore be amended as follows:

'As a practical guide to ensuring an appropriate housing mix, the SHMA (2017) should be used unless an alternative can be demonstrated to be more appropriate. There will occasions where the SHMA will not be appropriate as a basis for housing mix and more pragmatic approach will be required. Examples of this include housing developments in a town centre or schemes delivering specialist housing for older people whereby the housing mix will predominantly consist of flats with a wider housing mix as defined within the SHMA not being achievable or desirable due to site constraints.'

Para 5.51

Para 5.5.1 advocates that dwellings constructed to M4(2) and M4 (3) standards provides an alternative approach to providing suitable accommodation for older people.

The Council should also note that ensuring that residents have the ability to stay in their homes for longer through the provision of wheelchair housing, is not, in itself, an appropriate manner of meeting the housing needs of older people. Adaptable houses do not provide the on-site support, care and companionship of specialist older persons' housing developments nor do they provide the wider community benefits such as releasing under occupied family housing as well as savings to the public purse by reducing the stress of health and social care budgets. The recently published Healthier and Happier Report by WPI Strategy (September 2019) calculated that the average person living in specialist housing for older people saves the NHS and social services £3,490 per year. A supportive local planning policy framework is crucial in increasing the delivery of specialist older persons' housing and it should be acknowledged that although adaptable housing can assist it does not remove the need for specific older persons' housing. Housing particularly built to M4(3) standard may serve to institutionalise an older persons' scheme reducing independence contrary to the ethos of older persons and particularly extra care housing.

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Para 5.9 Locational requirements

Section 5.9 discourages extra care facilities in close proximity to other recently commissioned extra care developments and in such circumstances encourage the delivery of other forms of older persons housing e.g. sheltered and for an applicant to speak to the council's 'MANOP' specialists.

The Council should note that the delivery of specialist housing to meet the needs of older people is usually market driven because there is a local need and as such the council shouldn't be seen to be trying to influence the market and make it more difficult to deliver much needed housing. A supportive local planning policy framework is crucial in increasing the delivery of specialist older persons' housing rather than a negative one. As detailed above, Older persons' housing schemes are often delivered on smaller brownfield sites, that are well located close to town centres and consist of flatted developments of 1 and 2 bedroom apartments. The Council cannot simply refuse a scheme just because they don't want a certain type of development if a need for such accommodation is identified. This negative view is surprising given the high need identified within the Council's SHMA at para 6.71 that states 'Considering the needs over the 20-year Plan period 2015-35, the older person housing study concluded that there was a need for 3,800 specialist older person homes, including 1,680 homes with care provided (Figure 110).

Paragraphs 5.9 to 5.10.4 should therefore be deleted.

6.15 Review Mechanism

Para 6.15, 6.15.1 and 6.15.2 tries to introduce an affordable housing review mechanism into planning permissions that may be delivering affordable housing below policy requirements. In order to introduce such a mechanism, there must be a clear and specific policy basis for any review mechanism being imposed in line with PPG Viability para 009 Reference ID: 10-009-20190509. A significant number of recent Planning Appeals and case law have reinforced this point. A review mechanism that sits within a planning obligation also needs to be considered and assessed through the Local Plan process not via a SPD. Such a requirement within a SPD is contrary to paragraph: 004 Reference ID: 23b-004-20190901 of the PPG on Planning Obligations. The PPG identifies where policies on seeking planning obligations should be set out and states:

'Policies for planning obligations should be set out in plans and examined in public. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land'.

And

'It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination.'

There must therefore be a reasonable justification for imposing such a review mechanism and this cannot be achieved through SPD as such a document is not examined in public. The requirement for a review mechanism is not supported by any justification, evidence, or process where specific inputs to be included within any review mechanism, could be considered in public examination. For example, certain exemptions should be introduced such as to smaller sites, that are built in one phase. The Planning Inspectorate have repeatedly noted that review mechanism for smaller sites, and single-phase developments are unnecessary so this must also be a consideration.

Paragraphs 6.15 and 6.16 should therefore be deleted as introducing a review mechanism via an SPD is not justified or consistent with planning policy.

6.16 Commuted Sums

Para 6.16.1 states that: 'Where a financial contribution is agreed to be paid towards affordable housing in lieu of the onsite provision, the contribution will be calculated assuming 50% of the open market value of each dwelling in question. The applicant must submit evidence of the open market valuations'. Para 6.16.2 to para 6.16.8 then provides a worked example.

The requirement as set out in para 6.16.1 to 6.16.8 is again contrary to paragraph: 004 Reference ID: 23b-004-20190901 of the PPG on Planning obligations and therefore should be removed. The PPG identifies where policies on seeking planning obligations should be set out and states:

'Policies for planning obligations should be set out in plans and examined in public. Policy requirements should be clear so that they can be accurately accounted for in the price paid for land'.

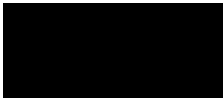
And

'It is not appropriate for plan-makers to set out new formulaic approaches to planning obligations in supplementary planning documents or supporting evidence base documents, as these would not be subject to examination.'

Therefore paragraphs 6.16.1 to 6.16.8 should be removed from the draft SPD to ensure it is consistent with national policy as such a requirement should be examined in public.

Thank you for the opportunity for comment.

Yours faithfully

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Natasha Styles
Group Planning Associate