

EXAMINATION IN PUBLIC OF THE EPPING FOREST DISTRICT LOCAL PLAN HEARING STATEMENT

25th April 2019

MATTER 11: HOUSING
ELYSIAN RESIDENCES
REPRESENTOR 19LAD0094

Issue 1: Will Policy H1 be effective in securing an appropriate mix of housing?

Q2: “Does the policy, and the Plan generally, do enough to support the specific needs of older people?”

Draft policy H1 promotes a range of housing types and sizes to address local need including for ‘down-sizing’ which is supported. Notwithstanding, Elysian Residences contends that the Plan and policies fail to specifically encourage or support a range of types and tenures for older people, the need for which is acknowledged in Paragraph 3.4 of the Plan. The reasons for this are set out below.

Population Growth and Need

Epping Forest District Council’s (EFDC) SHMA (2015) and Housing Background Paper (2016), acknowledges that there is likely to be a significant population increase in the number of older people (65+) in the District of circa 47,200 people between 2011- 2033. As set out in the Government’s Housing White Paper, ‘*Fixing Our Broken Housing Market (2017)*’, there is a clear expectation for local authorities to set out clear policies for how they will address the housing requirements for specific groups including older people. This is similarly reflected in Paragraph 17 of the National Planning Policy Guidance (dated 20 February 2019) which sets out that:

“...strategic policy-making authorities will need to consider the size, location and quality of dwellings needed in the future for older people in order to allow them to live independently and safely in their own home for as long as possible, or to move to more suitable accommodation if they so wish.”

At present, neither the Housing Implementation Strategy (HIS) (2017) or the HIS Update (2019) specifically identify the delivery of housing for older people or how this will be met or monitored. Elysian contends that there is a distinct need to deliver accommodation types which can provide a full range of services aimed at aiding and supporting older people at every stage of their care needs as part of an appropriate mix of housing in the district. We therefore urge the Inspector and EFDC to undertake a review of the housing needs of older people to identify a suitable mix of accommodation and tenure types to meet this need such as purpose-built extra-care accommodation (Use Class C2) for ownership.

Accommodation Typology

Elysian Residences considers that the Plan unjustifiably promotes bungalow accommodation as the main type of accommodation which can meet the needs of older people (Paragraph 3.5). Elysian Residences contends that a range of specialist housing – including other types of purpose-built extra-care accommodation such as retirement villages or flatted developments - should be promoted to help meet the needs of older people in light of the projected growth of over 65 population in the district and respond to the associated care needs. The aspiration to deliver such accommodation is reflected in ‘The Future of Essex’ document (July 2018) prepared by Essex County Council’s (ECC) which states:

“Our ambition is to ensure more people get the chance to achieve that quality of life: to enjoy independent, healthy, safe lives. By using new technologies to deliver new forms of care, supporting individuals and families in caring for each other, encouraging healthy and active lifestyles and by addressing the many needs of an ageing population that will continue to have a higher average age than the rest of the country.”

As an example, extra-care accommodation which is developed and operated by Elysian Residences represents an appropriate, contemporary type of older persons accommodation, where the care provided is able to adapt to meet the changing needs of older people and support independent living, while also fostering a sense of community and security for its residents. It is considered that such alternative types of accommodation can help meet the county-wide aspirations for older people as well as the objectives of the Plan overall.

We therefore urge the Inspector and the Council to re-word paragraph 3.5 to promote a variety of specialist older persons accommodation in the borough to the following:

“The needs To support independent living for residents in Epping Forest, including older people and those with accessibility needs, ~~can be supported by~~ a range of extra-care accommodation will be promoted in the District, including bungalows and other types of specialist accommodation. Such accommodation must be designed to be adaptable to meet the needs of residents. ~~bungalow accommodation. Recent information contained in the Council’s Authority Monitoring Report shows that there has been a gradual erosion of the District’s existing stock of bungalows. The Council considers that bungalows can play an important role because of their potential ease of adaptation such that they can provide choice for people with accessibility needs, including the current and future needs of older people.~~”

Tenure

The NPPF (as referenced in EFDC’s Housing Background Paper 2016) states that strategic policies should “*identify the scale and mix of housing and the range of tenures that the local population is likely to need.*” As set out above, the population of older people (65+) in the District is projected to grow by circa 47,200 people between 2011 – 2033.

At present, it is considered that the Plan or supporting evidence does not sufficiently address the need to provide a range of tenures to meet the needs of older people in the borough, particularly older owner-occupiers who may wish to down-size to specialist accommodation but retain the same form of tenure (i.e. ownership). Whilst the necessity for specialist affordable provision is understandable, it must be balanced by a recognition of the needs of the overwhelming majority of older people in Epping Forest who are home owners and will wish to retain their tenure of choice as they move to specialised accommodation.

We would therefore urge the Inspector and EFDC to include suitable supporting text under Policy H1 within the Plan to support a variety of tenures for older persons accommodation in the borough, (including those which fall under Use Class C2). On this basis we would suggest that the following supporting text is added to supporting Paragraph 3.5:

“In addition, new developments for older persons accommodation specifically, should seek to promote a range of tenures including opportunities for owned and rented accommodation, in order to meet the needs for Epping Forest’s older population.”

Q5: “In Part E [of Policy H1], should the term “specialist accommodation” be defined? How will unmet need for specialist accommodation be identified? Is compliance with this part of the policy dependent upon development viability and the identification of a specific provider of the specialist accommodation?”

Elysian Residences would urge the Inspector and EFDC to define ‘specialist accommodation’ within the Plan. This should include reference to extra-care accommodation, the specific needs of which are not identified in the Plan or supporting evidence. We would therefore urge the Inspector and EFDC to undertake a review of the district-wide need for specialist accommodation (including the need for extra-care accommodation), in order to identify a target for delivering specialist accommodation in the district over the lifetime of the Plan.

Issue 2: Will Policy H2 be effective in securing the delivery of sufficient affordable housing of an appropriate type and size? Are the requirements for affordable housing provision from market sites justified by reference to evidence of development viability?

Q5: *“Is it justified to apply the requirements for affordable housing to all types of housing, including that falling within Use Class C3”*

Elysian Residences queries whether there is a drafting error in this question (i.e. where ‘C3’ is stated, where it should actually state ‘C2’). On the basis that this question relates to the justification of applying affordable housing requirements to all types of housing, including those within Use Class C2, Elysian Residences contends that the requirement for self-contained specialist forms of accommodation including those which fall under Use Class C2 to provide an affordable housing contribution remains unjustified.

At present, there is no distinction between Use Class C2 and C3 proposals, or between ‘traditional’ market housing and housing specifically designed to cater for those with specialist needs (such as the elderly) in relation to affordable housing requirements in draft Policy H2. This is contrary to the provisions of the NPPF, where it states that:

“Where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership, unless this would exceed the level of affordable housing required in the area, or significantly prejudice the ability to meet the identified affordable housing needs of specific groups. Exemptions to this 10% requirement should also be made where the site or proposed development:

“(a) provides solely for Build to Rent homes;

*“(b) provides specialist accommodation for a group of people with specific needs (**such as purpose-built accommodation for the elderly** or students);*

“(c) is proposed to be developed by people who wish to build or commission their own homes; or

“(d) is exclusively for affordable housing, an entry-level exception site or a rural exception site.”

[emphasis added in bold and underline is by Elysian Residences]

Furthermore, no evidence has been supplied by EFDC to demonstrate why Class C2 self-contained specialist accommodation should be required to include the provision of affordable housing or how this should be delivered. Indeed, the Council's own evidence base in relation to the viability of affordable housing, prepared by Dixon Searle Partnership in its Stage 1 and 2 Reports, makes a clear distinction between sheltered/retirement housing which is housing-led and falls under Use Class C3 (and which Dixon Searle Partnership considers should not be differentiated for in comparison to the approach for other residential forms within Use Class C3) and care-led facilities care facilities which fall under Use Class C2. In particular, the Stage 1 and Stage 2 Reports state the following:

Stage 1 Report:

"3.3.13 In our experience [sheltered housing schemes are] capable of supporting similar CIL viability outcomes and financial contributions for the provision of affordable housing off-site and competing very effectively with general market/non-retirement housing developments...We are of the opinion that [sheltered housing schemes] should not be treated differently to other forms of C3 market development.

*3.3.14 By sheltered/retirement housing we are referring to housing-led (rather than care provision based) schemes. These are generally high-density apartment based scheme providing retirement housing in self-contained dwellings, usually with some element of common space and warden support; but where no significant element of care is provided...They are regarded as falling under Use Class C3 (dwelling houses). **They are distinct in our view from care/nursing homes which would generally fall within Use Class C2**"*

[emphasis added in bold and underline is by Elysian Residences]

Stage 2 Report:

3.2.72 DSP's consistent assessment findings are that housing-led development for all types (i.e. including sheltered/retirement housing for independent living) should not be differentiated for in comparison with the approach to the wide range of residential development forms falling within Use Class C3 in general. These more specialist forms of housing are part of the wide spectrum of market housing provision

3.2.74 The viability picture on this is however quite different to that relating to accommodation for care provision – typically C2 use... The particular nature of a specialist housing scheme would be considered when considering any planning application.”

Elysian Residences contends that the clear intention of the evidence base findings is to highlight the distinction between Use Class C3 and Use Class C2 development for the purposes of identifying that only Class C3 development should be subject to a requirement to provide affordable housing (subject to viability). This should be reflected by Policy H2, which should be amended to make it clear that affordable housing will only be sought in relation to proposals for Use Class C3 development and not proposals for development falling within Use Class C2.