



# **Policy LP10 Meeting Accommodation Needs Evidence Report**

**Proposed Submission  
April 2016**

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# 1 Introduction and Policy Context

## Introduction

- 1.1 A joint Local Plan for the Central Lincolnshire area is being produced which will set the framework for how development will be considered across the districts of the City of Lincoln, North Kesteven and West Lindsey to 2036.
- 1.2 This Evidence Report (which is one of a collection) provides background information and justification for policy LP10, which relates to delivering housing to meet the needs of the Central Lincolnshire population. Specifically, it deals with delivery of a mix of housing tenures, types and sizes; accessible dwellings; and the location of residential care accommodation.

## National policy

- 1.3 The National Planning Policy Framework (NPPF) was published in March 2012 and the National Planning Practice Guidance (NPPG) was introduced in 2014 which offers 'live' government guidance.
- 1.4 Section 6 of the NPPF concerns the delivery of a wide choice of high quality homes and there is a separate section on "Plan-making". The following paragraphs are particularly relevant to this policy:
  - Paragraph 50- To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should: plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)...
  - Paragraph 159- Local planning authorities should prepare a Strategic Housing Market Assessment to assess their full housing needs... including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)...
  - Paragraph 173- Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.
- 1.5 In addition to the above, following the Housing Standards Review (2013/14), Government issued a written statement on 25 March 2015 which confirmed their intention to prevent Local Plans from setting their own standards and instead impose national standards via the Building Regulations system (the revisions to Building Regulations came into force in October 2015). The three exceptions to this are:
  - A Local Plan could require internal minimum space standards for all dwellings, though such standards could only be those as prescribed by government.
  - A Local Plan could require water efficiency measures in new houses which would aim to reduce average occupier use of water down from 125 litres (as required by Building Regulations) to 110 litres.

- A Local Plan could require higher standards than required by Building Regulations in relation to access to, from and within buildings, though such standards could only be those as prescribed by government.

1.6 A Local Plan can only require one or more of these optional standards if the standard will address a clearly evidenced need and the viability implications of introducing the standard have been adequately considered.

1.7 The following National Planning Practice Guidance is relevant to meeting accommodation needs:

“Based on their housing needs assessment and other available datasets it will be for local planning authorities to set out how they intend to approach demonstrating the need for Requirement M4(2) (accessible and adaptable dwellings), and / or M4(3) (wheelchair user dwellings), of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:

- the likely future need for housing for older and disabled people (including wheelchair user dwellings).
- size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).
- the accessibility and adaptability of existing housing stock.
- how needs vary across different housing tenures.
- the overall impact on viability. ...

(Reference ID: 56-007-20150327)

“Establishing future need for housing is not an exact science. No single approach will provide a definitive answer. Plan makers should avoid expending significant resources on primary research (information that is collected through surveys, focus groups or interviews etc and analysed to produce a new set of findings) as this will in many cases be a disproportionate way of establishing an evidence base. They should instead look to rely predominantly on secondary data (eg Census, national surveys) to inform their assessment which are identified within the guidance.”

(Reference ID: 2a-014-20140306)

1.8 The above has been taken into account in preparing the Local Plan as a whole, and policy LP10 in particular.

## 2 Central Lincolnshire Context in Relation to Policy LP10

2.1 The Central Lincolnshire Strategic Housing Market Assessment (SHMA) (July 2015) identified:

- That Central Lincolnshire has seen significant growth in older persons and that a clear majority of residents aged 65 and over continue to live in private households, rather than communal establishments such as care homes.
- The Census shows that the majority of residents in Central Lincolnshire whose day-to-day activities are limited a lot by their long-term health problem or disability do not live in communal establishments, suggesting that they live at home or with relatives,

friends or carers. This suggests an ongoing need to ensure that there is a sufficient supply of adapted homes, through the Disabled Facilities Grant or other initiatives.

- 2.2 The evidence presented in the Strategic Housing Market Assessment (published July 2015) and the Central Lincolnshire Plan Viability and Community Infrastructure Levy Study has been used in formulating this policy.
- 2.3 The policy is supported by LP11, which relates specifically to the delivery of affordable housing; policies LP32, LP33 and LP37 which relate to student housing; and LP56 which allocates pitches to meet the needs of Gypsy and Travellers.

### 3 Local Plan Policy: Preliminary Draft

- 3.1 The Preliminary Draft version of the Local Plan (published for consultation in October – November 2014) included a policy on meeting accommodation needs (formerly policy LP8). The scope of the policy at this stage included:
  - General housing needs: meeting the needs of all sectors of the community.
  - Executive homes: support for a proportion of executive homes on housing sites, or entirely executive home schemes in exceptional circumstances.
  - Custom build: requirement for schemes of 100 or more dwellings to supply around 5% of net developable land for sale to custom builders.
  - Single storey dwellings: requirement for schemes of 100 or more dwellings to provide 5% of net developable land as single storey dwellings.
  - Adaptable dwellings.
  - Gypsy and Travellers and Travelling Showpeople: policy highlighted the need identified by the Central Lincolnshire Gypsy and Traveller Accommodation Assessment (2013) and set out various criteria for the development of Gypsy and Traveller sites.

#### **Preliminary Draft Consultation**

- 3.2 The representations received during the Preliminary Draft consultation raised the following issues.
- 3.3 In relation to custom build, there was concern that the requirement for developments of 100 or more dwellings to supply land for custom build plots would place an unnecessary obstacle in the way of delivering housing on strategic sites and create high levels of uncertainty with regards to the forms of dwellings on these plots and the likely timing of their delivery, and that such a position would severely constrain and influence the sale and marketability of houses on surrounding plots. It was suggested that the plan should consider allocating specific smaller sites for self-build or develop an exception policy in support of land release in certain locations.
- 3.4 In addition, it was questioned whether custom builders want to do so on a typical development site, and that the policy needs to be more visionary than just a bit of space within a large development area.
- 3.5 In relation to Gypsy and Travellers and Travelling Showpeople, the representations included support for provision of Traveller pitches. Another comment included that the policy should confirm that the need for pitches will be kept under review. It was also commented that criteria 'a' to 'e' are detailed development control criteria, which should be distinctly separate.

- 3.6 Another comment raised in relation to this policy was that there should be reference to housing for service families in line with paragraph 159 of the NPPF.
- 3.7 It was also raised that the policy should provide guidance on the demand for properties of different sizes and tenures across the area to help investors shape development proposals accordingly.
- 3.8 Another consultee commented that it is important that provision for all groups, especially Gypsy and Travellers, is spread equally across the Central Lincolnshire area to ensure parity.

## 4 Local Plan Policy: Further Draft

- 4.1 The policy in the Further Draft version of the Local Plan (LP10) was amended from the original Preliminary Draft in response to comments received during the consultation and changes to national guidance.
- 4.2 The following changes were made to the policy in light of comments received in relation to the Preliminary Draft Local Plan, as summarised in section 3 above.
- 4.3 The requirement in relation to general housing need was revised to include reference to the SHMA to provide developers and decision makers with greater clarity on what is being sought by this policy requirement.
- 4.4 Executive homes were no longer addressed by the policy. The removal of this criteria does not mean that executive home schemes will not be supported. Rather, the removal of the executive homes considerations allows developers the flexibility to respond to the housing needs of a locality and the site specific circumstances.
- 4.5 The criteria in relation to custom build was revised to provide more flexibility and to prevent development being subject to such a scale of policy burdens that the ability to be developed viably (i.e. in combination with other requirements such as affordable housing and Community Infrastructure Levy charges) would be threatened (in accordance with para 173 of the NPPF).
- 4.6 Criteria 'a' to 'e' in relation to Gypsy and Travellers were removed and, with revisions, inserted into policy LP56, Gypsy and Traveller Allocations, as it was considered more logical to locate these criteria with the Gypsy and Traveller allocations.
- 4.7 The following paragraphs detail how we have responded to the other key issues raised during the Preliminary Draft Consultation.
- 4.8 Policy LP57, Ministry of Defence Establishments, was introduced to the Further Draft Local Plan, therefore policy LP10 did not introduce reference to housing for service families.
- 4.9 The suggestion that the policy should provide guidance on the demand for properties of different sizes and tenures across the area to help investors shape development proposals accordingly was not acted on in the Further Draft Local Plan as demand will change over the plan period. Developers should use up to date evidence of need, including the most up to date Strategic Housing Market Assessment, to inform their development proposals.
- 4.10 The opinion that housing provision should be spread equally across the three districts was also not taken forward in the Further Draft version of policy LP10: distribution of growth was addressed in policies LP2, The Spatial Strategy and Settlement Hierarchy, and LP3, Level and Distribution of Growth. The development of particular types of accommodation may not

be equal across all three local authority areas due to differing need, markets, land availability and sustainability considerations.

- 4.11 In addition to the considerations above, the Preliminary Draft criteria in relation to single storey dwellings and adaptable dwellings were removed and replaced with the requirement for dwellings with higher access standards (M4(2) of building regulations) in response to the written ministerial statement of March 2015 and the revisions to Building Regulations that came into force in October 2015.
- 4.12 The threshold was set at 6 or more dwellings, and it was proposed that qualifying sites would be required to deliver 30% of dwellings to M4(2) standard. This threshold and percentage were demonstrated to be viable (see Central Lincolnshire Plan Viability and Community Infrastructure Levy Study) and the Central Lincolnshire Authorities supported the principle of delivering housing which is capable of adaptation to meet peoples changing needs and circumstances throughout their lifetime.
- 4.13 Overall, therefore, the scope of the policy at this stage was:
- General housing needs: expectation that developers will contribute to meeting the housing needs of the housing market area, as identified by the latest Strategic Housing Market Assessment (SHMA).
  - Dwellings with higher access standards: requirement for proposals of 6 or more dwellings to provide 30% of dwellings to M4(2) of the Building Regulations unless there are exceptional reasons for not doing so.
  - Gypsy and Travellers and Travelling Showpeople: policy highlighted need identified by the Central Lincolnshire Gypsy and Traveller Accommodation Assessment (2013) and made reference to policy LP56 which allocated sites and set out policy considerations for the development of such sites.
  - Custom build: particular support for proposals which provide opportunities for custom build.

#### **Further Draft Consultation**

- 4.14 Various comments were received in relation to policy LP10 during the consultation on the Further Draft Local Plan. The key issues raised included:
- Concern over the scale of policy obligations, with specific comments that policy burdens should not threaten ability to develop viably and it is unrealistic to negotiate every site on a one by one basis because aspirations of a policy or combination of policies are set too high.
  - Mixed comments in relation to the M4(2) requirement:
    - M4(2) requirements could apply to developments of less than 6 dwellings to ensure delivery in small villages;
    - Requirement for 30% of dwellings to M4(2) standard supported;
    - Policy should include requirement for higher accessibility homes to be located in accessible locations within sites;
    - Policy allows exception for inappropriate site characteristics but does not allow for other circumstances which may render the requirement unviable;
    - SHMA does not recommend a proportion of M4(2) dwellings.
  - Comments in relation to self-build included concern that the policy wording could be read as supporting proposals for self-build which would otherwise be inappropriate development and that self-build should not be dealt with as an 'exception'. It was suggested that self-build should be considered as an integral part of large scale allocations.
  - Some commented that the Further Draft version of the policy was more flexible than the previous Preliminary Draft version and that this flexibility is supported.

- Para 4.4.3 refers to bungalows but there is no mention of single story dwellings in the policy.
- Paragraph 4.4.6 suggests there is a need to consider development of specialist facilities for older persons, but this is not reflected in policy.

## 5 Local Plan Policy: Proposed Submission

- 5.1 Policy LP10 has been amended in the Proposed Submission version of the Local Plan in response to issues raised during the Further Draft consultation.
- 5.2 Specifically, the following changes have been made to the policy in light of the key issues summarised at paragraph 4.13 above.
- 5.3 The comments in relation to paragraphs 4.4.3 and 4.4.6 are noted and the introductory paragraphs have been amended to more accurately reflect the content of policy LP10.
- 5.4 The first paragraph of the policy has been strengthened, to ensure that a range of accommodation needs are addressed by the policy.
- 5.5 The threshold trigger for delivery of a percentage of dwellings to M4(2) standard has been revised, and is now '6 or more dwellings (or 4 or more dwellings in small villages)'. The previous threshold of this policy of a blanket 6 dwellings meant that it would be highly unlikely that accessible dwellings would be delivered in small villages where development would normally be limited to 4 dwellings. This amendment means that accessible dwellings will be delivered in small villages.
- 5.6 The policy now includes the requirement (third paragraph) for higher accessible homes to be located close to any existing or proposed local centres and public transport connections where possible. This promotes wider accessibility and improved health and wellbeing.
- 5.7 The last paragraph of the policy introduces a new requirement that residential care accommodation is located in a settlement in levels 1 to 4 of the settlement hierarchy. This requirement has been introduced to ensure that such schemes are developed in sustainable locations.
- 5.8 Self-build is no longer referenced in the policy in light of the unintended consequence of the previous policy wording of self-build sites being dealt with as exceptions, as highlighted by comments received during the consultation. Self-build needs will be addressed outside the Local Plan through, for example, the Self Build Register process.
- 5.9 As also explained in the evidence report to policy LP56 Gypsy and Traveller Allocations, the Gypsy and Traveller section of policy LP10 has been removed and relocated to the introductory paragraphs ahead of policy LP56. It was felt that the text within the Further Draft Local Plan policy LP10 did not set out planning policy, and rather it was better placed alongside policy LP56 in order to set the policy context.
- 5.10 In relation to concerns about the level of policy obligations and viability, the Central Lincolnshire Plan Viability and Community Infrastructure Levy Study evidence report assesses the viability of the obligations set out in policy LP10 alongside the obligations of the wider Plan.
- 5.11 Overall, therefore, the scope of the policy is now:
- General housing needs: expectation that developers will contribute to meeting the housing needs of the housing market area, as identified by the latest

Strategic Housing Market Assessment (SHMA), and maintain, provide or contribute towards a mix of housing tenures, types and sizes.

- Dwellings with higher access standards: requirement for proposals of 6 or more dwellings, or 4 or more in small villages, to provide 30% of dwellings to M4(2) of the Building Regulations unless there are exceptional reasons for not doing so. Requirement for such dwellings to be located close to existing or proposed local centres or public transport connections.
- Residential care accommodation: requirement that such developments are located in settlements within levels 1 to 4 of the settlement hierarchy.

## 6 Alternative Reasonable Options

- 6.1 The following alternative options have been considered for this policy. (Option 1 is the preferred policy approach which is being taken forward.) **All policy options** would include the requirement for developers to contribute to meeting the housing needs of the housing market area, in accordance with the latest SHMA, and create mixed, balanced and inclusive communities.
- 6.2 **Option 1 (the Proposed Submission Local Plan policy):** Policy setting out requirements in respect of dwellings with higher access standards (6 dwelling threshold, 4 dwellings threshold in small villages, 30% requirement) and residential care accommodation (to be located in settlements in levels 1 to 4 of the settlement hierarchy).
- Note: whilst the scope the policy has changed from the Further Draft version of the policy, and the threshold for the higher accessible dwellings has been reduced by two dwellings in the case of small villages, the chosen policy approach is still considered to be broadly in line with what was previously considered to be 'option 1' at the Further Draft stage.
- 6.3 **Option 2:** No policy on meeting accommodation needs. This option has been discounted, as national policy and guidance is explicit that Local Plans must facilitate the delivery of a range of accommodation types to meet a number of specific needs.
- 6.4 **Option 3:** Policy sets a higher threshold for M4(2) requirement. This option has been discounted because the Central Lincolnshire Authorities want the maximum number of units as possible to meet this higher standard (within the scope of viability, in combination with other obligations) and it has been demonstrated that the threshold of 6 dwellings is viable.
- 6.5 **Option 4:** Policy sets no starting threshold for M4(2) requirement (i.e. it commences at one dwelling). This option has been discounted to prevent very small scale development being subject to such a scale of obligations and policy burdens that the ability to be developed viably (i.e. in combination with other obligations) is threatened.
- 6.6 **Option 5:** Policy sets higher percentage for M4(2) requirement. This option has been discounted to prevent development being subject to such a scale of obligations and policy burdens that the ability to be developed viably (i.e. in combination with other obligations) is threatened.
- 6.7 **Option 6:** Policy sets lower percentage for M4(2) requirement. This option has been discounted because the Central Lincolnshire Authorities want developers to deliver the maximum number of units which meet this higher standard (within the scope of viability, in combination with other obligations).
- 6.8 **Option 7:** Policy requires development proposals to include a percentage of dwellings which meet M4(3) standard. This option has been discounted to prevent development being

subject to such a scale of obligations and policy burdens that the ability to be developed viably (i.e. in combination with other obligations) is threatened.

## 7 Conclusion

- 7.1 This Evidence Report demonstrates the rationale for the proposed policy as contained in the April 2016 Proposed Submission Local Plan. We hope this helps demonstrate how we have responded to comments received during both the Preliminary and Further Draft consultations, as well as how the latest evidence and national guidance has been taken into account.