

Part B: Your Response

Please complete a separate **Part B form** for each response that you wish to make. One **Part A form** must be enclosed with your **Part B form(s)**.

To assist in making a response, separate **Guidance** is available on the Council’s website.

Responses should be returned by **5:00pm on Tuesday 11th June 2024**.

Name and Organisation:	
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Q1. To which document(s) does this response relate?

a. Draft policy on Housing Provision for Older People and those with Disabilities and Special Needs and its explanation.	
b. Updated Additional Sustainability Appraisal of the Draft Shropshire Local Plan Report.	
c. Updated Housing and Employment Topic Paper.	
d. Updated Green Belt Topic Paper.	

Q2. To which paragraph(s) of the document(s) does this response relate?

Paragraph(s):

Q3. Do you consider the document(s) are:

- | | | |
|----------------------|------|-----|
| A. Legally compliant | Yes: | No: |
| B. Sound | Yes: | No: |

Q4. Please detail your comments on the specified document(s).

Please be as precise as possible.

(Please continue on a separate sheet if necessary)

Please succinctly provide all necessary evidence and information to support your response. After this stage, further submissions may only be made if invited by the Planning Inspectors, based on the matters and issues identified for examination.

Q5. Do you consider it necessary to participate in relevant examination hearing session(s)?

Please note: This response provides an initial indication of your wish to participate in relevant hearing session(s). You may be asked to confirm your request to participate.

No, I do not wish to/consider it necessary to participate in hearing session(s)

Yes, I consider it is necessary/wish to participate in hearing session(s)

The Inspectors will determine the most appropriate procedure to consider comments made during this consultation.

10 June 2024
Delivered by email

Planning Policy
Shropshire Council
PO BOX 4826
Shrewsbury
SY1 9LJ

Dear Sir/Madam,

Shropshire Local Plan Examination - April-June 2024 Consultation

I am writing on behalf of Wain Estates in relation to the April-June 2024 consultation and provide representations in respect of 'GC25: The newly proposed draft policy on Housing Provision for Older People and those with Disabilities and Special Needs and its explanation'.

These representations demonstrate that the proposed approach is not sound as it is not 'justified' or 'effective'.

Background

Policy DP1 of the Pre-Submission Draft of the Shropshire Local Plan relates to 'Residential Mix' and includes reference to meeting the needs of older persons and specialist housing at part 6 of the Policy. The requirement to provide an "appropriate range" of specialist housing is triggered by proposals of 50 dwellings or more.

The supporting text at Paragraph 4.41, notes that *"it is considered appropriate to ensure that larger development sites include specialist housing designed to meet the diverse needs of older people, whilst also providing flexibility about types and levels of such accommodation to respond to site specific circumstances"*.

However, the Inspector's Interim Findings Letter (ID28) highlighted at Paragraph 40 that, in respect of specialist housing for older people, *"the policy should include indicative figures, or the Plan should contain a specific policy to deal with specialist housing"*.

Consequently, Shropshire Council has proposed to replace the older persons housing requirements set out in Policy DP1 with a tiered approach to the delivery of such housing. Tiers of 50-149 dwellings; 150-249 dwellings; and 250 or more dwellings are proposed with an increasing percentage requirement.

Older Persons Housing Needs

The draft Policy is underpinned by the SHMA published in September 2020, which identifies a need for an additional 3,500 specialist older persons accommodation units and around 2,500 additional units of residential care provision. This calculation was based on the 2014 Sub-National Population Projections [SNPP] for the population aged over 75, and the prevalence rates of specialist accommodation within Shropshire.

However, seeking to provide specialist accommodation for all of these future persons aged over 75 and in need of care fails to acknowledge that not all of these people will choose specialist accommodation to meet their needs and that there may be a desire for older people, where possible, to remain independent within their own homes. This allows people to remain within their existing communities and with access to their established support networks. It is reasons such as these that older households are amongst the least likely to move.

The PPG provides further commentary on this at ID: 63-012, which states the following:

“Many older people may not want or need specialist accommodation or care and may wish to stay or move to general housing that is already suitable, such as bungalows, or homes which can be adapted to meet a change in their needs. Plan-makers will therefore need to identify the role that general housing may play as part of their assessment.

Plan-makers 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.”

In this regard, it is noted that the draft Policy also requires 5% of dwellings on sites over 5 dwellings to be provided as M4(3) and 70% as M4(2) (Part 4) and that it is ‘strongly encouraged’ that all M4(2) dwellings are designed to be ‘friendly’ to those with dementia and to those with disabilities and special needs (Part 6). In this context, it would be more appropriate to focus on the delivery of adaptable types of dwellings in order to address older persons and specialist housing needs over the plan period. This would be preferable to a focus only on specialist forms of housing that may not be attractive to all people aged over 75 years.

Viability

Paragraph 68 of the NPPF (2021) requires that Local Plans should identify a sufficient supply and mix of sites, taking into account their availability, suitability and likely economic viability. Paragraph 34 also requires that contributions should not undermine the deliverability of the Local Plan. Viability is therefore a major factor in whether a site is achievable and developable, and the PPG requires a plan-making body to assess the economic viability of a site, and the capacity of the developer to complete and let or sell the development over a certain period¹. As such, any Local Plan should be supported by a viability assessment, which cumulatively tests the impact of policy requirements on the viability of sites allocated in the Local Plan Review. This should include the implications of the provision of older persons and specialist accommodation, given that the amount of land available for market housing will naturally be reduced.

¹ Paragraph: 020 Reference ID: 3-020-20190722

Once other requirements are considered, such as 5% being M4(3) and 70% being M4(2), 10-20% affordable housing, biodiversity net gain, on-site energy generation or decentralised energy and electric vehicle charging, lower levels of market housing could reduce the viability of development and threaten the delivery of other policy requirements.

The Pre-Submission Draft Local Plan is supported by a Local Plan Delivery & Viability Study (June 2020) (“Viability Study”). Crucially, the Viability Study only assessed the impact of requiring ‘all new homes to be designed to be accessible and adaptable dwellings’, and ‘10% of housing to be wheelchair adaptable dwellings’, and specifically didn’t test viability of sheltered and extra care schemes. Furthermore, our Matter 8 Hearing Statement, submitted on behalf of Wain Estates highlighted that the Viability Study concludes that the viability of development across the county is very challenging. Wain Estates are of the view that the benchmark land values set within Viability Study are extremely low and that the Study shows that the majority of schemes can only support 10% affordable homes, but not 20%.

On this basis, the Viability Study, has not fully considered whether the provision of older persons and specialist accommodation would undermine the deliverability of the Local Plan and there is no stated intention that this will be updated to do so. The Policy is therefore not sound.

Tiered Approach

As noted above, Shropshire Council proposes to replace the older persons housing requirements set out in Policy DP1 with a tiered approach to the delivery of such housing. However, it is fundamentally unclear what evidence has been produced to substantiate the tiers and the increasing percentage requirement and show that these contributions will be deliverable.

For the lower tier (50-149 dwellings), a 10% specialist older persons housing requirement would only generate between 5 and 15 units of specialist accommodation. However, it is extremely unlikely that operators would be willing to operate specialist housing schemes of this scale, which would undermine future delivery and supply. Such developments need to be of sufficient scale in order to justify the provision of facilities to meet the expected level of care.

Whilst the middle tier of 150-249 homes could generate between 23 and 37 units of specialist accommodation, as a minimum, this would still be at the lower end of operators likely demands, particularly in respect of more intensive care facilities. Wain Estates therefore questions whether this would provide sufficient economies of scale for market-led delivery. The proposed policy is therefore not sound by reason of not being justified.

Summary

The Inspectors Interim Findings highlighted that the proposed approach to meeting the needs of older person households and those in need of specialist care needed further consideration. However, Shropshire Council have proposed amendments which are not proportionate with little to no justification or supporting evidence. Crucially, the suggested approach seeks to ensure every allocation contributes to meeting needs, irrespective of whether the site is an appropriate location for older persons and specialist accommodation, with access to existing services and facilities, or are of a scale to deliver on-site services and facilities.

On the basis of the above, it is considered that the draft Policy is not ‘justified’, ‘effective’ or ‘consistent with national policy’ and is therefore unsound.

Yours faithfully

A handwritten signature in black ink, appearing to read "M. O'Brien". The signature is written in a cursive style with a large initial "M" and a long, sweeping underline.

Mike O'Brien
Director

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