



Local Plan Task Group
Monday, 26th October, 2020 at 9.30 am
in the Remote Meeting on Zoom and available for the
public to view on WestNorfolkBC on You Tube - Zoom
and You Tube

Reports marked to follow on the Agenda and/or Supplementary Documents

- a) Outstanding Housing Policies (Pages 2 - 19)
- Affordable Housing Policy
 - Housing for the Elderly and Specialist
 - Adaptable and Accessible Homes
 - Sustainability Appraisals of the above policies

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Social and Community

Housing

Introduction

Delivering new affordable homes remains a key national and local priority, to meet housing need. This policy seeks to deliver affordable housing as a percentage of development of qualifying sites. The policy set percentages and thresholds for sites in different locations. These are to be reviewed from time to time.

Affordable housing is housing provided to those that are unable to meet their housing needs through the private sector. Government policy as set out in the NPPF defines affordable housing as affordable housing for rent, starter homes, discounted market sales housing, and other affordable routes to home ownership.

In accordance with the requirements of the NPPF, affordable housing should include provisions to remain at an affordable price for future eligible households or for any subsidy to be recycled for alternative affordable housing provision. Affordable rented properties are either Social-Rented or Affordable Rent, which determines the level of rent chargeable.

The Borough Council have commissioned and conducted a number of studies to identify an up to date picture housing need, and to create a strategic plan for housing in the borough. As well as publishing a number guidance documents. These include:

- Housing Needs Assessment (HNA) (2020)
- Older person and specialist care accommodation study (2020)
- Local Plan review viability study (2020)
- Gypsy and Traveller Accommodation Assessment (GTAA) (2016)
- Guidance on affordable housing contributions secured through section 106 planning agreements (2019)
- Affordable Housing Policy (2011)

The elements of the policy dealing with affordable or special needs housing reflect very particular circumstances evidenced from the focused studies. The affordable housing threshold and percentage takes into account demand, viability of development and the size and function of settlements in the borough.

Affordable housing including social rented and intermediate housing is unlikely to be delivered by the market alone. The majority of new affordable housing will be delivered through Section 106 Planning Agreements. Such agreements will require developers to transfer a proportion of their housing at a price below market value to a Registered Provider of Social Housing (RP). Other sites will provide purely affordable housing, and will include rural exception sites. Such development is likely to be dependent upon the Registered Provider of Affordable Housing (RP) securing grant funding from the Homes England. A 15% affordable housing contribution will be sought in the built-up area of Kings Lynn (i.e. the un-parished area). In seeking to apply this in a consistent manner in parishes surrounding the built-up area (including those specifically noted in Policy LP02 as being '...adjacent Kings Lynn...') a 20% contribution will be sought.

The Housing Need Assessment (HNA 2020) suggests that 24.4% affordable housing need for rent and shared ownership plus a further 1.8% for discount market sale. It is envisaged that the discount market sales need will be met mainly through exception sites. The HNA identifies shared ownership

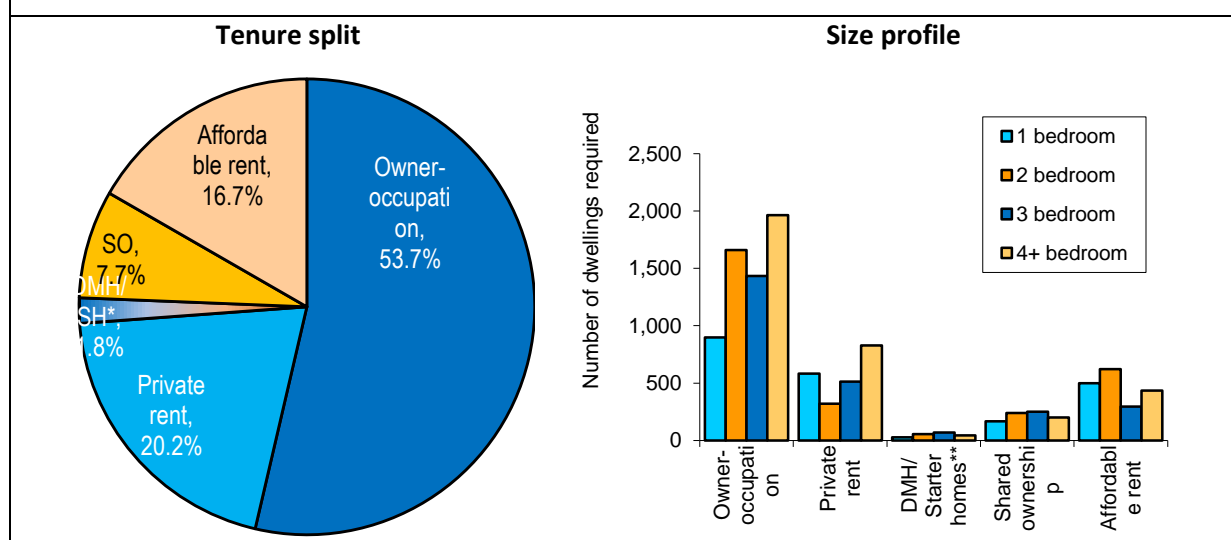
as the most affordable form of affordable home ownership and suggest a split between rent and Shared ownership of 68% and 32%.

NPPF Paragraph 64 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 (subject to exemptions see NPPF).

In light of the above evidence from the HNA 2020 and the overall percentages of affordable housing being sought, securing at 10% of sites as affordable home ownership would significantly prejudice the ability to meet the identified affordable housing needs of specific groups including families. Therefore, the 70/30 % split as identified in the Core Strategy Policy CS09: Housing is carried forward in the Local Plan review, based upon the latest HNA and subject to viability.

The HNA provides the following conclusion as illustrated by figure 7.1 below. This sets out the size and tenure requirements over the plan period (between 2016 and 2036).

Figure 7.1 Requirement for all new housing in King's Lynn & West Norfolk over the plan period



*Discount market housing/ Starter homes figures represent potential demand rather than a requirement

Short Summary of the Local Plan Viability study required, when available

Travellers and Travelling Showpeople

The Planning Policy for Travellers Sites (PPTS 2015) defines the travelling community as comprising Gypsies, Travellers and Travelling Showpeople. Gypsies and Travellers are defined in the PPTS as 'Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependents' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such'. Travelling Showpeople are defined in the PPTS as 'Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such). This includes such persons who on the grounds of their own or

their family's or dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above'.

In determining whether persons are 'Gypsies and Travellers' for the purposes of this policy, consideration should be given to the following issues amongst other relevant matters:

- a. Whether they previously led a nomadic habit of life;
- b. The reasons for ceasing their nomadic habit of life;
- c. Whether there is an intention to living a nomadic habit of life in the future, and if so, how soon and in what circumstances.

The Council is required to plan for the future needs of Travellers in the Borough over the plan period up until 2036. In respect of those Gypsies and Travellers who do not lead a nomadic lifestyle, the Borough Council will continue to assess and plan to meet their needs as part of its wider responsibilities to plan to meet the accommodation needs of its settled community.

The needs assessment for the purposes of decision making is the Gypsy and Traveller Accommodation Assessment (GTAA) (2016) (or successor document). The document covers the plan period to 2036. This document forms the main evidence base for the Local Plan review on this subject matter. The study covers the needs of Gypsies (including English, Scottish, Welsh and Romany Gypsies), Irish Travellers, New (Age) Travellers, and Travelling Showpeople. The GTAA has sought to establish the accommodation needs of the Gypsy, Traveller and Travelling Showpeople population in the study area (Kings Lynn & West Norfolk Borough Area) through a combination of desk-based research, stakeholder interviews and engagement with members of the travelling community living on all known sites.

The GTAA concludes that there is a need for an additional 5 pitches over the plan period to meet the traveller need and a possibly need for an additional 2 plots for travelling show people to meet the need over the plan period. Based upon the GTAA (2016) it is considered that a criteria-based policy approach is a reasonable, pragmatic and proportionate response to the current situation for the Local Plan review. It can provide an appropriate response to any proposals received to address the modest level of need identified. This combined approach for existing and new sites should ensure that the need is met, it should however be noted that needs assessments are reviewed periodically.

National policy sets out a range of issues to consider when assessing applications for Traveller site development. In assessing new sites, the site should be in a sustainable location and should be in reasonable proximity to local services and facilities. Community infrastructure needs will include health, education and transport links. In order to deliver sustainable communities, and quality place making, development proposals will be required to consider the amenity of new residents and impacts on surrounding communities or other neighbours/neighbouring land uses such as businesses and open space in line with relevant spatial and design policies. In doing so, regard will be had to community cohesion and good design principles such as integration, ensuring no adverse impacts arise from new development. Residential housing mitigation requirements for European sites are also applicable to plots and pitches for Gypsies, Travellers and Travelling Showpeople.

To ensure that the levels of Gypsy and Traveller and Travelling Showpeople accommodation are maintained, the Council will resist the loss of existing sites, including the conversion to permanent dwellings. Existing Traveller sites will therefore be safeguarded to meet the continuing housing needs of these communities ensuring that sites are not lost to competing uses. Unrestricted means not subject to conditions restricting the time of occupancy such as temporary or personal planning permission. The following policy will apply to any new permission granted as well as to existing sites.

Implementation

The policy aims to strike the balance between creating mixed and balanced communities, which is in line with the NPPF, and ensuring that development is viable and can come forward i.e. is deliverable. It is considered that this approach is best taken forward by assessing each proposal on its own individual merits.

The achievement of the provision outlined above depends on appropriate market conditions. The Borough Council can ensure that the proper planning for strategic infrastructure has taken place, facilitate implementation plans (site briefs, etc.) and deal with planning applications in an efficient way, but broadly the risks will lie with the private sector.

It should be noted that proposals for affordable housing are not exempt from any requirement to provide mitigation measures for European sites (even if exempt from paying any other levy).

Custom and Self-Build Housing schemes will also need to comply the policy requirements regarding the on-site provision of affordable housing. This will be agreed by the Borough Council and could include the negotiated transfer of serviced plots to a registered provider for example.

For the purposes of the policy the definition of residential development includes residential park homes and caravans where they are not subject to occupancy restrictions.

Where an existing dwelling (or dwellings) is to be demolished and replaced with substantially the same type of dwelling, provided it is not eligible for vacant building credit, no affordable housing contribution will be sought. Essentially no 'additional' development is being created, and therefore no development uplift will be created.

For Rural Exception sites a sequential approach will be taken to assess and ensure that the site proposed is the best one available for the specified settlement in order to meet the need. For this purpose, planning considerations such as location, context, access, and flood risk will be considered. This should therefore avoid having multiple competing sites which meet the same need.

Experience in the Borough and elsewhere has been that attempts may be made to avoid the affordable housing requirement by artificial sub-division of sites and incremental developments of numbers of houses below the threshold. Such developments will deliver neither the proportion of affordable housing required to meet needs, nor the mix of housing stock required to sustain balanced communities.

The policy is intended to avoid such 'playing' of the system, while recognising the realities of change over time and exceptional circumstances that may require the threshold to be set aside.

Example: Permission is granted for 4 market dwellings on a site of 0.15 ha in a rural village. The site is not required to provide affordable housing as it is below the threshold set in the policy.

Development is completed on the site. Then 4 years later, an application is made for 3 more houses on land immediately adjacent to the completed site. Both sites are assessed in combination to determine the affordable housing contribution. Therefore, the total number of dwellings on both sites is 7 and the developer will be required to deliver the relevant proportion of affordable housing (20% in this rural example), or equivalent financial contributions if this cannot be delivered on site as per points 10 and 11 of the policy below.

LP25 – Affordable Housing

LP25 Affordable Housing (previously CS09 now LP25 & LP01)

Strategic Policy

Policy LP25 – Affordable Housing

1. The national definition of affordable housing as set out in the National Planning Policy Framework (2019), is applied for the purpose of this policy;
2. Proposals for housing need to meet the need as identified in the most up to date housing needs assessment with particular regard to size, type and tenure of dwellings. (These needs will include appropriate provision for all sectors of the community, for example including the needs of elderly people or people with disabilities). Proposals will also be required to be agreed by the Brough Council;
3. The Council will work with partner organisations to maximise the delivery of affordable housing to respond to identified housing need throughout the borough. This will be achieved by having regard to both up to date Local Housing Needs (LHN) and Housing Needs Assessments (HNA), and affordable housing needs viability studies;
4. The affordable housing should be provided on site. Provision will be made through planning obligations to secure the affordable housing and to ensure it is available at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision;
5. The affordable rented housing provided on-site should be maintained as affordable housing in perpetuity. Provision will be provided through planning obligations in order to provide the affordable housing and to ensure its availability to initial and successive occupiers;
6. On new developments affordable housing should be affordable housing should be fully integrated with general market housing on new developments in order to achieve a mixed and balanced community. The affordable housing element in terms of aesthetics should be in keeping with the wider development, reflecting local distinctiveness and design policies of the Local Plan review and Neighbourhood Plan (should one be in force) ensuring characteristics of the development are carried across all of the housing. This avoids large concentrations of single tenure dwellings and creates mixed and sustainable communities in which accommodation is tenure-blind with the appurtenance of affordable and market homes being indistinguishable;
7. Affordable housing provision may come forward as a percentage of allocated or other permitted sites, or as exception sites in suitable locations. The percentage which will be sought for affordable housing provision on qualifying sites is:
 - a. 15% within the built-up area of Kings Lynn
 - b. 20% in all other areas
8. The thresholds over which affordable housing provision will be sought are:
 - a. King's Lynn, Downham Market and Hunstanton - Sites of 0.33 ha or 10 or more dwellings

- b. Rural areas - Sites of 0.165 of ha or 5 or more dwellings

Tenure mix

9. 70:30 Rented to shared ownership, adjusted where necessary to balance housing need and make schemes viable. 30% shared ownership to include other forms of intermediate tenure, including intermediate rented as agreed by the council.

Commuted Sums

10. Affordable housing should be delivered on site. Only where schemes seek not to meet the policy requirement will an open book viability assessment (prepared in accordance with NPPG on Viability) be necessary and accepted. If provision is made on site in line with the requirements set out in this policy, a commuted sum will be sought at £60,000 per equivalent whole dwelling as recommended by the Borough Council's Local Plan CIL Viability Assessment. (or the figure set out in any successor evidence endorsed by the Brough Council).
11. Off-site contributions in lieu of built units on site will only be considered where this is robustly justified by evidence. Where the provision of on-site units threatens the viability of the development, the applicant will be required to submit an open book viability assessment in accordance with clause 10 of this policy.
12. A flexible approach on both thresholds and proportions will be taken to ensure scheme viability and balance housing need, negotiated scheme-by-scheme, subject to open book approach by developers.

Vacant Building Credit

13. In seeking a vacant building credit in respect of the affordable housing on brownfield land, an application will only be considered on the following basis (as detailed within the 'Guidance on affordable housing contributions secured through section 106 planning agreements (2019)' or future successor document):
- Where the building has not been vacated for the sole purpose of redevelopment;
 - Where the existing building(s) has not been abandoned; and
 - Where specific information on the floorspace of the proposed residential development and the calculation of the claimed offset has been provided.

Delivering Affordable Housing on Phased Development

Allocated Sites

1. On sites allocated for residential development through the Local Plan process the requirement to provide affordable housing under Strategic Policy LP25 Housing Distribution will apply jointly to the whole of a single allocated site that is developed incrementally (through sub-division etc.) and where development of the whole site results in a requirement for a proportion of (or in exceptional circumstances a contribution to) affordable housing.

Windfall Sites

2. On windfall sites the requirement to provide affordable housing will apply where the Borough Council considers that the proposed development forms part of a larger site which, if developed, would result in a requirement for a proportion of (or contribution to) affordable housing. If the application site satisfies one or more of the following criteria, then it will be considered to be part of a larger site for the purposes of this policy:
 - a. **Land ownership** – If an application site is in the same ownership as one or more adjacent plots of land at the time the application is made or within 5 years of the date that planning permission is granted and development of those sites would comply with other policies of the Local Plan;
 - b. **Planning history** – If there is evidence of previous applications for development of a larger site of which the application site forms a part within the past 5 years of the date that planning permission was granted is made and development of the larger site would still be acceptable under other policies of the Local Plan; or
 - c. **Extensions to existing consented development** – If the site forms an extension to a development that has been granted planning permission in the 5 years before the application is made and which is still capable of being implemented or the site forms an extension to a development that is being built out on the date the application is made.

Exceptions Sites

3. The Borough Council will support schemes for the provision of affordable housing as exceptions to normal planning policies where:
 - a. The site adjoins a sustainable settlement, as defined by the settlement hierarchy (LP02);
 - b. The proposal is supported by evidence of local affordable housing need;
 - c. Future management for affordable housing is supported by a Registered Social Landlord;
 - d. The scheme must be genuinely affordable housing led and any element of subsidy through provision of market housing is proven through viability assessments.

Gypsies and Travellers and Travelling Showpeople

4. The Local Plan review supports the provision of the following:
 - 5 additional pitches for Gypsy and Traveller households;
 - 2 additional plots for Travelling Showpeople.
5. These additional pitches / plots (and any additional requirements associated with newly confirmed need from unknown households) will be secured via:
 - Support for the expansion of existing sites; and / or
 - The provision of new sites where the criteria below are met.

6. The Local Plan review supports the expansion of existing Gypsy and Traveller sites to meet the identified additional need, subject to a planning application;
7. The provision of pitches and plots on new sites will be supported, having regard to the Gypsy and Traveller Accommodation Needs Assessment where:
 - a. The proposal meets the identified need;
 - b. The site is otherwise suitable for residential development and the associated necessary infrastructure requirements will be made available as part of the development proposal;
 - c. The site will have safe access to the highway and will not result in any unacceptable impact on the capacity and environment of the highway network;
 - d. The site is in a sustainable location in reasonable proximity to relevant services and facilities including but not limited to transport, education, healthcare and other community infrastructure provision;
 - e. The ability to achieve neighbourliness can be demonstrated in relation to the living conditions of current or future residents of the site and interaction with immediate neighbours and the wider settled community neighbourhood; and
 - f. The site is sensitive to local character and does not have an adverse visual impact on the character and appearance of the surrounding landscape.
8. The Borough Council will work with partners in county or other appropriate groupings to keep under review a network of transit sites and appropriate provision for travelling showpeople across the county

Policy LP25 contributes to Strategic Policy Objectives 1, 3, Economy, 6, 7, 9, Society, 11, 13, 15, Environment, 16, 17, 18, King's Lynn, 28, 29, 30, 31 Rural Areas.

Policy LPr XX: Housing for the elderly and specialist care

Development proposals providing specialist housing options for older people's accommodation and others with support needs, including sheltered housing, supported housing, extra care housing and residential/nursing care homes will be encouraged. The following types of development will be permitted:

1. bungalows in accordance with 'LP04: Development Boundaries';
2. accessible apartments in accordance 'LP04: Development Boundaries'; and
3. grouped accommodation with appropriate elements of support, shared facilities and/or nursing care/wardening where either:
 - a) it is located within Development Boundaries (LP04), and
 - close to town or village shops, public transport, community facilities and medical services; and
 - these are easily reached by those without access to a car, as appropriate to the needs and level of mobility of potential residents; or
 - b) it is located outside Development Boundaries (LP04), and
 - is reasonably related to the Development Boundary of a Main Town, Growth Key Rural Service Centre or Key Rural Service Centre;
 - a Travel Plan shows how residents without cars will have access to shops, community facilities and medical services, as appropriate to the needs and level of mobility of potential residents. The plan should also demonstrate how visitors and staff without cars can access the premises. Measures included in the plan will need to be secured by planning condition and/or a planning obligation;
 - proposals meet the identified need for older people or people with a care need and;
 - a planning condition restricts the occupancy to older people or people with a need for care.
4. Schemes will be required to provide ancillary, communal facilities to complement those available locally, whilst avoiding duplication. Such facilities might range from small scale provision such as a restaurant, bar or hairdresser, to extensive facilities such as a library, crafts/woodworking room, gym/leisure facilities;
5. The design of housing covered by this policy should be in accordance with other relevant policies of the Local Plan review including but not limited to LP06, LP18 and LP20, and also provide:
 - suitable storage space for items that aid mobility;
 - sheltered external recreational space, and where this cannot be achieved, to the provision of external balconies.

6. Additionally, special consideration in terms of the design, layout and massing will be required for areas which could potentially impact upon the Norfolk Coast AONB and/or its setting;

Policy Justification and Supporting Text

To deliver sustainable communities means to support the needs of the current population and any future populations. Paragraph 59 of the NPPF states that the needs of groups with specific housing requirements are addressed. Paragraph 61 continues: within this context, the type of housing needed for different groups in the community should be assessed and reflected in planning policies including, but not limited to older people, and people with disabilities. Paragraph 127 (point f) of the NPPF states that planning policies should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and do not undermine the quality of life or community cohesion and resilience.

Housing for older people is defined as social sector 'sheltered' and age-exclusive housing and private sector leasehold retirement housing. This will include schemes, for rent and for sale, with on-site staff support, those with locality-based support services and schemes with no associated support services. Housing with care is defined as it includes extra care schemes, often called 'assisted living' in the private sector, with 24/7 care available on-site and housing schemes that offer bespoke care services, even if these are not full on-site 24/7 care, across both the social and private sector.

The Borough Council takes this responsibility seriously and to support the Local Plan review with up-to-date and proportionate evidence has commissioned and published both a Housing Needs Assessment (HNA) (Simon Drummond-Hay, 2020) to supersede the 2014 Strategic Housing Market Assessment (SHMA) and in collaboration through the Norfolk Strategic Planning Framework (NSPF) with the other Norfolk planning authorities a Demand for Specialist Older Persons Housing and Dementia Care Housing Study (Three Dragons, 2020).

These studies illustrate that the Borough has a relatively aged population structure, and this characteristic is likely to become more pronounced in the future, with the number of residents over 75 anticipated to increase from 13,288 in 2020 to 19,166 by 2036. And that those requiring specialist accommodation, due to limiting long term illness and difficulty in performing personal care and tasks, will increase from 3,335 in 2020 to 4,810 by 2036.

It is also noteworthy that the provision of accommodation particularly suitable for older people, whilst meeting their specific needs could also free up existing housing. This could then be available for families and other younger people for whom it may be more suited.

Given the significant need for housing suitable for older people and people in need of care it is necessary to promote and encourage this form of development. The policy seeks to prioritise such development in certain geographic areas which are considered to be more suitable than others. This is based upon the Local Plan review Settlement Hierarchy and the guide produce by Three Dragons as part of their study which looks at services, facilities and the daily needs of people within this group.

It is anticipated that the need for this type of housing will be met through a combination of allocations and windfall developments. The Local Plan provides such an allocation at Hunstanton (Policies F2.3 & F2.5). Other allocations may come forward through future Local Plans or Neighbourhood Plans. The Borough Council has a duty to assist communities who wish to prepare a Neighbourhood Plan for their area and would very much welcome the delivery of such an allocation and would assist with this process. The Borough Council, subject to this policy, will support and encourage the provision of such housing on windfall sites.

Given the need and recognising that it may be difficult to secure this accommodation on windfall sites within the defined Development Boundaries, the policy also allows for accommodation for older people and people with care needs outside of Development Boundaries but which are reasonably related to the more sustainable settlements within the Borough. For such sites it will be necessary to ensure that they are able to provide good access to services and facilities for those with no access to a private car. To demonstrate good accessibility, such housing will need to be appropriate for the intended users, for example by providing ramps, lifts and stair lifts. It is also key that what is proposed and provided actually meets the identified need.

The design standards should have regard to the principles set out in the 'Housing our Aging Population Panel for Innovation' (HAPPI) report which published in 2009 sought to consider what reforms were needed to ensure that new build specialised housing meets the future needs and aspirations of older people.

In addition to this policy, the Borough Council is applying a requirement in Policy XX that all new housing should be to 'M4(2): Accessible and Adaptable Dwellings' standards where practical. The intention of this approach will be to maximise the flexibility of new housing to accommodate a wider spectrum of housing needs. This will support housing needs of older people but also those with specialist needs such as those who are disabled and some wheelchair users.

It is strongly recommended that prior to submitting a planning application, applicants discuss the level of specific elderly or vulnerable users' housing need with both the Borough Council and Norfolk County Council.

Design

Schemes will be required to meet the development criteria established for other residential developments relating to high quality sustainable design including LP06, LP18 and LP20.

Whilst there is likely to be a minimum scale of provision for schemes in order for the particular model of care to retain viability, proposals should nevertheless be well related to their local surroundings in respect of size and design.

The Borough Council wishes to ensure that schemes and their accommodation maintain longevity in terms of appearance, cyclical maintenance, running costs, responses to climate change and adaptability to meet future lifestyles and technologies throughout the life of the building and is therefore future-proofed to ensure such adaptability.

The Norfolk Coast Area of Outstanding Natural Beauty (AONB) covers a significant portion of the Borough. The statutory purpose of designating an area of land as an AONB is to conserve and enhance the natural beauty of the area. This comprises the area's distinctive landscape character, biodiversity and geodiversity, historic and cultural environment. With this in mind and in line with the NPPF, Policy LPXX Norfolk Coast AONB, and taking into consideration the Norfolk Coast Partnership's management strategy 'Norfolk Coast Area Of Outstanding Natural Beauty Strategy'

special consideration will need to be given should the proposed development have the potential to impact upon the AONB and/or its setting.

Affordable Housing

The obligation to make an affordable housing contribution will depend on which Use Class Order the Borough Council considers the scheme to be. The particular characteristics of housing with care and extra support are likely to make it more expensive to deliver than general market housing, which may affect its ability to provide a full affordable housing contribution. However, this may be offset by other planning obligations, such as contributions towards education, which may not apply. Where viability is an issue, it will be assessed in the same way as any other scheme.

Housing with care and extra support can take a variety of forms which can influence whether it is classified as C2 or C3. The nature and type of service and accommodation in a scheme will determine the Use Class and therefore whether or not it needs to accord with the provisions of LP25 in providing an affordable housing contribution where this is viable and appropriate.

The Borough council will usually regard the following factors as indicating that a development falls within Use Class C3 and therefore subject to the affordable housing requirements of policy LP25:

- Units within a scheme consist of single, self-contained units of occupation being used as a single dwelling for an individual household;
- Units are designed, or adapted, for residential purposes - containing the normal facilities for cooking, eating and sleeping associated with use as a dwelling house i.e. they afford the facilities required for day to day private domestic existence.

In relation to housing with care and extra support schemes, the factors which differentiate C2 and C3 are those relating to the predominant level of care provided and whether it is provided as a condition of residency, which is more likely to indicate a C2 classification. However, receiving a care service does not in itself necessarily determine it as C2 accommodation if it is not a requirement. If the level of care provided is high or equivalent to the service normally associated with residential care homes, a C2 classification would be indicated.

The Borough Council will take all the characteristics of a scheme into account in determining the Use Class and will not consider any one factor as the defining criterion.

Where the development of housing with care and additional support forms part of a larger development, for example in a retirement community which might contain C2 residential nursing home accommodation, the individual parts of the development will be treated separately in determining their use class, providing they are in separate buildings.

The composition of the affordable housing will be the subject of negotiations and may be Extra Care Housing or General Needs housing or a mixture of both. Factors influencing affordable housing type will include the physical nature of the development, the flexibility of the site in providing for a range of needs, and the assessed housing need.

A reference to the policy in LP04 Development Boundaries is required – add this to the list of exceptions

Text in **Yellow** to be updated following the Local Plan review Viability Study and Older Person Study being completed. This relates the numbers and %'s.

LPXX: Adaptable & Accessible Homes

All new homes must be designed and constructed in a way that enables them to be adaptable, so they can meet the changing needs of their occupants over their lifetime. Planning permission will be granted for new dwellings subject to the following:

- New homes must be built to meet requirement M4(2) of Part M of the Building Regulations: Category 2 for accessible and adaptable dwellings where practical.
- **X%** of dwellings on schemes involving **major development** being provided as wheelchair adaptable dwellings in accordance with the Building Regulations M4(3) standard: Category 3.

Exemptions will only be considered where the applicant can robustly demonstrate that compliance would significantly harm the financial viability of the scheme or it is not practical to do so given the flood risk. All residential proposals should be accompanied by a separate document setting out how proposals (including each dwelling type) accord with each of the standards as detailed in Building Regulations. Where exemptions are sought on practicality or viability grounds, the minimum number of units necessary will be exempted from the requirements.

Applicants must submit appropriate supporting evidence of sufficient detail to enable consideration, including a viability appraisal.

Policy Justification and Supporting Text

The intention of this approach will be to maximise the flexibility of new housing to accommodate a wider spectrum of housing needs. This will support housing needs of older people but also those with specialist needs such as those who are disabled and wheelchair users. Leading to positive impacts on health and well-being. Making homes adaptable and accessible from the start will reduce the likelihood of people having to leave their homes as their needs change and allow people to stay within their local communities, creating mixed and inclusive communities.

To deliver sustainable communities means to support the needs of the current population and any future populations. Paragraph 59 of the NPPF states that the needs of groups with specific housing requirements are addressed. Paragraph 61 continues: within this context, the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies including, but not limited to, families with children, older people, and people with disabilities. Paragraph 127 (point f) of the NPPF states that planning policies should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and do not undermine the quality of life or community cohesion and resilience.

Paragraph 008 (Reference ID: 63-008-20190626) of the PPG is clear that 'Accessible and adaptable housing enables people to live more independently, while also saving on health and social costs in the future.' The same paragraph then goes on to clarify that 'accessible and adaptable housing will provide safe and convenient approach routes into and out of the home and outside areas, suitable circulation space and suitable bathroom and kitchens within the home. Wheelchair user dwellings

include additional features to meet the needs of occupants who use wheelchairs, or allow for adaptations to meet such needs.'

The National Building Regulations include specific nationally agreed construction standards (the M4(2) standard) which would deliver accessible and adaptable homes. Homes built to this standard are more flexible and readily adaptable as people's needs change. They are suitable not just for the elderly but also for families with pushchair needs, or those with a temporary or permanent disability or health issue.

A proportion of new dwellings that accord with Category M4(3) wheelchair adaptability on larger housing developments is also required. It is estimated that the national unmet need for wheelchair adaptable properties is the equivalent of 3.5 per 1,000 households. Planning Practice Guidance states that M4(3) should only be applied to properties where the LPA is responsible for allocating, or nominating \ person to live in that dwelling. However, given the level of need the requirement will be applied to **all major developments**. The policy will be applied flexibly with regard to the current evidence at the time of any planning application. For example, taking account of the Council's Housing Needs Assessment (HNA), Housing Register and other sources of up to date information.

Where the specific requirements of Building Regulations may not be achievable, an element of flexibility is recognised as being required in the delivery of these standards. This may be due to, site specific challenges around topography, flood risk and/or the relationship to design. It is acknowledged that a significant proportion of the Borough is at risk to flooding, and that this could be a constraint to achieving this. Where developers demonstrate that the M4(2) or M4(3) requirements are not feasible to be delivered on viability grounds exemptions will be on a case by case basis on the clear evidence submitted at planning application stage, e.g. the topography of the site makes provision as a whole not feasible and impacts development viability significantly.

To support the Local Plan review with up-to-date and proportionate evidence the Borough Council has commissioned and published the following: a Housing Needs Assessment (HNA) (Simon Drummond-Hay, 2020) to supersede the 2014 Strategic Housing Market Assessment (SHMA) and in collaboration through the Norfolk Strategic Planning Framework (NSPF) with the other Norfolk planning authorities a Demand for Specialist Older Persons Housing and Dementia Care Housing Study (Three Dragons, 2020). And a Local Plan review viability study (Simon Drummond-Hay, 2020).

These studies illustrate that the Borough has a relatively aged population structure, and this characteristic is likely to become more pronounced in the future, with the number of residents over 75 anticipated to increase from 13,288 in 2020 to 19,166 by 2036. And that those requiring specialist accommodation, due to limiting long term illness and difficulty in performing personal care and tasks, will increase from 3,335 in 2020 to 4,810 by 2036.

Additionally, many households have persons with disabilities which require adaptations to homes.

The evidence studies suggest that **all new homes** in Borough should be designed to be adaptable to meet current and future needs. The HNA (page 83/84) states that the need for adaptable and accessible homes in King's Lynn and West Norfolk by the end of the plan period (2036) will be either be 12,354 or 13,215 depending upon if its assumed that all or 50% of all of the institutional population have mobility issues. Therefore, all new homes built in the Borough must meet requirement M4(2) of Part M of the Building Regulations unless it is not practical to do so. The Local Plan review Viability Assessment (Simon Drummond-Hay, 2020) has concluded that it is financially viable for all new homes to meet this standard. Exceptionally, where it is not possible to achieve

step-free access due to the topography of the site or flood risk, these requirements will not be imposed.

Sustainability Appraisal

LPXX: Affordable Housing																							
Policy	SA Objective:																						
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	+	-	Overall Effect
LPXX	0	0	0	0	0	0	0	0	0	0	0	+	0	0	+	++	++	++	+	0	+9	0	Likely Positive Effect +9
No Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	--	--	-	0	0	-5	- 5	Likely Negative Effect -5

The Local Plan review seeks to split up what was CS09 Housing from the Core Strategy. CS09 dealt with housing in general including quantum and distribution, this has now been moved to a separate policy focusing on this issue. Likewise, Affordable Housing was an element of CS09, but this **has** now **been** given its own policy, which given the importance of the issues seems appropriate. It also now seeks to incorporate SADMP Policy DM8 Delivering Affordable Housing on Phased Developments. The policy as proposed is completely different to that which was consulted upon in 2019 and takes onboard the majority of responses to the draft consultation in that the evidence base required updating. This is achieved through a Housing Need Assessment (HNA) (2020) which replaces the 2014 Strategic Housing Market Assessment (SHMA) and a new Local Plan review Viability Assessment (2020). Given this the SA above compares the policy against the option of having no policy on the issues, which the results show isn't really an option. There is little to be achieved by providing a SA of the original policy as it has changed so much, as explained, and has been updated accordingly with regards to the latest evidence and the NPPF.

It is vital the Borough Council has an up-to-date policy with regards to affordable housing to endeavour to meet the affordable housing need ~~are made~~ and to clearly outline how this is to achieved. The SA assumes that with or without the policy the same number of houses are likely to be built, however, ~~that~~ the housing provided may not meet the identified need within the Borough. By having the policy, it has the potential to ensure that housing is delivered that meets the identified need, ~~reduces~~ inequalities, ensure that all groups have access to decent, appropriate and affordable housing. It could also encourage active involvement of local people and assist with providing housing in proximity to employment opportunities. It should overall assist in creating a mixed and sustainable community.

LPXX: Adaptable & Accessible Homes																							
Policy	SA Objective:																						
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	+	-	Overall Effect
LPXX	0	0	0	0	0	0	0	0	0	0	0	++	0	0	+	++	++	++	+	0	+10	0	Likely Positive Effect +10
No Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	--	--	-	0	0	-5	-5	Likely Negative Effect -5

This is a new policy which has been introduced following the draft Local Plan review consultation in 2019. This is a response to the Housing Need Assessment (HNA) (2020), the older persons and specialist care study (2020) and the Local Plan review Viability Study (2020). The intention of this approach will be to maximise the flexibility of new housing to accommodate a wider spectrum of housing needs. This will support housing needs of older people but also those with specialist needs such as those who are disabled and wheelchair users, leading to positive impacts on health and well-being. Making homes adaptable and accessible from the start will reduce the likelihood of people having to leave their homes as their needs change and **will** allow people to stay within their local communities, ensuring they are mixed and inclusive. This is in line with the NPPF and the studies mentioned. The SA clearly demonstrates the positives of having such a policy over not having one. It has the potential to ensure **that** human health is maintained/enhanced and create inclusive communities by readdressing inequalities and provide appropriate housing.

LPXX: Housing for the elderly and specialist care																							
Policy	SA Objective:																						
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	+	-	Overall Effect
LPXX	0	0	0	0	0	0	0	0	0	0	0	+	0	0	+	++	++	+	0	0	+6	0	Likely Positive Effect +6
No Policy	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	--	--	-	0	0	-5	-5	Likely Negative Effect -5

This is a new policy which has been introduced following the draft Local Plan review consultation in 2019. This is a response to the Housing Need Assessment (HNA) (2020), the older persons and specialist care study (2020) and the Local Plan review Viability Study (2020). The policy is intended to ensure that housing for the elderly and specialist care is delivered in the Borough at appropriate locations and that it meets the identified need. The SA illustrates that having a policy response to these issues is far more advantageous to achieving the Local Plan review's SA objectives than not. Again, much like the affordable housing policy its isn't really an option to not have a response to these issues given the results of the latest evidence studies/base and the requirements of the NPPF. The policy should ensure that healthy, inclusive, mixed and sustainable communities are created with a view to going some way to meeting the need.