

New Government planning guidance on housing for older and disabled people

Briefing Note

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The Government published on the 26th June 2019, guidance on housing for older and disabled people as part of updated Planning Practice Guidance (PPG).

The revision, entitled Housing for older and disabled people, states that, *“without accessible and adaptable housing, disabled people risk facing discrimination and disadvantage in Housing.”* It adds: *“an ageing population will see the numbers of disabled people continuing to increase and it is important we plan early to meet their needs throughout their lifetime.”*

A key matter that the planning system has grappled with is the **use class** under which such development falls – C2 or C3. This can have important implications for the scheme in terms of planning requirements, e.g. affordable housing, and arising from this, viability.

The revised guidance (*How does the use classes order apply to specialist housing for older people?*) advises that *“it is for a local planning authority to consider into which use class a particular development may fall,”* adding *“when determining whether a development for specialist housing for older people falls within C2 (Residential Institutions) or C3 (Dwellinghouse) of the Use Classes Order, consideration could, for example, be given to the level of care and scale of communal facilities provided.”*

The guidance, in effect, makes decisions on use discretionary, and this arguably will give rise to uncertainties on matters such as affordable housing provision, and this in turn will give rise to viability concerns.

The updated guidance is seen to follow the April 2019 House of Lords Committee report on *intergenerational fairness*, which recommended changes to the planning system to encourage the building of more dedicated housing for older people. As part of this, the Committee recommended the Government change practice guidance to make clear that ‘extra care’ retirement homes, which provide residents with independent living but also provide varying degrees of care, dependent on need, are treated the same, in planning terms, as ‘care homes’.

The new guidance does however provide some clarity by defining what is meant by *“extra care housing or housing with-care”* for planning purposes, and also the need for housing for people with disabilities which, in turn, is defined as follows *“disabilities can include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs, which may generate a range of housing requirements which can change over time”*. It adds that local planning authorities *“may also wish to consider groups outside of the scope of this definition in order to meet specific needs within their community.”*

The Guidance adds also that it is up to plan-making bodies to decide whether to allocate sites for specialist housing for older people, but that there should be clear policies to address the housing needs of groups with particular needs.

The document also provides guidance on:

- **how local planning authorities can monitor the number of homes required for older and disabled people;**
- **the fact that the health and lifestyles of older people will differ greatly, as will their housing needs;**
- **whether plan-making bodies can set minimum requirements for accessible housing;**
- **the requirement for plan-making authorities to count housing provided for older people against their housing requirement;**
- **how plan-makers will need to consider the needs of those approaching retirement as well as those already retired;**
- **how the viability of proposals for specialist housing for older people be assessed;**
- **what factors decision makers should consider when assessing planning applications for specialist housing for older people;**
- **how planning and design can “promote access and inclusion;”**
- **How places can be designed “to be age-friendly and accessible for all” and can bring clear benefits; and**
- **how the needs of people with dementia can be addressed.**



The full guidance can be accessed from the following link

<https://www.gov.uk/guidance/housing-for-older-and-disabled-people>

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