

PLANNING FOR RETIREMENT HOUSING



A GOOD PRACTICE GUIDE BY THE PLANNING OFFICERS SOCIETY AND THE RETIREMENT HOUSING GROUP

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This Good Practice Guide was written by a Joint Working Party of the Planning Officers Society (POS) and the Retirement Housing Group (RHG).

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The Planning Officers Society

The Planning Officers Society represents the most senior professionals and managers of planning functions in the English Local Authorities. It sets out to :

- Act as an advocate and promoter of Local Government planning
- Assist and advise the Government and the Local Government Association on planning matters and any related issues
- Act as a centre of excellence, undertake research and promote best practice in planning matters
- Promote all aspects of the built and green environment by working closely with other organisations and professions

The Society's aim is to ensure that planning makes a major contribution to achieving sustainable developments, from national to local level, in ways, which are fair and equitable and achieve the social economic and environmental aspirations of all sectors of the community.

The Society's work is principally undertaken by ten Topic Groups covering all aspects of planning and the management of the built and green environments, and also operates on a regional basis.

The Retirement Housing Group

The Retirement Housing Group of the House Builders Federation consists of retirement housing developers and housing managers, both RSL and private sector. Its ex officio members include representatives of the charity, the Elderly Accommodation Counsel, and the Association of Retirement Housing Managers. The Advice and Mediation Service (AIMS) of Age Concern is also represented. Its members are therefore involved in the building, management and provision of advice on housing for those of retirement age and over. Such housing ranges from lifestyle properties for the active, newly retired through to warden assisted housing with community facilities and design modifications through to very sheltered housing with high staffing levels and many additional services and facilities.

The Group has a wide-ranging interest in planning and management issues, leasehold reform and Government policy of all kinds, which affect vulnerable groups such as the elderly.

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by the President of the Planning Officers Society
and the Chairman of the Retirement Housing Group

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JOINT FOREWORD

BY THE PRESIDENT OF THE PLANNING OFFICERS SOCIETY AND THE CHAIRMAN OF THE RETIREMENT HOUSING GROUP

"In 2001 there were 9.4M people aged 65 and over in the United Kingdom, a 51% increase from 1951. By 2021 almost one in five of us will be over 65, rising to 12M by 2011 and peaking at about 15 M in 2040. 1.1M people were aged 85 or over in 2001, three times as many as in 1961, and one in twenty will be over 80 by 2020.

By 2007, for the first time, there will be more over 65-year olds than there are children. By 2026 they will exceed them by 2M.

What are the policy implications of this demographic shift and how should all those involved in dealing with current needs and planning for the future respond to it?

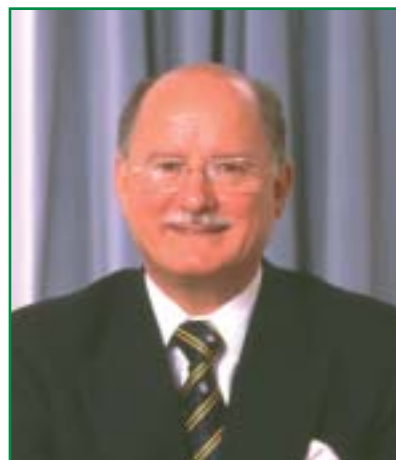
Government's policy is to offer quality and choice in older people's housing. In its first Annual Report, the Housing and Older People's Development Group (HOPDEV - a joint ODPM/Department of Health Policy Group) said that "planning departments need to consider how the housing needs of future generations can be met. Improving the quality of life for all older people remains a key task for the Government", yet guidance issued in 2003 observes, "housing matters can become marginalised and disconnected from the broader big strategy agenda."

This Good Practice Note examines these issues and makes recommendations for good practice so that the current and future housing needs of older people can be identified and met.

We believe that it is a valuable document and we commend its use to our members."

Signed

*Peter L Askew
Chairman, Retirement
Housing Group*



Signed

*Gillian Gowing
President, Planning
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1 - INTRODUCTION

Purpose

1.1. This Good Practice Guide is designed to be of practical, day-to-day assistance to those involved in the planning and development process. Its purpose is to examine the role of the forward planning and development control system in offering an appropriate range of housing choice to an ageing population, to offer advice on good practice and to consider how this can be done in a way that also satisfies the Government's wider planning and housing objectives.

Audience

1.2 The Guide's main audience is local authority planners and retirement housing developers, but it is hoped that it will also be of value to councillors and others with an interest in these matters.

Context

1.3 Retirement housing is a small part of the total housing stock. Many local authority planners will not have encountered planning applications for such housing before and therefore may not understand its characteristics, its

role in promoting independent living amongst older people and to urban regeneration, its contribution to sustainable development and how the product varies from general market housing when planning applications are made and processed.

- 1.4 Equally developers are not always aware of the concerns of both planners and local residents when a planning application goes forward. They need to understand and address those concerns and to communicate more effectively.
- 1.5 It is hoped that the background information and advice in this Good Practice Note will be of assistance to planners, developers and other practitioners involved in this field.

NOTE:

This Good Practice Guide is intended as a reference document. It is therefore assumed that individual sections will be separately referred to. As a consequence readers may observe that key principles may be re-iterated in more than one Section.

2 - SUMMARY OF KEY RECOMMENDATIONS FOR GOOD PRACTICE

2.1 PLANNING POLICY

Development Plans

- should set the context for the consideration of issues relating to an ageing population and provide the opportunity for the development of specific guidance in relation to retirement housing, perhaps including site specific provision in some cases. Recognition of the special considerations relating to retirement housing will help improve the process for determining planning applications for such schemes.

Community Strategies/Community Involvement

- the planning policy provisions of development plans for older people should reflect the spatial requirements of the evolving Community Strategies for local authority areas (and any associated Elderly Persons Strategies).
- the planning policy provisions of development plans (L.D.Ds) should be based on full and effective community involvement in the process, even before the relevant provisions of the Planning and Compulsory Purchase Bill come into force. The intention should be to ensure that development plans are seen by the community to be well-grounded and to reflect local circumstances, including the housing needs of older people.

Planning Policies

- should reflect current circumstances relating to housing for older people as far as possible and be flexible enough to respond to changing requirements for retirement housing, including those generated in rural areas.
- should encourage positive provision for retirement housing, particularly as part of mixed use schemes or town centre/regeneration strategies, and focus on

the principles of such provision, not on the detailed specifications of such housing.

- should concentrate on the relevant material planning considerations, avoiding overlap with other standards or the requirements of other legislation. The focus should be on the appropriate planning response to the identified needs of older people, with consideration of the necessary design and parking standards relative to the nature and role of the retirement housing.
- should set the basis for any planning conditions or Section 106 Planning Obligations which might be necessary for retirement housing. They should be clear on the need for affordable housing provision as part of a retirement housing scheme, including the issue of the integration of different tenures of unit within one building.

2.2 DEVELOPMENT CONTROL

- Developers should select sites that are sustainable, particularly regarding local support services and transport, and clearly explain the demographic basis for their site selection to the local planning authority (LPA) at an early stage.
- LPAs should be aware of the housing needs of older people in their area, including those requiring specialist housing provision.
- LPAs should welcome early pre-application discussion, should seek to arrange meetings speedily and be prepared to provide constructive advice on the nature and scope of the proposal and any special features it contains.
- LPAs should provide clear design guidance and consider car parking proposals according to both needs and circumstances.

- Developers should prepare fully for pre-application meetings, providing enough detail for LPAs to give an informed response. They should seek the LPA.'s advice so that any LPA restrictions or preferences are understood in advance of contracts to buy land being signed.
- Developers should explain contractual timescales and deadlines, the scope of what is proposed in the development, unique design issues intended to ensure the scheme meets its intended purpose and the management arrangements for the development.
- LPAs should be aware of, and pay due regard to, the special features of retirement housing and its purpose, as well as the high costs associated with it, when considering such issues as affordable housing and negotiate reasonably and realistically taking account of the nature of these factors.
- LPAs should ensure that Officers are properly briefed with advice from colleagues in the highway, social services and housing departments and should ensure that all relevant consultees are involved in the pre-application process. They should indicate the scope of supporting information likely to be required with a planning application and should request further information or amendments to applications promptly.
- LPAs should advise on the appropriateness and nature of any community involvement/consultation required.
- Developers should undertake appropriate community consultation and take advice from the LPA on the most appropriate way of doing so.
- Developers should ensure that planning applications contain all relevant supporting information at the outset and should respond promptly to requests for more information or to requests for amendments.
- Developers should submit draft Heads of Terms of any proposed planning obligations with the planning application.
- Developers should comply with all conditions or appeal before commencing development if agreement cannot be reached but should avoid unnecessary appeals.
- LPAs should explain clearly at an early stage any planning gain requirements and negotiate appropriately in the circumstances.
- LPA.'s should agree conditions prior to approval where possible and should discharge conditions efficiently when requested
- Developers and LPAs should execute legal agreements swiftly following a resolution to grant and agree condition monitoring arrangements where appropriate

3 - DEFINITION

AIMS

For the purposes of this Guide, the term "retirement housing" is used to describe all the types of accommodation set out below. The definitions are intended to give a broad and general appreciation of the different types of retirement housing.

Introduction

3.1 There is no universally accepted definition covering the wide range of housing offered by the private sector for older people. Circular 82/69, "Housing Standards and Costs: Accommodation Specially Designed for Old People" (now withdrawn) provided an early definition, although its purpose was primarily for controlling public sector finance. Retirement housing now ranges from properties designed to meet the needs of the "early" retired through to those with high dependency and care needs.

3.2 There are three broad types of retirement housing:

- housing designed for the "early" retired
- sheltered housing
- housing, such as extra care and assisted living, designed for those with higher dependency and support needs.

Housing designed for the "early" retired.

3.3 Developments designed and marketed at the "early" retired typically provide grouped cottages, houses or apartments that may be larger than "mainstream" sheltered housing. They are designed to appeal to younger, more active people of 55 years and over.

3.4 This age group is generally mobile and the desirability of a town centre location is less important. Car parking requirements may be little different to "open market" housing. Leisure and recreation facilities may be provided or made available and accommodation is often designed to cater for anticipated future changes in mobility.

Sheltered housing

3.5 Sheltered housing, often described as "Category 2" housing, is probably the most common type of retirement housing and accounts for the largest number of units. Private developments are normally sold on a long lease. Most rented

Example of sheltered housing.
Communal areas shaded green.



accommodation is provided by the public and charitable sectors. For most people, the move into sheltered housing reflects a change in their personal lifestyle and is "needs", rather than "choice" driven.

- 3.6** The most commonly accepted definition appears in the 1980's publication by the House Builders Federation, *Sheltered Housing For Sale: An Advice Note*:-

"Housing which is purpose built or converted exclusively for sale to elderly people with a package of estate management services and which consists of grouped, self contained accommodation with an emergency alarm system, usually with communal facilities and normally with a warden."

- 3.7** This definition remains appropriate for all forms of tenure. However, legislative and financial changes now mean that it is usually larger developments that can support a resident warden. Visiting wardens, combined with emergency call systems, are usual on smaller developments.

Housing for older people with higher levels of dependency

Example of extra care housing.
Communal areas shaded green.



- 3.8** This type of retirement accommodation provides a range of supported housing between sheltered housing and registered care homes. With numbers of the "older elderly" increasing, greater frailty and the substantial contraction of the

registered care home sector, there is already increasing provision of this type of housing.

- 3.9** Very sheltered and assisted living housing provides accommodation with additional support services and facilities to help older people maintain their independence. A "menu" of services is usually provided, often including house cleaning, provision of meals and personal care. The term "Category 2+" housing is sometimes used, to indicate that this accommodation is "midway" between Category 2 housing and Part 3 accommodation (registered care homes).
- 3.10** Residents occupying this type of accommodation will often be older than in other types of retirement housing, less mobile and prefer locations in town centres or built-up areas.
- 3.11** Extra Care or Close Care accommodation may be provided in association with a registered care home whereby the care and support services can be shared. Residents of this type of accommodation usually have higher dependency levels but do not require full nursing care. These schemes offer a focus for medical, welfare and social support and bring significant benefits to both residents and support agencies.

- 3.12** There have been major changes in the care industry over the past ten years. Many registered care home operators are seeking to broaden their market and provide additional, related housing facilities. These changes are welcomed and supported by the Government as part of the process of providing a wider choice to older people.

Retirement Villages

- 3.13** Some "retirement villages" are being developed in the UK although not on the scale of the American prototype. They may provide for a range of retirement accommodation and also include registered residential care. Such developments raise their own issues and considerations which are outside the scope of this Guide.

4 - HOUSING FOR AN AGEING POPULATION

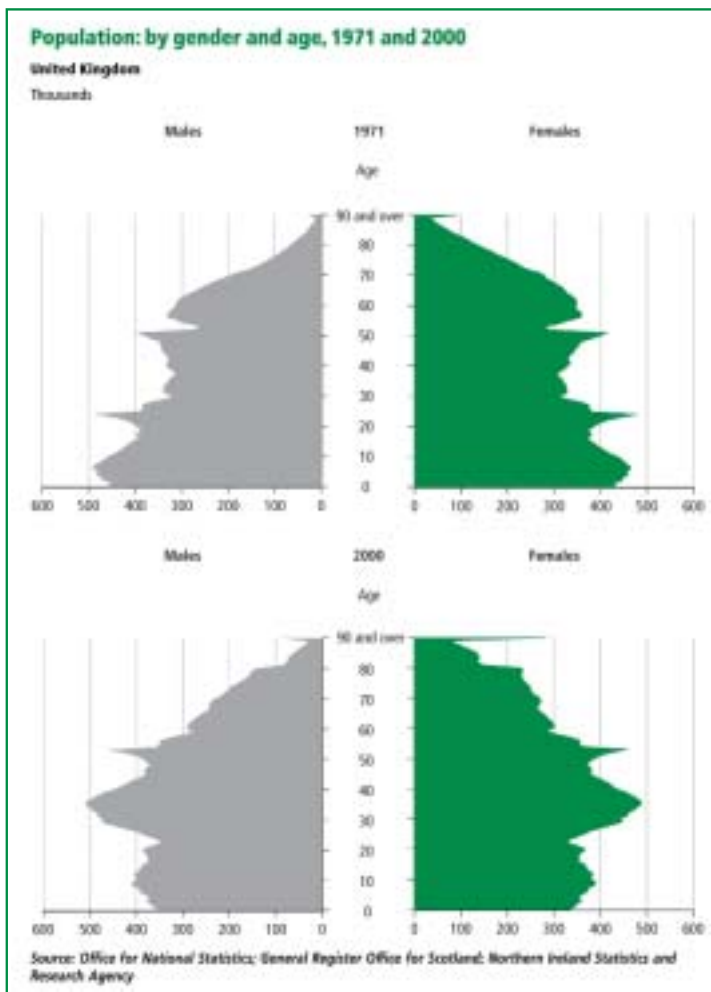
AIMS

This section sets the context of the Good Practice Guide. It looks at demographic changes in the UK, examines data on older people including health, income and types of housing provision and reviews current and future trends in Government policy.

The Age Shift

4.1 In 2001 there were 9.4M people aged 65 and over in the United Kingdom, a 51% increase from 1961, and the number is continuing to grow. By 2021 almost 1 in 5 people will be over 65, rising to 12M by 2011 and peaking at about 15M in 2040. 1.1 M were 85 or over in 2001, three times as many as in 1961 and one in twenty of the population will be over 80 by 2020 (Source: Office of National Statistics).

4.2 By 2007, for the first time, there will be more people aged over 65 than there are children and by 2026 they will exceed them by over 2M. By 2020 there will be as many over-70s as there are 25-34 year olds. Further tables from Social Trends 32 and 33 can be found in Appendix 1, together with other tables and charts.



4.3 The Office of National Statistics commented that "the increase in the number of pensioners has policy implications, placing greater demands on health, social services and social security arrangements" (*Social Trends 33, ONS*)

4.4 Over the last decade there has been a substantial increase in the number of one person households to 30% of the total. Nearly half (3.1 million) consist of a single pensioner, three-quarters of whom (2,366,000) are women living on their own (Census, 2001, ONS).

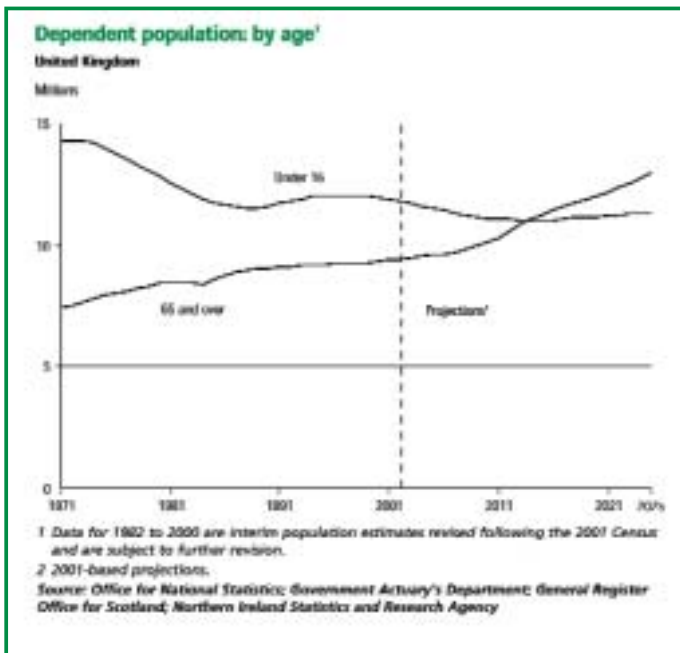
4.5 Most older people belong to the large generations of post 1950's owner-occupiers. Their expectation, backed by pensions and personal equity, is to remain in owner-occupation. The Survey of English Housing, 1998/99 indicated that levels of under-occupation were higher amongst older people. Owner occupiers aged 60 and over are more likely to own a detached or semi-detached house than the population as a whole, resulting in higher levels of under-occupation amongst older people.

Housing Options

4.6 Factors affecting housing choice for older people include income/equity, health, the availability of housing alternatives and shifts of policy which could affect future provision. The first choice of most older people is to remain in their existing home for as long as possible. About 90% of older people remain in their existing home, but this is not always without problems.

Design

Much of the existing housing stock was not designed with the frailties of increasing age in mind, and modifications to existing family housing to meet the need of single frail occupants can be an expensive, short-term solution.



Unadapted family housing can present difficulties for older frailer people. Whilst representing only 16% of the population, they accounted for 47% of accidental deaths in the home in 1999, 62% as the result of falls (ODPM consultation paper, 30 September 2002, "Home Improvement Agencies; Development and Reform")

In addition the Survey of English Housing (2000) showed that while 40% of 70-74 year olds reported some sort of limiting longstanding illness, this rose to 53% for 80-84 year olds. 12% of 80-84 year olds, and 18% of over 85 year olds reported that they could not bathe unaided and were unable to perform at least one of a range of everyday tasks. The increased use of home help services amongst the over 75's reflects this growing need for assistance but funding these services can present serious problems for older people who are equity-rich but cash poor and State funding is not always available to bridge the gap.

Difficulties with repair and maintenance, heating, upkeep of the garden and fears about security are other important issues to be taken into account when older people remain in their existing home.

Access to Key Facilities

As frailty increases and mobility decreases a key factor affecting a decision to "stay put" is accessibility to key amenities. Even where existing housing is suitable for frailer older people, the accessibility to key services, including

the opportunity to socialise, may be poor, resulting in isolation and difficulty in maintaining an independent lifestyle. The 1999/2000 Survey of English Housing reviewed the accessibility of five everyday services (corner shop, supermarket, Post Office, doctor and hospital) and discovered that it was mainly households over pensionable age that considered access to be either fairly or very difficult.

Social Isolation

For some older people, lack of access to key facilities including the opportunity to socialise, leads to a reduced quality of life which retirement housing can help address. In April 2003 the Economic & Social Research Council published research undertaken for the Growing Older Programme on *Loneliness, Social Isolation and Living Alone in Later Life*. It observes that a critical element in the quality of life for older people is social participation and engagement. It says "reduced social contact, being alone, isolation and feelings of loneliness are consistently associated with reduced quality in older people's lives" and that loneliness is most likely to be reported by specific groups, including the very old, women, unmarried older people, those who live alone, the physically or mentally frail, and those who spend long periods of time alone.

England	Percentage				
	Corner shop	Super-market	Post Office	Doctor	Hospital
One person					
Under pensionable age	3	6	6	8	22
Over pensionable age	13	17	12	18	35
Two or more unrelated adults	4	6	6	8	23
Single family households¹					
Couple					
No children	4	4	4	6	20
Dependent children²	2	3	2	4	19
Non-dependent children only	3	3	2	4	18
One parent					
Dependent children²	4	8	4	8	32
Non-dependent children only	4	10	5	9	27
Multi-family households	2	3	2	5	15
All households	5	7	5	8	23

1 Head of household or partners who replied that they found access to amenity either 'very difficult' or 'fairly difficult'
 2 Other individuals who were not family members may also be included.
 3 May also include non-dependent children.
 Source: Survey of English Housing, Department for Transport, Local Government and the Regions

Granny Flats and "Homes for Life"

4.7 Modifications to a relative's home (usually son or daughter) are of some, though restricted, value because of a range of factors, including cost, feasibility, the availability of assistance from either family members during working hours and/or social service/home help support. Equally, the concept of "Homes for Life", housing designed to be suitable and adaptable for households ranging from single to family sized units, is unlikely to produce new housing in sufficient quantities to supply a viable alternative, even assuming that it is compatible with the Government's push to increase housing densities.

Reasons for Moving

4.8 It is important to recognise that the reason for moving from mainstream housing to housing specially designed for older people is almost always needs, rather than choice, driven.



4.9 Research (Harris 1989, Ones 1994, Riseborough and Niner, 1994, Hirst et al 1995, Rolfe et al 1995) shows the reasons for such a move have not changed over time. They include the desire for safety and security, the onset of illness or disability, the unsuitability of the family home, the location, design and size of accommodation and the cumulative impact of a range of health and housing factors.

4.10 Traditionally the options available to older people who are unable to remain in their own homes have been local authority or RSL sheltered housing and residential care/nursing homes.

4.11 Local authorities remain the major providers of sheltered and very sheltered housing. In 1997 the public sector provided 56.6% of all sheltered and very sheltered housing, housing associations 34.7% and the private sector 8.6% (source: Royal Commission on Long Term Care, 1999). However in 2001 ODPM noted that 87% of local authorities had difficult-to-let sheltered units. Appropriate location and suitable quality were key factors. Research in the mid-90's noted that this was partly due to the age of the stock and the high cost of bringing it up to the standard currently required both by residents and by recent legislation. These problems with existing public and voluntary sector housing should not, however, lead to the conclusion that new build retirement housing does not have an important role to play in offering diversity and choice to the growing number of older owner-occupiers.

4.12 The number of residential care and nursing homes available to older people unable to remain in their existing home is diminishing because of rising costs resulting from labour market regulation, wage inflation and new care standards. In 2001 Laing & Buisson calculated that, during the previous five years, 50,000 care home places for the elderly, ill and disabled in all sectors had been lost (net figure, taking new registrations into account). Without a substantial increase in Government funding it is likely that the Care Standards Act, introduced on 1 April 2002, will further reduce numbers (see Appendix 1).

4.13 *"The Underfunding of Social Care and Its Consequences for Older People"*, by the Social Policy Ageing Information Network (SPAIN) published by Help the Aged in December 2001 reported that:

"a decline in the residential and nursing home sector might be a welcome sign of the success of the Government's policy to enable older people to remain at home. But this is not the case - the numbers of people receiving such care has been declining, while the number of hours allocated to each person each week has been rising...for those who need a medium level of support to ensure their safety and comfort and to prevent deterioration in their circumstances, there will be nothing...social care for older people is in crisis"

4.14 The role of new build retirement housing in appropriate locations and built to modern specifications should therefore be considered as one means of enabling a growing number of older people to lead an independent life for longer and to continue to be actively involved in their local community.

4.15 Such provision should reduce some of the burdens on both health and social services, as residents pay for a package of management services to be provided, including an estate manager or warden. Retirement housing developments also enable medical and other services to be provided more efficiently to a group of people on one site, rather than to individuals scattered across the community, whilst increased safety and security, coupled with reduced concerns about the responsibilities of maintaining their home, often leads to improved health and well-being amongst residents.

As Age Concern notes:

"For many older people sheltered housing support services can be instrumental in preventing the need for more costly care services and in preserving their desire to live independently"
(Age Concern Policy Paper 0701, 2001)

Government Policy

4.16 ODPM and the Department of Health are both publicly committed to promoting independence amongst older people through appropriate housing choice. *"Quality and Choice for Older People's Housing: A Strategic Framework"* published in January 2001, summarises current Government policy. It states:

"Improving choice is a crucial part of the Government's agenda.

and goes on:

"We have set out two objectives which must be addressed by all those working with older people in order to maintain the momentum for decent, affordable and appropriate housing for this group:



- *first, to ensure older people are able to secure and sustain their independence in a home appropriate to their circumstances; and*
- *secondly, to support older people to make active and informed choices about their circumstances by providing access to appropriate housing and services and by providing advice on suitable services and options".*

4.17 On 20 June 2002 the Minister of State for Health said:

"As people become older, their housing situation becomes inextricably linked to their health and care. We are seeking housing solutions as a much more central part of the commissioning process....This means a significant role for supported housing. The place where people live needs to be warm, safe, secure and manageable and older people need to have choices in their housing. Housing, tailored with good support, care and health services can enrich people's lives and discourage dependence on institutional provision. That is what older people expect today".

4.18 To extend independent living for older people Chapter 5 of *"Quality and Choice for Older People's Housing"* suggests that measures include:

- physical modifications to the home, coupled with a range of care and support services, enabling older people to remain in their existing homes for as long as possible
- complemented by the planned provision of a sufficient supply and range of supported housing across all tenures.

4.19 In the introduction to the first annual report on the "Quality and Choice for Older People's Housing: A Strategic Framework" programme, issued on 6 December 2002, ODPM and DH Ministers wrote:

"Government is issuing guidance that not only addresses present housing, social care and health issues, but also looks to the future. For instance, planning departments needs to consider how the housing needs of future generations of older people can be met. Improving the quality of life for all older people remains a key task for Government"

4.20 Seeking appropriate housing solutions for older people is not restricted to urban areas. Meeting the needs of older people in rural areas also raises planning issues. Sustainability and countryside protection will limit suitable locations for retirement housing but there are situations, such as smaller market towns and larger villages, where it can bring social and economic benefits.

Government Planning Policy

PPG 3 and the Communities Plan

4.21 PPG 3 (Housing) remains the key reference document for Government planning policy. Its *Introduction* states that planning policy should recognise the housing needs of all the community and that the focus for additional housing should be existing towns and cities because this promotes more sustainable patterns of development and makes better use of previously-developed land. It requires that new housing should be well designed and make a significant contribution to the urban renaissance and quality of life.

4.22 It states the Government's commitment, reiterated by the Deputy Prime Minister in the "Communities Plan", launched on 5 February 2003, to the creation of mixed and inclusive communities which offer a choice of housing and lifestyle. It notes the likely increase in new households, particularly one-person. It suggests that, when assessing housing need, local authorities should work jointly with housing departments to assess the range of needs for different types and sizes of housing across all

tenures, including housing to help meet the needs of specific groups, such as older people.

4.23 Retirement housing contributes positively to the Government's sustainable development objectives. Most retirement housing is built at higher density, generally on previously-used land in urban areas, and close to amenities to which elderly residents can walk, as long as they are able to do so. This integrates older people into the surrounding community, while still providing them with the security and care they need to remain independent. In planning terms, it can reasonably be argued that retirement housing makes a positive contribution to both PPG 3 and the "sustainable communities" agenda. In addition, by releasing general market housing back into the market, it frees up housing stock, reduces under-occupation and allows renovation and repair to take place.



Housing and Care Policies

4.24 In furtherance of the objective of promoting independent living Government has published National Service Frameworks for Older People, introduced "Better Care, Higher Standards" Charters and developed Care Direct. However, some policies, such as "Supporting People" launched in April 2003, may prove to have an

adverse impact on the policy of promoting independent living amongst older people. There is concern that the new grants based system, which replaced rights based payments, will result in higher priority being given to other groups catered for by the Supporting People programme, such as battered wives, drug users and rough sleepers. There is already is already anecdotal

evidence that the 'pot of money' has run out a few months into the first year and that new requests for assistance are not being met. This could well be a significant problem, as it is estimated that 20% of sheltered housing residents receive help in paying service charges through benefit and income support.

Summary

- 4.25** Retirement housing offers a number of positive planning, housing, social service and health benefits. It can help to reduce demands on health, social services and other care facilities, partly because many of the residents remain in better mental and physical health, but also because doctors, physiotherapists, community nurses, hairdressers and other essential practitioners can visit several residents on the same scheme, leading to a more efficient use of public resources.
- 4.26** It releases under-occupied housing back into the general housing market, allowing older stock to be modernised and refurbished; it maximises the use of urban brownfield land, thereby reducing development pressure on more sensitive greenfield sites; it reduces private car usage because of its often urban location close to town centres and public transport routes; and it often introduces a neighbourly use of sometimes formerly un-neighbourly sites.
- 4.27** Therefore, in addressing the policy issues raised by demographic change, meeting the Government's objective of offering quality and choice to older people and its commitment to the development principles set out in of PPG 3 and taking into account the constraints on the public purse and the decline in care home places, an increase in the range of housing choices available to a growing number of older people, including retirement housing, must be a key consideration for policy makers at all levels.

5 - KEY DEVELOPMENT ISSUES

AIMS

The aim of this section is to identify key development issues, which determine the framework within which developers of retirement housing operate, and the economic factors to be considered when assessing a planning application for private retirement housing.

Competition for land

Site location and characteristics

5.1 Retirement developments are often, but not exclusively, located in town centres, near to daily needs facilities, in or near established residential areas. While some new developments are located in semi-rural areas or, in the case of some retirement village schemes, on the urban fringe, the majority will be built on urban brownfield sites. Developers will usually look for sites with good access to shops, medical and health care facilities, public transport and daily needs shops such as grocery, chemist and hairdressing. Locations should also offer good visual amenity and aspect and not be blighted by adjoining land uses. Many developments will be constructed within or near established residential areas from which a significant majority of the future owners will come.



Typical development site

5.2 Retirement housing is often built on urban brownfield sites which, post PPG 3, are now more attractive to other types of residential development. PPG 3's recommendation that higher densities and lower parking levels be sought by local planning authorities (LPAs) means that mainstream developers now actively consider sites which they previously considered

too small. Although retirement housing is generally built to higher density, nevertheless the additional costs may make it uncompetitive with mainstream housing unless there is specific planning support for retirement housing.

5.3 Such sites are also attractive to commercial users, such as small supermarkets, car washes and some fast food takeaway retailers. While many of the sites have a commercial land use history they have often been a "non-conforming" use in a predominantly residential area and a retirement development offers a low impact relationship to adjoining properties.

Competitive advantage

5.4 Historically retirement schemes generated land values that exceeded those of other uses, mainly because of lower levels of parking and amenity space. Following PPG 3, the greatly increased attractiveness of such small urban sites to a wide range of developers makes the provision of retirement housing more difficult at a time when demand for such properties is increasing.

Construction costs

5.5 Because most private retirement properties are built on brownfield sites, demolition and decontamination costs can be incurred. Redevelopment for residential use requires decontamination to be carried out to a higher standard than for commercial or retail purposes. Such costs would, of course, be incurred by a mainstream housebuilder developing the site, but private retirement development involves specific additional costs not required when providing other open market housing such as the owners' lounge, communal WC, laundry, visitors' suite, manager's apartment and office and an emergency call system, again adding costs which are unique to this form of housing provision.

Communal areas

- 5.6** 25% - 35% of the floor area of a retirement development is set aside for communal use, a higher percentage than for mainstream flatted developments. Although these facilities may contribute to slightly higher sales revenue, when compared to similarly sized general market housing, such expenditure is not directly recoverable in sales revenues. One example is the form that apartment buildings take, which is dictated by the need to retain continuous heated corridor access to all communal facilities.

Cash flow implications of the development process

- 5.7** Retirement properties are often single buildings with integral communal facilities. Sites are usually relatively small and construction work often continues for up to 12-18 months. The first property cannot be occupied until all communal facilities, including the car park and external amenity areas, have been completed. Unlike general market housing, there is little opportunity to phase construction and sales. Land is purchased and a significant proportion of the build costs paid before any revenue comes in, with consequential cash flow implications. Equally management services (which are greater than those provided to mainstream flatted developments) must be in place before the first occupier moves in, again increasing up-front costs. In brief, there is no opportunity to build, sell and then build more "down the field", thereby spreading the financial burden, as in most other forms of for-sale housing.
- 5.8** Additionally, completed but unsold properties attract their contribution of management service charges and Council Tax. This high level of capital lock up has a significant impact on the overall profitability and density efficiencies of retirement developments, which in turn increases the need for a high level of certainty at the point of land acquisition.

Viability of Management Services

- 5.9** Purchasers of retirement housing not only buy the property but also have to pay an on going service charge for estate management and services. The fewer the properties within the development the higher the cost of management services to each individual owner. Simple

economics dictate that some features cannot be provided if service charges are too high and the viability of the scheme itself may be threatened if the service charges cannot be set at affordable levels because too few retirement units are provided.

- 5.10** For example, it is generally agreed that developments need to contain approximately 50 units if they are to support a resident manager, although this threshold may vary, particularly in a rural location. A Model Service Charge Account and Balance Sheet is attached as Appendix 2.

Management Company

- 5.11** Unlike mainstream housing, the package of management services is a key element of retirement housing provision, as it is the principal attraction for potential occupiers. Consequently the role of the Management Company is vital to the success of the scheme and, because the residents are elderly, it is particularly important that developments are well managed. It is therefore common practice to appoint an experienced management company first, to maintain the building and, second, as an initial point of contact to deal with problems that the residents may encounter. Managers are paid through the service charge (see Appendix 3).

Site acquisition considerations

Site identification

- 5.12** The search for suitable retirement housing sites is slow and expensive. Most developers have a land search operation of staff and agents who identify sites. These are found through personal contacts and searches, advertisements, liaison with local professionals, analysis of statutory plans and housing requirements and monitoring of local and trade press for land for sale. Because there is a range of different types of retirement accommodation in urban and rural locations the site finding requirements may vary depending on the specific sector or location being sought. As many as 100 potential sites may be assessed for every one that obtains planning permission.

Demographic assessment

- 5.13** When assessing sites for retirement housing, and the wider environment in which they are located, demographic data from the Local Authority, Government departments and specialist population data analysts is used.
- 5.14** This ensures that sufficient demand exists amongst homeowners of retirement age in the area. Assessments take into account the supply and quantity of previously built public and private specialist retirement developments.

Site and planning assessment

- 5.15** All sites are assessed to meet basic locational and development criteria for retirement housing. Then an initial feasibility sketch scheme is prepared to confirm commercial viability, based on likely costs and revenue. Land is valued so that negotiations on the purchase price can be completed should the proposed design be approved by the Local Planning Authority (see Appendix 3).
- 5.16** A meeting is usually held with the LPA to discuss the proposal and to discover whether changes are needed to produce an application which

officers would recommend for approval when submitted to the Planning Committee. The information gained at this first meeting is essential to check the quality of assumptions on which an offer to purchase the site is made. The meeting also provides an opportunity for the LPA to advise on the level of public consultation that should be carried out by the developer.

Developer obligations during planning

- 5.17** Often, the site vendor is anxious to ensure that the purchaser acts expeditiously using reasonable endeavours to achieve a planning permission. There may be specific requirements to submit an application within a certain period of time following the exchange of contracts, to consult with the vendor on any changes, to maintain a minimum level of development or to lodge an appeal if approval is not forthcoming by a particular date (see Appendix 3).
- 5.18** Although developers generally resist the inclusion of such conditions, the commercial realities of competition for land sometimes mean that this type of contractual obligation will exist to ensure that a speedy planning permission is achieved (see Appendix 3).

Summary of Best Practice

5.19 This is a summary of the best practice issues raised in this section:

Developers

- At an early stage, developers should explain to LPAs the demographic basis for their site selection
- explain the nature and scope of special features proposed within the development
- set out the management arrangements for the development
- explain the unique design issues which ensure that the building(s) functions to meet its intended purpose.
- seek LPAs advice to ensure that the development restrictions/preferences for the site are clear in advance of contracts being signed
- set contractual timescales and deadlines
- identify other restricting policies or requirements, in addition to establishing the parameters for the scale, bulk and massing for a site, so that they can be included in the scheme and accounted for in terms of likely cost.

LPAs

should be aware of, and pay due regard to:

- the existing level of housing need in their area for those of retirement age, the existing specialist housing provision for them in both the public and private sectors, the nature and scope of the unique features of retirement housing generally and of those included in the proposal
- the additional costs associated with the development of sites resulting from the special features of retirement housing.

6 - PLANNING POLICY ISSUES

AIMS

This Section sets out the basis for the recommended best practice approach; namely that planning policies at all levels should address the needs of an ageing population, particularly the housing needs of older people, and should consider how these needs might be met through appropriate enabling policies or specific provisions in development plans. It deals with the relationship between development plans (or Local Development Documents) and Community Strategies and the need for appropriate community involvement in plan formation, ahead of the changes being introduced through the Planning and Compulsory Purchase Bill.

Background

6.1 There is currently little national or regional planning guidance on issues relating to providing for an ageing population, particularly with regard to the role of retirement housing. The issue was broadly addressed in 2001 when the former Department of the Environment, Transport and the Regions published a strategic framework for housing older people entitled "Quality and Choice for Older People's Housing: A Strategic Framework". This says that:

"The increasing older population poses a challenge for social policy generally, and housing policy specifically. In what form and at what cost do we make adequate provision for the housing care and support needs of older people? With the ageing profile changing so rapidly (people living longer with a more healthy lifestyle and an increase in owner occupation), there is a direct impact on the provision of decent, affordable and appropriate housing for older people".

It went on to indicate that:

"For housing policy specifically, there is a major role to play in ensuring that older people are able to realise their potential. Effective housing, allied to the right care, support and wider services, such as good transport and community safety, can be the springboard that enables older people to remain involved and live their lives to the full. Conversely, poor housing can be a fetter for older people, contributing to immobility and social exclusion, ill health and depression".

6.2 This advice has not been specifically translated into Planning Policy Guidance. However, the planning system has a key role to play in facilitating housing choice for older people. Indeed, it is important that development plans

should explicitly address the issues relating to an ageing population, in so far as land use planning can play a role in meeting identified needs. Appropriate local planning policies can significantly affect the nature and environment for new housing and the opportunities for retirement housing schemes. As mentioned in Chapter 4, a material factor in this context is PPG3 'Housing' which prioritises the need to focus new development in and around existing communities and close to shopping and health facilities as well as public transport. It also emphasises that local authorities should use planning policies to secure an appropriate mix of dwelling size, type and affordability to meet the changing composition of households in order to enable people to move as their circumstances change both within and across tenures.



6.3 Given that local planning policies set the context for development control decisions, it is important that UDPs/Local Plans (or their replacement) should address the specific needs, including housing, of older people. However, it is essential both that the approach towards retirement housing in spatial terms is linked to the principles and provisions of the Community Strategy for an area and that the issues are subject to appropriate debate through community involvement, not only the Community Strategy, but also in the planning process itself.

i) Community Strategies

6.4 Introduced under the Local Government Act 2000, local authorities are required to prepare a community strategy for "*promoting or improving the economic, social and environmental well-being of their area and contributing to the achievement of sustainable development in the United Kingdom*". They cover a wide range of issues and are developed and implemented by a broad "community planning partnership" of the local authority, including health, police, schools, business and voluntary groups, councillors, community and faith groups, disabled and ethnic minority groups. The Government intends that 'local development documents' (L.D.Ds) should become closely linked to the Community Strategy because L.D.Ds will express those parts of the Strategy that relate to the development and use of land.



Retirement housing scheme

6.5 Local authorities are at varying stages in the process of putting their Community Strategies together and it is therefore important that planners and developers actively work to have the well-being of older people and their housing needs included in them so this feeds down into the development plan and development control process. There are already examples of 'Older People's Strategies' being prepared as part of this process. Attention has been drawn to the role of such strategies in the recent publication (2003), "*Preparing Older People's Strategies*" by the Office of the Deputy Prime Minister/Department of Health. That document states that a key issue to be addressed is:

"How far is the planning system and the use of the policy guidance on housing (PPG3) sensitive to older people's requirements and interests and able

to prioritise these against competing housing demands? Is the local interpretation of PPG3 with its emphasis on brown field development at higher densities delivering more and better specialist private housing for older people or less by increasing competition for suitable sites or demanding contributions that make such housing less competitive? Is this specialist provision being monitored as a part of the "Plan, Monitor & Manage" system introduced by PPG3 and how geared up is the system to responding with local policy modifications?"

In support of these issues, the document states:

"Older people are often overlooked in wider planning agendas because attention tends to be placed on people whom planners think are economically active. Most of us benefit from living in areas with a mix of generations. Planners should be encouraged to include older people's views and interests along with everyone else's. Older people have money to spend. For example, when considering plans to redevelop city centres or rural towns, planners should think how attractive they are to the growing population of older consumers as well as to younger people."

It is considered important that, in examining the housing needs of older people as part of their preparation of Older People's Strategies or broader Housing Strategies, local authorities should consider owner-occupier housing needs rather than only concentrating on public sector stock issues. Both types of tenure are significant in assessing the needs of older people and in setting the framework for land use planning strategies to respond appropriately.

ii) Statements of Community Involvement

6.8 Major reform of the planning system is underway. Of particular interest to this Good Practice Guide is the emphasis on increased community participation.

6.9 An ODPM briefing note to local authorities issued on 5 December 2002 said,

"the objectives which underlie the transitional arrangements set out in the Bill are to move as quickly as possible from the system of Structure, Local and Unitary Development Plans to one of an LDF containing Local Development Documents.."

Asking the question, why move to L.D.F principles now, it says,

"ODPM strongly encourages local authorities in taking forward work on development plans to...achieve effective community participation in developing policies".



6.10 Local authorities will be required to produce a Statement of Community Involvement (SCI), setting out minimum standards for community involvement in both development plans and planning applications and identify and develop existing best practice in community involvement, with the intention of securing more effective relationships between Community Strategies and L.D.Fs.

6.11 It is, therefore, recommended that best practice would be for both local authority planners and developers to consider how to ensure full and effective community involvement in the preparation of development plans and in individual planning applications, even before the statutory requirements come into effect, and to

note that ODPM advise that they should ensure that development plans are *"seen by the community to be well grounded and reflect local circumstances"*

6.12 Within this evolving context, it may also be appropriate to consider introducing specific Supplementary Planning Guidance on retirement housing, as part of the Local Development Documents, in order to address the particular issues and principles relating purely to such housing, as distinct from other forms of residential accommodation.

Existing Planning Policies

6.13 An examination of existing UDP/Structure and Local Plan policies indicates that retirement housing has not been a significant issue in current policy formulation, even though best practice would indicate that it should be positively addressed. Many plans have relevant or related policies, although the emphasis tends to be on residential care/nursing homes with more generalised references to other forms of accommodation for older people.

6.14 Some plans contain policies which address specifically the issues relating to the consideration of proposals for sheltered and managed housing for older people, or which set the needs of older people within the broader context of supported housing provision. (Examples of such policies are included in Appendix 4).

6.15 Those plans which have relevant planning policies tend to cover some or all of the following policy principles in some way:

- the potential for retirement housing to help in the maximisation of the use of land in urban areas - providing higher density development, with lower parking standards, and the ability to tackle under-occupation of family houses;
- the need for retirement housing to be accessible by public transport and in close proximity to a range of local facilities, particularly shops, health and community facilities;

- the provision within development schemes for level access to attractive areas of communal open space, provided with sitting out areas;
- the incorporation of an element of affordable housing in appropriate cases, perhaps with an indication of the expected proportion of affordable housing included in the supporting text;
- the impact of proposed retirement housing development on the surrounding locality, with careful consideration required of proposals in order to ensure that they respect the character of the area concerned and the amenities of adjacent properties.

6.16 Some plans continue to contain planning policies which have failed to keep up with the changing agenda in relation to retirement housing, such as in relation to residential care or nursing homes, or which are somewhat misguided in their intent and application. For example, policies exist which contain unhelpful or inappropriate standards, such as a specific minimum requirement for private amenity space for retirement housing regardless of the nature of the proposal or the character of the area. It is important that planning policies provide sound guidance for dealing with retirement housing proposals but the emphasis should be on flexibility to respond to changing circumstances and requirements rather than on prescription, perhaps based on previous experience in a limited number of cases.

Rural Issues

6.17 Meeting the housing needs of older people in rural areas requires a specific planning policy response. When preparing Village Design Statements or Parish Plans, local communities and their relevant local authorities should consider carefully the needs of retired local people in the area and the potential benefits a pro-active approach to such housing can achieve. Planning policies that seek to protect and preserve the character of rural towns and villages should also provide sufficient flexibility so that, for example, within "village development boundaries", appropriate retirement housing can be provided. It should be recognised that, unless it is possible to provide the number of retirement dwellings necessary successfully to support a

development, then specialist housing for older people is unlikely to be achieved. In rural areas particularly, such housing can benefit the viable delivery of medical and care services and support local shops and community activities.

Planning Policy Formulation

6.18 As a general rule it will be appropriate for local planning policies relating to retirement housing to focus on the principles of such provision, rather than the specific details of the type of housing involved. In particular it is important to focus on the relevant material planning considerations, such as the effect of such development on the character (amenity and environment) of an area, rather than on the perceived needs of residents within a retirement housing scheme (such as the incorporation of specific provision for parking/storage of mobility scooters). The principles for drafting effective plan policies set out in the Planning Officers Society guide to good practice (*'Better Local Plans' - A Guide to Writing Effective Policies' - 1997*) will apply (to be revised to apply to LDFs).

6.19 It is also important that local planning policies should not repeat or conflict with other guidance which exists at national level for related purposes. For example, Building Regulation requirements (Part M) already deal with mobility standards and so their provisions do not need to be repeated in planning policies. Other potential intervention, such as in the size or mix of accommodation to be provided, should only be promoted on the basis of clear justification against identified local housing needs.

6.20 Government good practice guidance on local housing need assessments makes it clear that older people must be specifically identified within the household totals and indicates that surveys should be able to collect information on older people's housing preferences and expectations. The reason for such an approach is that assessments can inform the planning of retirement housing provision and feed into consideration of how care and support services should develop in future. The role of the Community Strategy is important in this context in establishing the framework for co-ordinating the activities of different parts of the local authority and its partners.

6.21 In drafting planning policies it is suggested that future policy formulation could be focused, where appropriate, on the following issues:

- addressing directly the needs of an ageing population generally, with particular emphasis on the land use planning requirements arising, of which housing is likely to be the principal concern;
- recognising the need for positive provision for retirement housing or to increase the range of appropriate accommodation and also to tackle directly any local opposition to such development arising from fears about the increased density of development or the perceived pressure on local NHS and social services;
- maintaining diversity in new housing provision, including an awareness that older people as a group will have different needs;
- supporting the role of retirement housing as part of mixed use developments and regeneration or town centre strategies, whilst acknowledging the issues relating to the proximity of such housing to potentially conflicting other uses;
- addressing 'sustainability' considerations, including the relationship of proposed development to appropriate public transport provision and local facilities/services; and
- setting appropriate design and parking guidance, relative to the nature and role of the various forms of retirement housing.

6.22 Planning policies will also need to set the basis for planning conditions or Section 106 planning obligations, both specifically in relation to any restrictions (age, etc.) relating to retirement housing and more generally in terms of the contributions which might be required from such development towards enhanced local facilities or infrastructure. The policies should be clear on the issue of affordable housing provision, derived from the results of an up to date Local Housing Needs Assessment, relative to retirement housing schemes.

6.23 Emerging government guidance is set out in the consultation paper, *"Influencing the size, type and affordability of housing"* (July 2003) which, when adopted, will replace Circular 6/98. The paper notes that up to date housing needs assessments should be drawn up jointly by housing and planning departments working closely with housing providers. They should assess the range of need for different types and sizes of houses across all tenures. Para 4 states that *"housing needs assessments should address housing required by current and anticipated households including...disabled and elderly people and for particular types and sizes of accommodation"*. It is also important that there is scope for greater flexibility in negotiations on contributions where difficult or sensitive previously developed land is involved. The nature of retirement housing and the economics of such provision are likely to be a relevant material consideration in this respect. This issue of affordable housing provision in relation to retirement housing is considered further in Section 7: Development Control Issues. However, it is considered important that any Supplementary Planning Guidance on Affordable Housing should include specific reference to the circumstances relating to retirement housing.



Typical development site

6.24 It is considered essential to examine how best, once a need for retirement housing has been established, provision can be made through planning policies. This might be through appropriate enabling policies or through specific land or site allocations. It should be considered as an opportunity to address retirement housing needs through planning policy. Where a specific allocation is considered, the policy considerations set out in Section 4 relating to the consideration of applications for retirement housing will also be relevant.

Contaminated Land

- 6.25** Development will not normally be proposed on or adjacent to gassing landfill sites, or on sites with significant contamination. However, there may be occasions where the nature of the landfill gas regime/contamination is such that precautions or remediation can be undertaken to minimise any risk.
- 6.26** Development in such cases may only be possible where there are management arrangements in place to ensure that occupiers do not come into contact with contamination or disturb the gas regime. This can sometimes be achieved by appropriate physical measures and strict

management control of external areas, to prevent their use as private gardens. Developers will also need to consider issues relating to the need for Indemnity Insurance in order to enable development to proceed on such sites.

- 6.27** Normal open market housing may not always be proposed on such sites, but by its managed nature, retirement housing can offer a potential development solution, all other factors being favourable. As such, retirement housing may have advantages over other forms of residential development in bringing some brownfield sites back into beneficial use. (ref: PPG23 and Waste Management Paper 27).

Summary of Good Practice

6.28 Development Plans

- should set the context for the consideration of issues relating to an ageing population. They should provide the opportunity for the development of specific guidance in relation to retirement housing, possibly including site specific provision in some cases, through allocations in the Local Development Documents. Recognition of the special considerations relating to retirement housing in this way will help to improve the process for determining planning applications for such schemes.

6.29 Community Strategies/Community Involvement

- the planning policy provisions of development plans for older people should reflect the spatial requirements of the evolving Community Strategies for local authority areas (and any associated Older People's Strategies)
- the planning policy provisions of development plans (LDDs) should be based on full and effective community involvement in the process, even before the relevant provisions contained in new legislation come into force. The intention should be to ensure that development plans are seen by the community to be well-grounded and to reflect local circumstances, including the housing needs of older people.

6.30 Planning Policies

- should reflect current circumstances relating to housing for older people as far as possible and be flexible enough to respond to changing requirements for retirement housing, including rural areas
- should encourage positive provision for retirement housing, where appropriate, as part of mixed use schemes or town centre/regeneration strategies, and focus on the principles of such provision, not on the detailed specifications of such housing
- should concentrate on the relevant material planning considerations, avoiding overlap with other standards or requirements of other legislation. The focus should be on the appropriate planning response to the identified needs of older people, with consideration of the necessary design and parking standards relative to the nature and role of retirement housing
- should set the basis for any planning conditions or Section 106 Planning Obligations which might be necessary for retirement housing. They should be clear on the need for affordable housing provision as part of a retirement housing scheme, including the issue of the integration of different tenures within one building.

7 - DEVELOPMENT CONTROL ISSUES

AIMS

The aims of this section are to identify potential problem areas within the development control system and provide guidance on how developers and LPAs can work together to achieve an efficient and effective process, when dealing with retirement housing proposals. It deals with the planning process, including pre-application advice, formal application and post decision stages. The note does not provide detailed guidance on other potential legislative requirements and therefore separate advice should be sought in appropriate circumstances. It also deals with the main planning issues that retirement housing proposals are likely to raise.

Application Process

7.1 This section sets out the main issues to consider throughout the planning application process. More detailed advice and guidance is provided in Appendix 5.

Pre-application stage

7.2 It is good practice for developers and LPAs to discuss development proposals at the earliest opportunity and well in advance of an application being lodged. Pre-application discussions may be particularly beneficial for retirement housing proposals where a number of inter-related planning considerations frequently arise. The speed and extent to which LPAs can respond to pre-application requests for advice will depend largely upon the available resources of the LPA.

7.3 Preparation for pre-application submissions or meetings should be thorough to generate an efficient and full exchange of relevant information and appropriate advice. Developers should carry out initial site investigations, identify site constraints and opportunities together with the policy context applicable to the site. Planning officers should contact other relevant disciplines and seek any specialist advice. Full advantage should be taken at this stage of the process to identify policy requirements, including restrictions on age of occupation, any affordable housing provision, or other aspects, which should be covered by a legal agreement.

7.4 Where practicable and appropriate, involving relevant third party consultees at this stage may be helpful. Community involvement at the development formulation stage is good practice and will be a requirement in future.

7.5 The LPA should provide guidance to the developer on how such consultation might be undertaken; LPAs and developers should seek to identify consultees' concerns that are likely to arise on issues such as density, increased volume of traffic, additional burdens on social services and the NHS, so that these can be resolved through the provision of information, consultation and, where appropriate, modification.

7.6 At this early stage in the development process, confidentiality is frequently an important matter for the developer. Such circumstances should be made known to the LPA at the outset as this may influence the extent of consultation that can be undertaken.

APPLICATION STAGE

7.7 Applications should be fully supported with all the information necessary to enable their determination. Planning and Design Statements help promote a better understanding of the development proposals. In addition, a short "Position Statement" should be included setting out details of the sheltered housing proposed. Applications for close care or other specialised accommodation for people with higher dependency levels should be accompanied by an "Operation Statement".

7.8 Once received, there are tight timescales for the LPA to decide applications, which allows limited opportunity for negotiation and amendment. Any requests for more information or amendments should be made and responded to promptly to avoid delays, or unnecessary refusals.

7.9 Draft Heads of Terms for any legal agreements, covering all matters such as age of occupation, infrastructure provision etc. should be submitted with an application. Any legal agreements or obligations should be jointly drafted by applicants in consultation with the LPA's legal advisors at the earliest opportunity to avoid delays following a resolution to grant permission (see Appendix 5).

Decision stage

7.10 LPAs should provide the developer with a clear and reasoned decision. Where the developer is dissatisfied with a refusal of permission or by a condition(s) attached to permission, it is good practice for both parties to discuss all available options before an appeal is lodged.

Summary of Good Practice

7.11 Developers should:

- Prepare fully before requesting pre-application advice
- Provide sufficient details at preliminary enquiry stage, so as to allow the LPA to give an informed response
- Undertake a community involvement exercise in appropriate circumstances
- Ensure that planning applications include all relevant supporting information at the outset including Position or Operation Statements
- Submit draft Heads of Terms of any planning obligation with a planning applications
- Respond promptly to requests for more information or amendments to applications
- Comply with all conditions or appeal before commencing development if agreement cannot be reached.

7.12 LPAs should:

- Welcome pre-application discussions in principle
- Explain the level of service and respond accordingly
- Ensure that officers are properly briefed with advice from colleagues such as highways and other relevant policy officers
- Advise on the appropriateness and nature of any community involvement exercise
- Ensure that all relevant consultees are involved in the pre-application process
- Provide advice and guidance on the acceptability of a proposal against prevailing policies
- Explain any planning gain requirements and negotiate appropriately to the circumstances
- Request further information or amendments to applications promptly
- Discharge conditions efficiently when requested.

7.13 Developers and LPAs should:

- Execute legal agreements swiftly following a resolution to grant
- Agree conditions prior to approval where possible
- Agree condition monitoring arrangements where appropriate
- Avoid unnecessary appeals.

PLANNING ISSUES

7.14 This section provides information about the planning considerations which an LPA may take into account when considering an application for retirement housing.

Location and Accessibility

7.15 Consideration should be given to topography and accessibility to local services. Retirement housing, particularly that for the more elderly, is better located on flatter terrain, which allows residents easier access to external grounds and to nearby amenities, such as shops. Whilst flat sites and surroundings cannot always be provided, the presence of steep gradients is likely to discourage personal mobility and reduce independence.

7.16 The proximity of local amenities to a potential retirement housing site is an important consideration. Local shops and services are potentially important to residents, as are doctors and other medical facilities. These facilities should ideally be within walking distance.

7.17 Concerns are sometimes raised by those opposed to retirement developments that there will be unacceptable demands placed on medical and other support services, particularly in areas where there are pressures and long waiting lists. Retirement housing developers should recognise such potential concerns and provide an appropriate response, including reference to existing research on the issue.

7.18 Sustainable locations close to public transport such as 'bus stops and key support services, are generally to be preferred. Developers may be required to provide or contribute toward transport improvements. Retirement housing developments in rural locations need to demonstrate that they either have access to public transport or particular provisions are to be made, to avoid isolation and reduce reliance upon car journeys.

7.19 Most retirement housing developments are in built-up areas and care needs to be taken when assessing the potential impact that existing surrounding or nearby developments might have on the future residents. Noisy, late night

activities can give rise to problems of "un-neighbourliness" but many elderly residents choose to live near to daytime activity as it can provide a sense of security and a more interesting outlook.



Retirement housing development

Design

7.20 All new development should achieve good design. New development should make a positive contribution to the public realm as well as responding to the particular design requirements for retirement housing. A considered appraisal of the local area will inform a design response that acknowledges local character, scale, building relationships, materials and features.

7.21 A holistic approach to design is to be encouraged, to ensure that all the components of a development and their inter-relationships are fully considered. This means that the building design, which derives from the needs of the occupiers for safe, secure and convenient accommodation, relates well to the site and its surroundings. Retirement housing is often criticised because of the size and scale of the proposed buildings. Many retirement housing developments have received design awards – there is no excuse for poor design whether the building is large or small. Planning and Design Statements should include design appraisals to assist with the understanding and interpretation of the proposal and its design implications.

7.22 Some LPAs provide design advice and early liaison about this aspect is an important part of

the pre-submission process. Advice can also be found in local design guides and supplementary planning guidance, which LPAs sometimes produce. Where advice and/or guidance is available it is important that LPAs ensure that developers are aware of its existence so that they can take it into account at the earliest stage of the design process. Developers also need to be aware of other design constraints, such as spacing standards, conservation status, listed buildings etc. In turn, LPAs have to recognise that retirement housebuilders have considerable experience of the design requirements of this type of specialised housing and should not, particularly with matters of internal layout and accommodation, seek to impose their own preferences.

- 7.23** General guidance on a best practice approach to design is provided in a publication produced by the Office of the Deputy Prime Minister entitled *"By Design - Urban design in the planning system: towards better practice"*.



Retirement housing development

- 7.24** Retirement housing often raises specific aspects of design, which require particular attention:

Amenity Space

- 7.25** The residents' lounge and communal laundry are generally the most important amenity areas on retirement housing schemes. Occupants of retirement housing do not require or use large areas of garden space for recreational purposes. Where garden areas are provided, ground floor residents tend to use the area outside their patio door. External amenity areas should be landscaped to a very high quality to provide visual interest for the occupiers and it is

observable that residents generally value interesting outlooks, such as busy street scenes.

- 7.26** In some instances, e.g. where the character of the area demands it, as in very high density areas, amenity space around the building might be minimal or even waived altogether. Developers should demonstrate to LPAs that the space proposed, if any, will be adequate to meet the needs of the occupiers of the proposed development.

Overlooking

- 7.27** Retirement housing can be, and often is, of high density. Buildings and habitable room windows may be relatively close to boundaries. It will be important to ensure that there is no undue overlooking of adjacent private gardens or habitable rooms to nearby properties. Insensitively located balconies can be particularly intrusive, as they allow unrestricted views and can give a heightened impression of being overlooked. Neighbours with private gardens, or house windows, which are overlooked, may suffer undue loss of amenity, unless appropriate spacing or screening is provided. Changes to internal layouts together with high level or angled windows, together with the use of obscure glazing, can reduce potential overlooking. For this reason a holistic approach to design should be employed so that the overlooking constraints are properly recognised at the outset and dealt with as an integral part of the design process.

Daylight and Visual Impact

- 7.28** The impact of new development on loss of direct sunlight and diffused daylight to neighbouring properties should be assessed early in the design process. The orientation of a site and the siting, scale and massing of buildings are critical elements that require consideration from the outset, so as to ensure that neighbouring habitable rooms and gardens are not placed in undue shadow.
- 7.29** The outlook from neighbouring sensitive buildings is also an important consideration and in order for a development to achieve neighbourliness, it should not create an overbearing or unduly oppressive appearance

when viewed from nearby habitable rooms or garden areas.

7.30 Whilst these aspects of design raise matters of subjective judgement, LPAs often provide guidance which give an indication of what is expected from a development and these should be considered from the start of the design process.

Ancillary Features

7.31 Consideration needs to be given to the siting of car parks, access roads, plant rooms, refuse storage areas and other associated, but important, features. Details of these and any other ancillary features should be included with the planning application and not left for subsequent approval. These aspects of the development can raise issues of potential noise and intrusion. Levels of car activity are generally lower than for other types of housing thereby reducing disturbance. Nuisance from vehicle headlights is usually less of a problem than for other forms of housing, due to the lifestyle differences of the occupiers.

Car Parking

7.32 Government advice on the approach to car parking is provided in PPG 3 and PPG 13. Some local authorities may have parking guidance for different types of retirement housing. Whilst developers should seek advice from LPAs about their approach to car parking it is also important that the LPA takes account of specific data and information retirement housebuilders have relating to their developments. LPAs should apply flexibility to the way that they determine car-parking levels, so that they relate specifically to the nature of the development in the light of local circumstances, particularly the availability of local facilities and proximity to public transport.

7.33 Due to the varied nature of retirement housing it is recommended that LPAs express car-parking requirements as a range rather than as a single standard. Discussion with retirement housebuilders can assist in identifying clear parameters, which can guide appropriate provision. Developers and LPAs should consider a range of factors in order to arrive at a fully

informed assessment. The Planning and Design Statement should include reference to car parking provision taking account of the LPAs guidelines and appropriate justification from the developer as to the car parking provision proposed.



7.34 Where the LPA can demonstrate that the proposal will not adequately cater for future parking demand, arrangements may be agreed that will enable additional spaces to be provided at a later date. Arrangements may include providing over-sized car spaces or landscaping that can be changed to parking areas

7.35 There may be situations where potential over-provision is of concern to the LPA. In this case, some car parking could be returned to landscaping if required and the permission could be conditioned to require this.

7.36 It is therefore appropriate to consider designing car parking facilities which can be treated flexibly in future, depending on the needs of the development. Conditions of permission or legal agreements may be appropriate to provide some certainty over these matters.

Density

7.37 There are no set rules about what represents an appropriate density for retirement housing, although current Government advice generally encourages higher density development in urban areas, well served by public transport. PPG 3 provides guidance on the range of density that residential development is expected to achieve overall.

7.38 Usually, retirement housing will be developed on relatively small infill sites, where density figures *per se* are likely to be less important than the other components of the design process. Consequently, the density of a retirement development will usually be a product of the constraints and design needs of the particular proposal and its context. Having said this, retirement housing does usually provide the opportunity to create an efficient use of land at significantly higher densities than much general market housing.



7.39 Retirement housing can often need less car parking and external amenity areas, relative to other forms of general housing, but it is important that the overall appearance of the development should be in keeping with the character of an area and that the needs of the occupiers are adequately catered for. High densities will therefore be appropriate for some types of retirement housing, but this must be

considered in the context of all the other constraints that apply to any particular site.

Affordable Housing

7.40 Revisions are being made to existing advice on affordable housing (Circular 6/98) and planning gain (Circular 1/97), whilst PPG 3 is to be re-drafted. These are the main sources of Government guidance on the need for affordable housing as part of new housing developments. The new guidance replacing Circular 6/98 points out that the housing needs of the whole community should be taken into account, including special needs housing. It reiterates that housing needs assessments should address the housing requirements of specific groups, such as disabled or elderly people, for particular types and sizes of accommodation and that local plans should have regard to the cost of bringing sites to market, including the implications of competing land use. It stresses the need to ensure that the provision of affordable housing does not compromise total housing supply, while clearly seeking increased developer contribution by, for example, reducing the size of site and development on which affordable housing is to be sought.

7.41 Detailed discussions and negotiations about affordable housing should ideally take place during pre-application meetings. Developers should explain fully their proposals, providing clear, reasoned justification when seeking to depart from the LPAs affordable housing requirements, which should be included in up-to-date policy guidance such as Supplementary Planning Guidance. Statements of housing need should include reference to the particular needs of older people across all tenures.

7.42 Although LPAs are under considerable pressure to meet the generic housing need identified in Housing Needs Surveys by providing more affordable housing, it must also be recognised that retirement housing meets a housing need, as set out in PPG 3. When seeking affordable housing therefore, account should be taken of any special considerations relating to the provision of the retirement housing development.

7.43 Past experience in providing retirement housing has shown that certain matters must be carefully assessed because they can adversely affect the development of the proposed retirement housing site and thus its ability to provide for the housing needs of older people.

7.44 In summary:

- a) Constraints on a site may physically limit its potential to provide both affordable housing and retirement housing e.g most retirement housing developments are either single or linked groups of buildings and it may not be possible to introduce affordable housing successfully.
- b) Occupation of retirement housing is normally controlled by age restrictions, either through planning control or under the lease and the demographic profile and lifestyle of occupants of retirement housing is well documented. Mixing elderly residents with, for example young households in mainstream affordable housing, can create problems which result in an unsatisfactory housing environment for all concerned.
- c) Retirement housing developments are usually managed by specialist management companies. Maintaining management costs at levels affordable to elderly residents on fixed incomes and securing the long term maintenance of buildings and grounds requires skill and understanding. Affordable housing usually involves a registered social landlord and therefore when retirement and affordable housing is sought on the same site, or within the same building envelope, care needs to be taken to avoid an unsatisfactory management regime. Where management is to be provided by more than one organisation on one site, a clear understanding of responsibilities should be established as soon as possible.
- d) Retirement housing developments usually include a number of communal facilities such as a residents' lounge, laundry, guest suite etc. To support the provision and upkeep of such facilities a minimum level of development will be required otherwise the apportioned costs, collected through the management charges, may become unreasonably high.

- e) Changes in employment practice also influence the size of retirement development that is able to sustain the services of a full time resident warden or manager. For many retirement housing developments with less than 50 units it may not be viable to provide a resident warden.

Infrastructure Contributions

7.45 LPA's should ensure that any infrastructure contributions conform to current Government guidance on planning obligations and are based on an up-to-date development plan policy. LPAs should ensure that developers are aware at an early stage in the application process of likely infrastructure contributions which may be requested as these can have an impact on the economics of development. It is not sufficient for LPAs to inform developers that contributions will be required from "substantial" or "large" developments. Policy or guidance should clearly set out the specific site size or number threshold above which contributions will be sought.



7.46 Retirement housing developments may reasonably be required to support contributions to certain infrastructure requirements. However, contributions to certain types of provision that are not related to the type of housing being provided, for example children's play areas and education facilities, should be avoided. Retirement schemes tend to reduce demands on health, social services and other care facilities (many of the residents remain in better health, both physically and mentally, and doctors, physiotherapists, community nurses, hairdressers and other essential practitioners can all attend to visit several occupiers at once) leading to a more efficient use of public resources.

Summary of Good Practice

7.47 Developers should:

- Select sustainable locations, including the availability of local support services and transport
- Avoid locations near to unneighbourly uses
- Be aware of all constraints and employ a holistic approach to design
- Avoid undue overlooking of neighbouring property or gardens
- Ensure that sensitive neighbouring properties do not unduly lose natural sunlight or daylight
- Seek early advice on car parking requirements and justify proposed level
- Clarify "affordable housing" issues and submit proposals with an application
- Clarify other infrastructure contributions and submit proposals with an application.

7.48 LPAs should:

- Provide clear design guidance
- Consider car parking proposals according to the needs of the circumstances
- Negotiate affordable housing and other planning gain requirements reasonably and realistically, taking account of the specific nature of the retirement housing accommodation.

8 - CONCLUSIONS

- 8.1** The continuing growth in the UK's elderly population poses significant challenges for the planning system. A key part of the response will be in relation to the role of retirement housing in meeting the housing needs of older people. This Good Practice Guide has addressed the considerations applying specifically to the development of retirement housing, with the intention of providing practical assistance to local authority planning officers and Members and of guiding retirement housing developers in the approach to be taken and the information they should provide. It should form a sound basis for a proactive stance towards private sector retirement housing and to respond to the concerns that sometimes arise when developments are proposed.
- 8.2** It will be important to monitor the practical implementation of this Good Practice Guidance and to assess how the changing planning process takes account of the principles put forward. It will be particularly relevant to understand how the advice is received by all parties involved with dealing with retirement housing proposals; feedback on the use or value of the guide will be gratefully received by the Planning Officers Society and the Retirement Housing Group. It is hoped to build up further specific examples of good practice, both in relation to development plans/planning policies and with regard to development control practice or individual schemes. Consideration of the broader context for retirement housing, as part of a positive contribution to community planning through Local Strategic Partnerships, will also need to be explored further, as experience on preparing and implementing community strategies increases.
- 8.3** It should be remembered that this Good Practice Guide is a means of encouraging change and improvements in the process for delivering retirement housing, rather than an end in itself. However, it is commended to all relevant parties and practitioners as a basis for taking steps to ensure that practical benefits do occur and that the planning of retirement housing becomes a model for co-operation and understanding.

APPENDIX ONE - Statistical Information

1.10 Population by State Pension Age

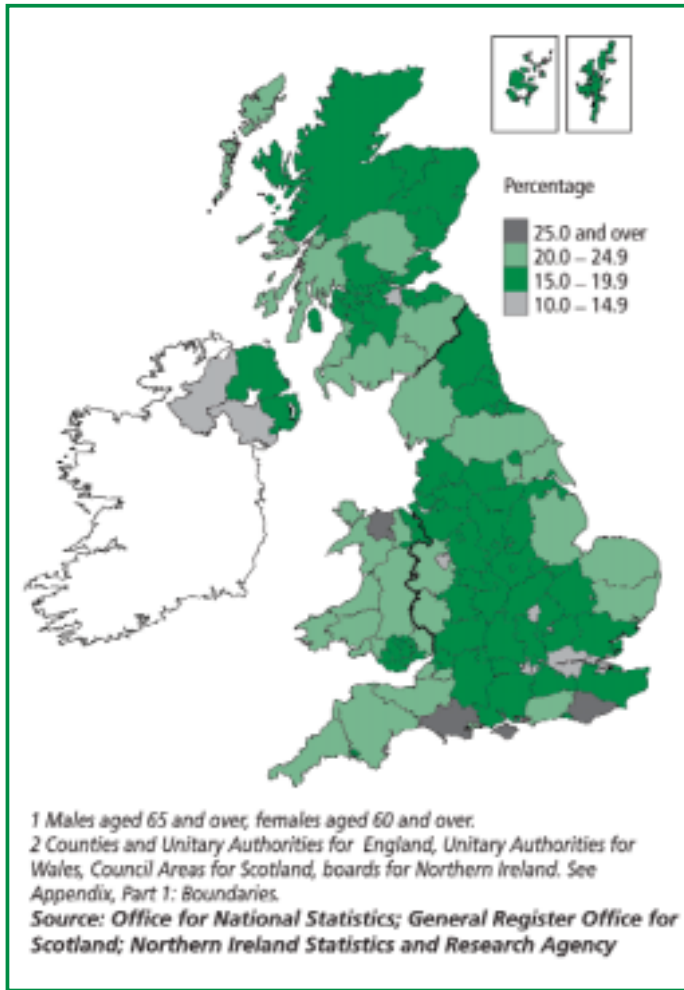


Table of household reference person by type of accommodation 2000/01

Great Britain	House or bungalow					Flat or maisonette		All dwellings ³
	Detached	Semi-detached		Terraced	Purpose-built		Other	
		detached	terraced		Other	Other		
Economically active								
Professional	37	27	21	9	7			100
Employers and managers	36	30	21	8	4			100
Intermediate non-manual	23	31	31	10	6			100
Junior non-manual	15	31	32	17	5			100
Skilled manual	19	38	32	9	4			100
Semi-skilled manual	10	37	35	14	4			100
Unskilled manual	7	41	35	12	4			100
All economically active	23	32	29	11	5			100
Economically inactive								
Retired	26	32	24	16	2			100
Other	10	29	33	23	5			100
All economically inactive	21	31	26	18	3			100
All socio-economic groups	22	32	28	13	4			100

1 Excludes members of the armed forces, economically active full-time students and those who were unemployed and had never worked.
 2 See Appendix, Part 10: Household reference person.
 3 Excludes those living in mobile homes.
 Source: General Household Survey, Office for National Statistics

Social Trends 33 – Stock of Dwellings by Tenure

England	Percentages					All
	Before 1919	1919–1944	1945–1964	1965–1984	1985 or later	
House or bungalow						
Detached	13	14	18	31	23	100
Semi-detached	17	29	33	19	8	100
Terraced	35	20	15	20	10	100
Flat or maisonette						
Purpose-built	4	9	24	42	21	100
Other	68	78	8	4	2	100
All dwellings¹	20	20	22	24	13	100

1 Includes other types of accommodation, such as mobile homes.
 Source: Survey of English Housing, Department for Transport, Local Government and the Regions

Age of household reference person by tenure 2000/0

Great Britain	Percentages							
	Under 25	25–34	35–44	45–54	55–64	65–74	75 and over	All ages
Owner-occupied								
Owned outright	1	2	7	18	47	88	59	29
Owned with mortgage	17	37	68	40	32	8	3	41
Rented from social sector								
Local authority	28	18	12	11	13	17	23	11
Housing association	10	8	3	3	4	8	3	6
Rented privately								
Furnished	23	7	2	1	1	1	1	3
Unfurnished	21	12	6	6	4	3	3	6
All tenures	100	100	100	100	100	100	100	100

1 See Appendix, Part 10: Household reference person.
 2 Privately unfurnished or not known whether furnished.
 Source: General Household Survey, Office for National Statistics

Population:¹ by age and sex

United Kingdom

Percentages

	Under 16	16-24	25-34	35-44	45-54	55-64	65-74	75 and over	All ages (=100%) (millions)
Males									
1961	25	14	13	14	14	11	6	3	25.5
1991 ²	21	14	16	14	12	10	8	5	27.9
2001	21	11	14	15	13	11	8	6	28.6
2011	19	12	13	14	14	12	9	7	29.5
2021	19	11	13	12	13	13	10	8	30.3
2026	19	11	13	13	12	13	10	9	30.6
Females									
1961	22	13	12	13	14	12	9	5	27.3
1991 ²	19	12	15	13	11	10	9	9	29.6
2001	19	11	14	15	13	11	9	9	30.2
2011	17	11	13	14	14	12	9	9	31.0
2021	17	10	13	12	13	13	11	10	32.1
2026	17	10	13	13	12	14	11	11	32.5

¹ Data for 1961 are census enumerated; mid-year estimates for 1991 and 2001; 2001-based projections for 2011 to 2026. See Appendix, Part 1: Population estimates and projections.

² Data for 1991 are interim population estimates revised following the 2001 Census and are subject to further revision.

Source: Office for National Statistics; General Register Office for Scotland; Government Actuary's Department; Northern Ireland Statistics and Research Agency

Table 2.2 Nursing, residential and long stay hospital care of elderly, chronically ill and physically disabled people, places_by sector, UK 1970-2002

	Residential Home Places			Nursing Home Places		NHS Long Stay			Total Places
	LA	Private	Voluntary	Private	Voluntary	Geriatric	Psycho Geriatric	YPD	
1995	80,100	169,300	56,700	193,400	17,900	33,000	18,200	1,900	570,500
1996	77,300	172,700	57,500	201,900	18,300	29,800	16,300	1,800	575,600
1997	71,000	177,100	56,100	205,900	18,500	27,300	15,000	1,700	572,600
1998	68,600	180,700	53,500	203,200	18,200	24,500	13,700	1,700	564,100
1999	64,200	184,000	53,100	195,300	17,900	22,100	13,000	1,500	551,100
2000	59,900	185,000	54,500	186,800	18,000	21,000	11,700	1,500	538,400
2001	55,900	185,100	55,100	178,800	18,000	20,300	11,000	1,400	525,600
2002 proj	53,600	183,100	55,600	170,000	17,500	19,900	10,200	1,400	511,300

Table 4.1 Nursing and residential care of elderly, chronically ill and physically disabled people, estimated for-profit and non-profit registered homes, places and mean size, UK 1987-2001 excluding residential homes with less than 4 beds

late year	1995	1996	1997	1998	1999	2000	2001
Homes	17065	17251	16361	15883	15273	14753	14125
Places	440594	457893	457323	452009	446636	439418	429782

Above two tables extracted from tables in Laing & Buisson's Care of Elderly People Market Survey 2002

APPENDIX TWO - Services Charges & Management Costs

Association of Retirement Housing Managers Code: Model Accounts

INCOME & EXPENDITURE ACCOUNT FOR MODEL COURT, ARHMENTOWN FOR PERIOD ENDING 31ST DECEMBER 2002					
INCOME		2001		2002	2002
		ACTUAL		ACTUAL	BUDGET
Guest suite income		x		x	
Laundry income		x		x	
Manager's telephone contributions		x		x	
Other income (may include interest)		x		x	
Service charges receivable		x		x	
TOTAL INCOME		y		y	
EXPENDITURE					
SCHEME MANAGER/EMERGENCY CALL					
Remuneration inc NI	x		x		
Relief/Deputy costs	x		x		
Manager's telephone	x		x		
Sundry expenses/petty cash	x		x		
Emergency monitoring	x		x		
Telephone link	x		x		
COMMUNAL SERVICES					
Insurance	x		x		
Electricity	x		x		
Water & Sewerage	x		x		
Window cleaning	x		x		
Ground maintenance	x		x		
Cleaning	x		x		
COMMUNAL REPAIR & MAINTENANCE					
Lift	x		x		
Fire system/smoke detection	x		x		
Emergency call system	x		x		
Door entry	x		x		
Laundry	x		x		
General repairs		x	x	x	
RESERVE FUNDS					
Contingency/Depreciation	x		x		
Redecoration/Major Repair	x		x		
		x		x	
PROFESSIONAL SERVICES					
Management fees	x		x		
Audit fees	x		x		
Bank charges	x		x		
Other charges	x		x		
TOTAL EXPENDITURE		z		z	
SURPLUS/DEFICIT ON INCOME AND EXPENDITURE	s/d				
In accordance with your lease the surplus/deficit will be.....					

BALANCE SHEET AS AT 31ST DECEMBER 2002					
ASSETS	2001		2002		
Resident Debtors	x		x		
Deficit on accounts year ended 31.12.2000	x		x		
Amount due from landlord/developer	x		x		
Other Debtors	x		x		
Prepayments	x		x		
Bank and cash	xx		xx		
LIABILITIES					
Service charges paid in advance	x		x		
Surplus on accounts year ended 31.12.2000	x		x		
Amount owed to landlord/developer	x		x		
Other Creditors	x		x		
Accruals	w		w		
NET ASSETS/LIABILITIES		na		na	
RESERVE FUND(S)					
REDECORATION	x		x		
Balance at start of year	x		x		
Contributions from Income & Expenditure Account	x		x		
Transfers from previous year	x		x		
Interest earned net of tax	x		x		
Costs incurred during year	x		x		
Balance at end of year	xx		xx		
CONTINGENCY FUND					
Balance at start of year	x		x		
Additional contribution from Income & Expenditure Account	x		x		
Transfers from previous year					
Contributions from resale of dwellings	x		x		
Interest earned net of tax	x		x		
Costs incurred during year	x		x		
Balance at year end	xx		xx		
TOTAL RESERVES		tr		tr	

Notes to Model Accounts

- The manager should sign and date the balance sheet.
- The leases may also include a requirement to certify or provide a certificate to the accounts and the manager should incorporate the correct wording when the balance sheet is signed.
- You should include a note to the accounts as part of the model on bank accounts held, if a designated bank account is held. This note should include the following information:
 - The name of the bank account;
 - The account number;
 - The name and address of the bank;
 - The rate of interest earned; and
 - The withdrawal period on the account
- Other notes to the accounts may be added but are at the option of the manager.

APPENDIX THREE - Development Issues

This is a general guide designed to provide more information on Section 5 of the Good Practice Guide.

MANAGEMENT COSTS

The three largest costs in the management of retirement housing are the salary of a manager, the management company's fee and, where relevant, the rental cost of their property within the development. Purchases of retirement housing have usually been freeholders of owner-occupied property and therefore will be unused to making regular payments for services charges and maintenance as leaseholders.

Service charges are continually reviewed to ensure affordability. Services are provided in line with an annual budget which details the costs of all the services and which is reported against at the year-end in a set of accounts (see Appendix 2).

Land valuation

The most common land valuation method is that based on a Residual Valuation. This requires the total Gross Development Value (revenue) to be determined, from which is deducted construction costs, overheads, fees, interest, profit and other planning related contributions. The remaining sum (the Residual Sum) is the maximum amount that can be paid for the land to render the development viable. The majority of these costs are quantifiable by the developer however it is the planning related contributions that cannot always be precisely established at this relatively early stage.

Methods of purchase

Sites are usually brought to the market by a vendor or their appointed agent and are sold by either private treaty, informal tender, binding tender or auction. There is immense competition for new sites and those bidding in a competitive tender situation, be it informal or binding, must be sure of their position and the potential of the site to enable them to submit their best bid.

Private Treaty

An agreement by private treaty provides the best forum for the prospective developer to ensure that the appropriate agreements are made to

establish that obligations throughout the planning process are reasonable.

Informal Tender

A "best offers" sale process usually by a fixed date following which the highest or best proposal will be negotiated on a one-to-one basis with the bidder on a Private Treaty basis.

Formal Tender

Best offers are sought together with their terms, which become binding on acceptance. This method of sale that requires high levels of investigation prior to making an offer, due to its binding nature and is therefore used less frequently. Sound planning advice is essential prior to making such an offer based on an assessment of the level of risk. It does, however, provide an opportunity for land to be bought on an unconditional basis at a "discounted" price.

Auction

Sites can still be purchased by auction with the same terms and risks of a Formal Tender applying. Often the types of sites acquired in this way are bulk sales of mixed property portfolios or mortgagee in possession sales.

Forms of Contract

Most sites are acquired by one of three methods: either an option to purchase at a later date; a conditional contract; or an unconditional contract. All three methods will require a full assessment of the site and its development potential. However the latter method does not allow for any revision of the residual value should the expected planning permission not be obtained.

Option

An option agreement will, by various methods, allow either the purchaser or the vendor to require the sale to take place within a predetermined timescale and allows the purchaser a time period within which to establish the planning position for the site.

Conditional Contract

A conditional contract usually has performance criteria relating to a specific time period and will require certain actions on the part of the purchaser to achieve an acceptable planning permission prior to the conditions being satisfied or waived and the purchase being completed.

Unconditional Contract

An unconditional purchase is, as it sounds, unconditional and, therefore, relies on the quality of the information gained prior to the signing and completion of a contract to ensure that the original expectations for viability and profitability are achieved.

APPENDIX FOUR - GOOD PRACTICE EXAMPLES

i) DEVELOPMENT PLANS

1) H10 Supported Housing Provision

Within the defined urban areas development specifically for groups which require supported housing will be permitted provided it:

- (i) Is accessible to local shops, services, community facilities and public transport.
 - (ii) Is in a reasonably level locality where the mobility of residents, including wheelchair users will not be reduced.
 - (iii) Includes adequate amenity space and provides a pleasant outlook for residents.
- (Havant Borough District-Wide Local Plan 1996-2011 - Revised Deposit February 2002)*

2) H7 Housing for the Elderly

Proposals for sheltered housing accommodation for the elderly will be permitted where:

- (a) the development would not significantly reduce the amenities of neighbouring properties;
- (b) the development is well located in relation to local shops and public transport facilities; and
- (c) the development meets the requirements of design policies B1 and B2.

(Mid Sussex Local Plan - Revised Deposit Draft, August 2001)

REGIONAL PLANNING GUIDANCE, NORTH WEST – RPG 13 March 2003

POLICY UR 9 – AFFORDABLE HOUSING (extract)

Development plans should make provision for a range of dwelling types and sizes to meet the assessed need of all sectors of the community including the elderly, those with special requirements, ethnic minorities, single households and larger families in both rural and urban areas based on up-to-date housing needs studies. They should do this in accordance with national planning policy, as currently expressed particularly in PPG 3 and Circular 6/98.

ii) DEVELOPMENT CONTROL

GOOD PRACTICE CASE STUDY ROTHER DISTRICT COUNCIL SITE AT 21 COODEN DRIVE, BEXHILL ON SEA

PROPOSED CATEGORY II SHELTERED HOUSING DEVELOPMENT BY CHURCHILL RETIREMENT LIVING

SITE: HALDANE HOUSE, 21 COODEN DRIVE, BEXHILL ON SEA, EAST SUSSEX

LOCAL AUTHORITY: ROTHER DISTRICT COUNCIL

DEVELOPER: CHURCHILL RETIREMENT LIVING

AGENT: PLANNING ISSUES LIMITED

SITE AREA: 0.29 HECTARES

LOCATION: 500 METRES TO TOWN CENTRE, BUS STOP OUTSIDE AND OPPOSITE, RAILWAY STATION
500 METRES

PROPOSED DEVELOPMENT: REDEVELOPMENT TO FORM 48 CATEGORY II SHELTERED APARTMENTS WITH HOUSE
MANAGER, COMMUNAL FACILITIES, ACCESS AND CAR PARKING

COMMUNAL PROVISION: OWNERS LOUNGE, LAUNDRY, GUEST SUITE, REFUSE ROOM, 16 CAR PARKING SPACES,
BATTERY CAR AND CYCLE STORE



BEFORE

Former substantial nursing home of two and three storeys owned by East Sussex County Council. The nursing home ceased operation in June 2002.

Pre-application discussions led to a proposed scheme of 53 units being shown at meeting with Rother District Council Planning Officer on 10th October 2002. At that time the Officer raised concerns with the size, height and mass of the building and policy issues of affordable housing and parking provision.

A revised scheme of 48 units was then sent to the Planning Officer for discussion. The County Highways department was also consulted and no objection raised to either the access or parking arrangements.

Contracts were exchanged on 11th October 2002

and pre-application meetings were held with ward and District Councillors throughout November and December 2002. Feedback was very good.

Sketch elevations with comparisons to the existing nursing home were sent to the Planning Officer for further comments on 21st November 2002. The sketches illustrated to the Planning Officer that the proposed development was not significantly different in terms of bulk, height and site coverage to the existing building on site. The Planning officer repeated his concerns.

On 24th January 2003 a planning application was submitted showing a two, three and four storey block of 48 apartments with communal facilities, parking, access and landscaping.

Various update meetings were held with Ward and District Councillors throughout January and February to ensure they were fully informed of the proposals. As before, the Councillors were extremely supportive of the proposed development.

A meeting was held with the Planning Officer on 6th March to discuss the application proposals. The representative of Green Issues, Churchill Retirement Living's public liaison consultant who had met with Councillors attended the meeting

to update the Planning Officer. The Officer informed that now he had seen detailed plans, he found the form and size of the building to be appropriate. He added that the application was to be presented to the Committee on 13th March with a recommendation for deferral for further negotiations on the issue of affordable housing.

A letter was sent to the Planning Officer explaining the difficulties of mixing sheltered housing and affordable housing on small sites and this was sent to the Councillors for information. The Councillors visited the site on 11th March 2003 and the Committee took place on 13th March. Discussion at the Committee centred around the design of the scheme and the majority of Members were complimentary about the proposals. It was accepted by the majority of Members that it was not appropriate to include an element of affordable housing on the site. The application was approved subject to further negotiations on affordable housing.

Whilst the pre-application negotiations were ongoing for a number of months, from planning application submission to decision at the Committee the timescale was 6 weeks. This is an example of how good practice through working closely with the relevant Officers at an early stage of the application process and liaising with elected Members throughout can lead to a quick planning permission and avoid protracted discussions.

AFTER



**GOOD PRACTICE CASE STUDY KENNET DISTRICT COUNCIL
SITE AT WYE HOUSE & 119 LONDON ROAD, MARLBOROUGH**

**PROPOSED RETIREMENT AND ENABLING DEVELOPMENT
BY BEEHCROFT AND SARSEN HOUSING ASSOCIATION**

SITE: WYE HOUSE & 119 LONDON ROAD, MARLBOROUGH, WILTSHIRE

LOCAL AUTHORITY: KENNET DISTRICT COUNCIL

DEVELOPER: BEEHCROFT & SARSEN HOUSING ASSOCIATION

AGENT: ARBUTHNOTT LADENBURG PARTNERSHIP

SITE AREA: 0.915 HECTARES (WYE HOUSE)

LOCATION: 300 METRES TO TOWN CENTRE

PROPOSED DEVELOPMENT: REFURBISHMENT AND REDEVELOPMENT TO FORM 19 RETIREMENT APARTMENTS (WYE HOUSE SITE), 7 STARTER FLATS AND 13 AFFORDABLE FLATS (119 LONDON ROAD)

COMMUNAL PROVISION: RETIREMENT DEVELOPMENT – VISITING SECRETARY, LANDSCAPED GARDENS



BEFORE

Two neglected and run down Grade II Listed Buildings, Wye House had become uneconomic for Sarsen HA to run due to constant repairs, unsuitable conversion and neglected grounds. No 119 London Road was also neglected with dry rot and with substantial outbuildings in a state of partial collapse. The building was on the Council's "At Risk" register.

Due to the sensitive nature of the sites within the Conservation Area and the presence of Listed buildings, the Council were always going to insist upon a good standard of building and landscape design. The Developer, with a national reputation to uphold, was similarly keen to maintain high standards.

The project created two traditional design new blocks, with a total of 13 retirement cottages and apartments set within the grounds of Wye House. The House itself has received a much needed refurbishment and provides a further 6 retirement apartments. Particular care was taken to retain and enhance the grounds and this includes a newly formed public right of way, with the large central garden area being taken over by the Council for public enjoyment as part of the Marlborough landscape. The public footpath provides a safe route for pedestrians into the town centre and helps to reduce traffic.

At 119 London Road, the project has transformed the neglected building into 5 starter flats with new blocks creating 13 affordable flats for rent. The design and materials are complementary to the original Listed Building and are attractively laid out with a courtyard area beside the River Kennet.

The District Council made a local authority housing grant of £147,500 to Sarsen for the affordable housing and this was a key incentive in driving the scheme forward. The Council also gained from the sale of Wye House to Beechcroft under an agreement made with Sarsen in 1995 – and this formed an added incentive to ensure that the proposal was successful.

Throughout the planning process the developers, their agents and the Council have demonstrated a co-operative approach, whilst at the same time ensuring that the physical environment and character of the Listed Buildings and Conservation Area were enhanced.



**GOOD PRACTICE CASE STUDY WINCHESTER CITY COUNCIL
SITE AT 21 WYKE MARK, DEAN LANE, WINCHESTER**

**PROPOSED RETIREMENT HOUSING DEVELOPMENT
BY THE ENGLISH COURTYARD ASSOCIATION**

SITE: WYKE MARK, DEAN LANE, WINCHESTER, HAMPSHIRE

LOCAL AUTHORITY: WINCHESTER CITY COUNCIL

DEVELOPER: THE ENGLISH COURTYARD ASSOCIATION

AGENT: THE SIDELL GIBSON PARTNERSHIP/ TANNER AND TILLEY

SITE AREA: 1.2 HECTARES

LOCATION: SITUATED NORTH WEST OF THE CITY CENTRE WITHIN A PREDOMINANTLY RESIDENTIAL AREA.

PROPOSED DEVELOPMENT: REDEVELOPMENT TO PROVIDE 25 TWO AND THREE BEDROOM RETIREMENT APARTMENTS TOGETHER WITH MANAGER'S APARTMENT, 4 ONE BEDROOM AND 4 TWO BEDROOM AFFORDABLE RETIREMENT HOUSING, GARAGES AND CAR PARKING.

COMMUNAL PROVISION: LAUNDRY, GUEST SUITE, REFUSE ROOM, GARDEN STORE, 25 GARAGES, 4 PARKING SPACES AND MINIBUS GARAGE.



Former nursing home owned by Hampshire County Council and registered for 33 clients. The building was a much adapted, substantial detached house dating from the early 1900's. The County and City Councils prepared a brief setting out the principles for the development and design of any replacement development. Although a large site, the development potential was significantly constrained by large mature trees, both within the site and on its boundary and by the sylvan character of the surrounding area.

Following selection as the preferred developer, the English Courtyard Association (ECA) engaged in pre-application discussions that identified a

number of potential problems and concerns. The Planning Authority's concerns were both site specific and in the context of the wider area. Main site specific concerns related to affordable housing provision, impact on trees and the effect of access provision on the adjoining road. At the time two other sites, one of them large, were the subject of proposals by developers and the Planning Authority, responding to local concerns, were faced with major change to an established residential area, albeit one where the Authority accepted that significant new development could take place.

Extensive discussion took place with local residents and their elected representatives. There was substantial support for an ECA development on the site but concerns at the wider implications of development in the area. The detailed planning application was submitted in January 2001.

In February 2001 during the consideration of the planning application the authority made a provisional Tree Preservation Order. The purpose of this Order was essentially to ensure protection of certain of the major trees on the site.

The scheme architects worked closely with the authority's design, landscape and tree officers,

amending the design to respond to both their input and that of local residents. Highways consultants acting for each of the developers of the three sites in the area combined their responses with input from City and County highways officers' to identify overall traffic generation and movement changes in the area as well as the requirements arising from individual sites. The provision of on-site affordable housing was negotiated with a local housing association and the Council's housing officers.

The provision of on-site affordable housing was of concern to the developer. From ECA's point of view, having regard to the high quality of the proposed development, its landscaping and the commitment to maintain that quality following occupation of the apartments, it was essential in accepting on site affordable housing provision that occupation would be for retired people and that the housing association and Council accepted the management and cost implications of high quality buildings and landscaping. This important issue was resolved by the housing association retaining responsibility for that part of the site associated with the affordable housing units. The management charges paid by the occupiers of the ECA housing does not cross subsidise the affordable housing and tenants of the housing association do not have to pay higher rents to cover wider management costs associated with the site.

Whilst the site specific issues were gradually being resolved, those affecting the wider area and the other two sites were becoming more difficult. One site was refused planning permission and the other became the subject of an appeal, lodged for non-determination. The authority decided that it would not determine the Wyke Mark site in advance of the other sites. Continued discussions between professional officers, developers and consultants gradually moved matters forward. Finally in October 2001 the retirement housing proposals for Wyke Mark were reported to the authority's Development Control Committee with a recommendation for approval. Planning permission was finally

granted in February 2002 following the completion of a Section 106 legal agreement.

This is an example of how co-operation can resolve a series of complex and inter-related issues.

The early involvement of local residents and elected representatives proved beneficial to all parties and helped to build up understanding of the scheme proposals. Direct negotiation between developer and housing association enabled a solution to be reached on affordable housing. This was aided by the housing associations appreciation of the commercial needs of the developer and the high importance of long term management placed on developments by English Courtyard Association on behalf of their leasehold residents.

The ability to resolve the affordable housing management charges issue was very important. It demonstrates that where the site is of a size that enables a degree of separation for management purposes to be achieved, then integration of private and affordable rented accommodation can be achieved with an equitable and sustainable distribution of ongoing charges.



**GOOD PRACTICE CASE STUDIES WORTHING BOROUGH COUNCIL
SITE AT 1 SHAKESPEARE ROAD, WORTHING**

**PROPOSED SHELTERED HOUSING DEVELOPMENTS
BY PEGASUS RETIREMENT HOMES**

SITES: 1 SHAKESPEARE ROAD AND 41 WORDSWORTH ROAD, WORTHING, WEST SUSSEX
LOCAL AUTHORITY: WORTHING BOROUGH COUNCIL
DEVELOPER: PEGASUS RETIREMENT HOMES
AGENT: ARMSTRONG BURTON
SITE AREA: 0.16 AND 0.20 HECTARES
LOCATION: WITHIN WALKING DISTANCE TO TOWN CENTRE
PROPOSED DEVELOPMENT: REDEVELOPMENT TO FORM 25 AND 23 SHELTERED APARTMENTS
COMMUNAL PROVISION: OWNERS LOUNGE, LAUNDRY, GUEST SUITE, REFUSE ROOM, CAR PARKING SPACES, LANDSCAPED GARDENS

The two schemes in this example were developed through close partnership working between the applicant, the applicant's architect and Worthing Council's Officers. Worthing Borough Council employs a Design Architect who was able to work with Planning Officers and the applicants in order to develop two good quality schemes. Both schemes, since completion, have received Design Awards because of the high quality of the schemes that were developed.

Pegasus Court, Shelley (formerly Shakespeare Road)



A former nursing home, the scheme at No. 1 Shakespeare Road, Worthing includes a development of twenty-five retirement

apartments at a density of over 150 units per hectare. The site was originally advertised for sale early in 1998 and meetings were held with a number of developers who had indicated interest in developing the site for residential purposes. Constructive discussions initially took place with the eventual developer's architect late in 1998. A partnership approach was formed to negotiate on a number of matters, but with a particular emphasis on achieving a high quality design. The site is not situated within a Conservation Area, but both parties were committed to achieving a good quality design. Negotiations continued throughout the late part of 1998 and the early part of 1999. Considerable progress in terms of finding a satisfactory solution was made during this period which emphasised the importance of pre-application negotiation. An important part of the process was Council Officers preparing design drawings for the applicant's architect to consider.

A formal planning application was submitted in March 1999. This was dealt with in only six weeks and was approved by the Borough Council by the end of April 1999. Because negotiations had taken place prior to formal submission of the application and because both parties had worked together and had achieved a satisfactory outcome, the application was dealt with very quickly. Councillors at Worthing Borough Council were very pleased with the proposal and unanimously approved the scheme.

Once developed, the scheme was nominated by Groups from within Worthing's community as an example of good design and as a candidate for a Design Award. The quality of the building was commended and the scheme received a Design Award in 2000/01.



Wordsworth Road, Worthing

Following the success of the Shakespeare Road scheme, the same developers identified a further site in Worthing in October 2000. Another nursing home, this was a slightly larger site of 0.2 hectares where the developer proposed a further high density scheme of twenty-three sheltered apartments for the elderly with associated community facilities, basement car parking, access and landscaping. Like the previous scheme, extensive pre-application negotiations took place in order to ensure that agreement was reached on the key issues which included design, access and car parking.

This site was, again, not situated within a Conservation Area but both parties were

committed to working together in order to achieve a high quality design. As with the previous scheme, the Council was, again, able to process the application within six weeks and to approve the scheme before the end of 2000. Construction then followed and, like the earlier scheme, this development was also nominated by groups from within Worthing's community as a candidate for a Design Award. This scheme also received a Design Award in 2003 in recognition of a positive contribution which the development made to the locality.

Conclusion

The success of both of these schemes stemmed from the fact that both the Council and the developers were willing and keen to work together, from the outset, to achieve high quality schemes on what were two fairly compact sites. Both schemes were high density and the overriding aim of both parties was to achieve a high quality design which would be in keeping with and would enhance the character of the areas in which they were located.

Bearing in mind that neither was situated in a Conservation Area, the commitment to achieve high quality design is to be commended. By ironing out difficulties at an early stage and by both parties being committed to working together and having the right skills and resources available to find a suitable solution, both applications were dealt with quickly and efficiently and decisions were reached within about six weeks.

This gave certainty to the applicants and allowed the developers to progress both schemes quickly after planning permission was granted. The real success of both schemes is best measured by the fact that both developments were nominated by residents or amenity societies in Worthing as examples of good design and that both received Design Awards under Worthing Borough Council's "New Residential Development" category in the years 2000/01 and 2002/03.

APPENDIX FIVE - Development Control & Model Clauses

DEVELOPMENT CONTROL

Pre-application preparation and discussion

Pre-application discussions between a prospective developer and the LPA are crucial and are good practice. Early discussion about retirement housing proposals is generally beneficial to the developer, in order to understand the local context in which an application will be considered. If undertaken properly, such contacts can serve to avoid abortive work, provide a clear indication of the relevant issues that require attention and streamline the application process. Constructive pre-application advice and guidance, requires commitment from both the developer and the LPA. Good preparation is essential for both parties.

Most LPA's are under considerable pressure to process applications and appeals. Pre-application advice is not fee earning (at present) and is generally a lower priority activity. This may change in future, with the prospect of application delivery contracts, which could alter this part of the advice note. Most LPA's have a charter, which sets out the level of service provided. This may include pre-application advice and the Development Team Approach (*Development Team Approach Advice Note* published by the National Planning Forum 1996). Developers should be aware of the service level available, before entering into pre-application discussions.

In order to ensure that such contacts are undertaken efficiently and effectively, it is

important that good quality submissions are made by developers and that a realistic time for response is allowed. The LPA should provide a realistic indication of the service level available, including anticipated timescales in any given case.

Many local authorities have web sites, where a range of policy and procedural advice is available. Developers should, in the first instance, access a web site to obtain relevant information. An exchange of correspondence, or a visit to the LPA reception can normally deal with straightforward requests for information, including copy documents. Some documents and requests for information (as opposed to advice and guidance) may be obtained at a charge and local authorities are required to publicise their charges. Developers should not use requests for advice and guidance as a means of circumventing legitimate charges for information.

More straightforward proposals requiring preliminary advice can often be dealt with by an exchange of correspondence, providing that the level of detail submitted is adequate.

More complex proposals may require a meeting with the appropriate LPA representatives who can provide relevant advice and guidance. Some LPA's set out, in a service level document, how they will respond to pre-application requests for advice. Such meetings may in certain circumstances involve elected members, but this depends on the procedures of the individual LPA, including any code of conduct for dealing with planning matters.

PRE-APPLICATION PROCESS

The flow chart explains the main stages of the pre-application process. Not all stages are necessary in all circumstances, but this represents a good practice approach to the more significant development proposals

SITE IDENTIFICATION

Developers need to have a regular supply of sites to maintain building programmes and meet demand. The supply of sites however is constrained by the market. Local authorities may be able to provide information on their own and private land which is available for development. Local authorities should provide an indication of the range of acceptable development, when selling sites and usually there will be a planning permission and/or a planning brief. Identification of land through search agents should be conducted with a robust knowledge of the planning constraints, which may affect a site.

PROFESSIONAL ADVICE

Most retirement housing providers have in-house or consultancy arrangements for professional representation. Due to the complexity of the planning system and the importance of quality advice, it is recommended that the relevant professional team be employed at the outset. This may be restricted to an Architect/Planner or include specialists, such as in Highways/transportation, contamination, landscaping etc. as required by the particular brief. Failure to employ the relevant specialists may result in delay, or refusal of permission.

CHECKLIST OF INFORMATION

Many LPAs have checklists of information required as part of a planning application. It is also important to agree on the nature and extent of information required for a local planning authority to provide timely advice and guidance. Whilst it is not expected that the level of information required at pre-application stage will be the same as for a planning application, advice can only respond to the information available. Developers need therefore to consider exactly what advice they are looking for in framing a pre-application enquiry and ensure appropriate supporting material is provided. In the absence of essential information, the local planning authority may only be able to provide advice about the scope of the information they would require in order to give an informed response e.g. traffic impact, tree survey etc.

CONSULTATION

Apart from the initial constraint assessment undertaken by the developer, the local planning authority, on receipt of a pre-application enquiry, should undertake relevant internal consultation (e.g. Environmental Health, Highways, and Conservation). Any significant external consultation, which may have a bearing on the decision, should also be undertaken at this stage. The nature of the consultation will vary depending on the scale and complexity of the proposal, but it is important that the local planning authority is provided with sufficient copies of all relevant information in order to undertake this work. In the case of the more significant and complex proposals, it may be appropriate for the local planning authority to convene a meeting with the developer and relevant consultees. Such meetings should be minuted and the results of the meeting should be conveyed to and agreed by all those present. The use of modern information systems such as e-mail and electronic document management can facilitate the efficient exchange of information and should be utilised wherever available. LPAs should respond to pre-application enquiries in accordance with any publicised service level. Otherwise they should provide appropriate advice and guidance in the form of a letter, setting out the details. All advice should be clearly marked as being without prejudice to the formal decision of the Council.

PUBLICITY

Formal publicity about a proposal is only required at the application stage and is undertaken by the local planning authority. However it is good practice to engage the community in the development process at the earliest opportunity. Developers should therefore consider a consultation strategy for involving the public in the development process, during the development formulation stage. There is currently no generally accepted method of undertaking this exercise but good practice guidance will be issued by ODPM on SCIs. Developers should enquire with their local planning authority as to whether it is considered appropriate to undertake such an exercise in a particular case and where appropriate, agree a strategy. Developers should explain the extent and results of consultation when they make an application.

SUBMIT APPLICATION

Making an application

It is important that each application is carefully completed, as once received and validated, the LPA will start to process the proposal, with the intention of deciding it within strict deadlines. Failure to supply essential information may delay the registration of an application or result in refusal of permission. The following paragraphs

set out the main requirements for making an application.

Forms

All planning applications should be submitted on the appropriate forms, which can be obtained from the LPA. The forms will generally include guidance notes to help applicants make a valid

submission. Some authorities operate a checklist of information, which is required, before an application will be processed. The forms should be accurately and fully completed, in order to avoid delays or refusal of permission for lack of information. Failure to provide all relevant information (including the fee) may result in the application being invalid and unregistrable.

Some LPA's are now able to accept electronic submissions, which can speed up the process. Where this facility is available, it will normally be specified on the LPA web site.

Plans

The plans required will vary, depending on the scale and type of application. However, all applications require a block plan, which identifies the boundary of the site, in relation to its surroundings. The Ordnance Survey 1/1250 scale base plan is appropriate and is normally recommended for this purpose. Most local authorities are able to provide the relevant extract of this plan, at a charge, for the purpose of making an application.

Other plans will be required depending on the nature of the application, and should contain sufficient accurate information to allow determination of all of the matters for which the application is made. Plans may need to show a wide variety of information, including existing and proposed landform (in certain cases), sections and levels, existing and proposed vegetation, proposed layout, access arrangements and design and appearance, including relationship within the street scene.

Where an LPA needs more information, to validate an application, it should set out the necessary requirements in writing, when acknowledging receipt. Where more information is required after an application has been registered, local authorities should notify the applicant/agent at the earliest opportunity and clearly specify what is required. Not only do plans inform the LPA of the proposal, they also provide an important source of information on which the public and any other interested party may determine their response. It is therefore important to consider this wider audience when plans are being drafted. Many authorities

include guidance about the type of plans that are required in the guidance notes accompanying the application forms.

Statements

It is useful for an applicant to submit a general supporting statement of case with an application. This can demonstrate that the proposal has been properly developed and thought through in relation to appropriate policies and can provide context for the wider audience, including the public.

Particular issues such as traffic, design, flooding etc, may require the submission of a technical statement or separate study to support the proposal. Such statements should include a non-technical summary.

If an applicant is proposing legal or other agreements to deal with matters outside the scope of the application, these should be clearly explained in the accompanying statement. The heads of terms should be submitted as part of the proposals.

A short "Position Statement" should be included, setting out clearly what type of sheltered housing is proposed. This should include an explanation of why specialist sheltered housing helps meet housing need, a description of the type of accommodation proposed, facilities and support services to be provided, the scope of management services and relevant restrictions on occupiers contained in the lease.

An "Operation Statement" should be included with planning applications for close care developments for people with higher dependency levels. This might include input from local social services department, doctor or relevant registration body for a care home. The Statement should explain the contribution that close care provision can make in meeting need, identify the intended client group, proposed management arrangements, services and facilities to be provided and, where appropriate, the relationship with a care home.

Environmental assessment

Occasionally, a retirement housing development may require a formal environmental assessment (EA) under the town and Country Planning (Assessment of Environmental Effects) Regulations, due to the sensitive nature of the site or surroundings. The LPA should provide advice about any such requirement at the pre-application discussion stage. The legislation and requirements relating to EA are complex and will require developers to employ specialist advice. Guidance on the procedures is available in a booklet produced by the former Department of the Environment entitled "*Environmental assessment – a guide to procedures*", published by HMSO.

Other material

Other material can be of assistance to the processing of the application. For example, this may include a three-dimensional model, a computer simulated model or an artists impression. The LPA should advise the developer about the necessity and format of such submissions.

Negotiations and progress of application

Following submission of a valid application, the LPA will undertake publicity and consultation. The case officer dealing with the application should be specified on correspondence. Most local authorities operate computer case management systems, which streamline processing and provide target dates.

All LPAs are required by the Government to meet strict processing targets. Therefore, the extent to which amendments and changes to an application can be accepted are inevitably constrained. Significant changes, which require further publicity or consultation may therefore not be accepted, within the scope of the application. An indication of the likely decision date should be provided by the LPA on request.

After the publicity and consultation period, an initial assessment of the application by the case officer should provide advice about any areas, which require minor amendment as part of the process. More fundamental concerns should be

explained to the applicant/agent at the earliest opportunity, in order to allow the maximum time to respond.

LPA reports should provide a succinct but comprehensive assessment of the proposal and its planning implications, assessed against the prevailing planning policy framework. Reports should include a thorough analysis of the issues and a clearly reasoned recommendation, wherever possible.

Where permission is likely to be forthcoming, any s.106 or s.278 agreements should be drafted, in order to allow early execution in the event that permission is granted.

Determination

LPAs should publish their delegation arrangements and on request, explain the process and anticipated timescale for determination of any particular development.

Where an application requires consideration by a committee, details of the committee procedures should be available, including the provision for public speaking. Anyone proposing to take part in public speaking on an application should familiarise themselves with the arrangements, which apply in the particular circumstances (no. of speakers, time limits etc.).

Unless an application is formally withdrawn or an appeal is lodged against non-determination, it is incumbent on the LPA to provide a decision expeditiously. Applications are therefore targeted to committees in order to meet processing times. Reports should be available at least six working days before a committee.

Decisions will be provided in writing, giving conditions and/or reasons. Where permission is dependent on a legal agreement being signed, the decision will be deferred and can usually be issued by an officer, providing the relevant matters are addressed.

Legal agreements

Many housing developments now require Section 106 Legal Agreements to be completed before a planning permission can be issued. A lack of

commitment can lead to frustration and delays. Both parties should ensure that legal agreements are completed expeditiously, following a resolution to grant a planning permission. Some authorities produce model agreements or good practice guides, while developers can use earlier agreements of a similar nature as a template.

Conditions

Planning conditions may require negotiation and this should take place as early in the process as possible. Many local authorities have model conditions, which can be useful for developers to consider. For their part, developers also need to be positive and reasonable in the way that they respond to conditions.

It is also essential that local authorities have the resources and the commitment in place to ensure that planning conditions are dealt with and discharged as quickly as possible. Where third parties have to assist, a similar commitment needs to be developed. Before commencing development, developers need to ensure that they are fully aware of the implications of conditions and can comply with them at the appropriate stage of the development process. Where there is disagreement about a condition, negotiation should take place at an early stage and the condition should not be ignored by either party. In all cases, local authorities are required to give clear reasons for conditions that are imposed on any planning permission.

Some conditions require monitoring. Developers may have a role to play in order to demonstrate compliance and agreement between the parties about any monitoring arrangements would be good practice (for example occupancy conditions).

Post Decision and Resubmission

On receipt of a decision, developers should check the details, including the terms of any permission. Conditions should specify what is required before and during the development process. The presence of these conditions may have implications for the development programme and require further approval by the LPA, either by a reserved matters application in

the case of an outline application, or by an exchange of correspondence, in compliance with a condition.

Where a developer is dissatisfied with one or more conditions, following discussion with the case officer, a decision should be made as to whether to apply for a variation or removal of the condition(s) or to appeal

Informatives may be placed on decision notices, which are for guidance purposes. They are not conditions of permission, but draw attention to other aspects of the development process, which the developer may need to address.

Where permission is refused, the LPA should explain the reasons clearly and concisely on the decision notice, referring to the relevant policy source.

The decision notice should explain how a developer can appeal. Before deciding to make an appeal against a refusal of permission, the developer should discuss with the case officer, the prospects for obtaining permission with a revised application.

Where there is more than one reason for refusal, each reason should be considered separately. If a reason for refusal can be potentially overcome through a resubmission, the developer should consider making a revised application. Where there is unlikely to be a reasonable prospect of a different decision, the developer may decide to lodge an appeal.

SUGGESTED MODEL CONDITION AND LEGAL AGREEMENT CLAUSES

Restriction on occupation

The (sheltered housing) development hereby approved shall only be occupied by persons where at least one member of the household is aged (enter age) or over (the qualifying age) save that such restriction shall not apply to the continued occupation of any of the apartments by a surviving spouse, partner or member of the household under the qualifying age after the death of the member of the household who was of the qualifying age.

(based on a condition agreed and imposed by an Inspector on appeal).

Section 106 Agreement

The (sheltered housing) units shall not be occupied otherwise than by persons complying with the Occupancy Condition upon commencement of occupation.

The developer shall inform all intended occupiers of the existence of the Occupancy Condition and shall include the Occupancy Condition in any lease or other agreement for the occupation of a (sheltered housing) unit to be entered into with an intended occupier and take all reasonable and practical steps to enforce compliance with such Occupancy Condition.

The Occupancy Condition shall mean that upon the commencement of occupation by an intended occupier of a (sheltered housing) unit either:

The intended occupier shall be aged (number) years ("the qualifying age") or over; or
Where the intended occupier consists of more than one person then at least one of those persons will be over the qualifying age and all other such persons will be aged over 55 years in age.

Where there is more than one occupier of a (sheltered housing) unit and the occupier satisfying the Occupancy Condition being over the qualifying age at the time of commencement of occupation ("the qualifying occupier") ceases to occupy that (sheltered housing) unit the other occupiers who occupied the (sheltered housing) unit at the same time as the qualifying occupier shall not be required to give up occupation of the (sheltered housing) unit notwithstanding that they are not of the qualifying age.

(based on a concluded 106 Agreement, providing for continued occupation by spouse etc. where older person has for example gone into care on permanent or temporary basis).

APPENDIX SIX

GLOSSARY OF TERMS

- **CS** Community Strategy
- **DH** Department of Health
- **HBF** House Builders Federation
- **LDD** Local Development Document
- **LDF** Local Development Framework
- **LPA** Local Planning Authority
- **NHS** National Health Service
- **ODPM** Office of the Deputy Prime Minister
- **ONS** Office of National Statistics
- **PPG** Planning Policy Guidance
- **POS** Planning Officers Society
- **RHG** Retirement Housing Group
- **RSL** Registered Social Landlord
- **SCI** Statement of Community Involvement
- **UDP** Unitary Development Plan

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Survey of English Housing, 1998/99 and 1999/2000

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By Design – Urban Design in the Planning System – Towards Better Practice - ODPM

Development Team Advice Team - National Planning Forum 1996

Environmental Assessment - A guide to procedures - HMSO

"Making Plans: A Practical Guide" ODPM, 2002

"Preparing Older People's Strategies" (ODPM/Department of Health, 2003)

Quality and Choice for Older People's Housing – A Strategic Framework (DETR/DH, January 2001)

First annual Review of "Quality and Choice for Older People's Housing: A Strategic Framework" ODPM, December 2002

The Underfunding of Social Care and Its Consequences for Older People (the Social Policy Ageing Information Network (SPAIN) published by Help the Aged in December 2001)

"Loneliness, social isolation and living alone in later life" - Economic and Social Research Council; Growing Older Programme: Research findings 17

The Planning and Compulsory Purchase Bill: Implications for Regional Planning Guidance and Development Plans - ODPM briefing note to local authorities on transitional arrangements in the planning system, December 2002

Influencing the size, type and affordability of housing" (ODPM consultation paper, July 2003)

Owning Independence in Retirement - Centre for Policy on Ageing, 2001

Waste Management Paper 27

All Our Futures - Better Government for Older People Programme, June 2000

Planning Policy Guidance Note 3 - ODPM

Planning Policy Guidance Note 23 - ODPM

Sustainable Communities: Building for the Future – ODPM, February 2003

USEFUL WEBSITES

www.dcservices.co.uk

(planning appeals)

www.planning-inspectorate.gov.uk

(Planning Inspectorate)

www.planningportal.gov.uk

(Planning Portal)

www.housingcare.org

(Elderly Accommodation Counsel)

www.ons.gov.uk

(Office of National Statistics, for Social Trends and other demographic data)

www.tagish.co.uk

(website and names and addresses of all UK local authorities).

www.odpm.gov.uk

OPDM (Office of the Deputy Prime Minister for planning and housing information, PPG Notes)

www.doh.gov.uk

(Department of Health)

www.housingcorp.gov.uk

(Housing Corporation)

www.ageconcern.org.uk

(Age Concern - Advice Information and Mediation Service)

www.arhm.org

(Association of Retirement Housing Managers)

www.esru.ac.uk

(Economic and Social Research Council)

www.housing.odpm.gov.uk/information/olderpeople/programme

(HOPDEV)

www.cabinet-office/servicefirst

(Better Government for Older People Programme)

www.disability.gov.uk

(website of the Disability Unit, Department for Work and Pensions)

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The Department of Health, and her Constituency Office, for permission to quote Jacqui Smith MP, formerly a Minister in the Department.

The Government Office for the North West to quote from Regional Planning Guidance No.13

Help the Aged for permission to quote from the Social Policy Ageing Information Network (SPAIN) publication "The Underfunding of Social Care and Its Consequences for Older People issued in December 2001

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