

Appendix 1 - Material Considerations - Need, demand and supply of care bed spaces

- 7.2.1 The development plan context for establishing how the matters of need, supply and quality of older persons' housing and care bed spaces are to be considered, is relatively limited in terms of specific requirements. Policy 30 of the JCS provides the authority area's policy basis for setting the housing tenure mix that is to apply to new developments. Part (a) (i) sets out that developments should reflect the need to accommodate smaller households, including where appropriate, dwellings designed for older people. Part (c) sets out that new dwellings must meet Category 2 of the proposed National Accessibility Standards as a minimum, and that a proportion of Category 3 (wheel-chair accessible) housing may be negotiated by the LPA, depending on the evidence of local needs.
- 7.2.2 Part (f) of the Policy 30 refers to schemes being encouraged that provide market and affordable specialised housing for older households. The contents of Policy 30, and the other policies of the JCS, do not set out housing requirements for the different types of specialist housing for older people, including care home spaces. The housing requirements within Policy 29 are an amalgamation of all housing types across the plan period.
- 7.2.3 Taking account of the adopted development plan position, there is an expressed intention and support for the provision of smaller housing suitable for older persons. Beyond this, the requirements in terms of quantity and type are not specified.
- 7.2.4 It is necessary to note that the JCS is the Part 1 of a two-part development plan, the second of which is unadopted. The Part 2 Local Plan for the former East Northamptonshire area (2011-2031) is currently subject to examination. As of May 2023, the Plan reached the stage whereby it was subject to examination hearings in the summer of 2022 and subsequently and most recently, has been subject to a consultation on the 'Main Modifications' in March and April 2023. The weight to be attributed to the emerging plan and relevant policies will be analysed following reference to the policies and contents considered relevant.

Emerging Part 2 Local Plan

- 7.2.5 In terms of the policies that are specifically directed towards housing mix and care homes, 'Policy EN30: Housing mix and tenure to meet local need' refers to JCS Policy 30. Part (a) notes that 'particular consideration will be given to meeting the needs of an ageing population by providing the opportunity for smaller properties to encourage downsizing within the district'. The supporting text at paragraph 8.60 notes that the Council has an increasing number of older persons households and the Policy is intended to help contribute to increasing supply of suitable accommodation.

7.2.6 'Policy EN31: Older people's housing provision' approaches the matter of specialist housing provision principally by seeking to secure a proportion of larger sites as suitable for older people. For major sites, 10% of the units are 'expected' to be suited for older people, whereas on schemes of 5 or more units, 20% will be the target. It notes the types of housing to meet this criteria, ranging from 'downsizing' units to residential and nursing care homes. In respect of the latter, part (d) notes that:

'Where the need for care homes has been identified, and is supported by Social Care and Health, these will be encouraged on strategic, allocated and windfall sites.'

7.2.7 The supporting text that precedes the Policy includes reference to the Council's Strategic Market Housing Assessment (SHMA) and the need us quantified including the following cited statistics:

- 20,100 specialist housing units to meet community need between 2011-2031 with the largest growth forecast within East Northamptonshire District;
- The 2015 toolkit update projects the number of older households requiring specialist housing in East Northamptonshire as 985 dwellings over the Plan period (up to 2031), which equates to 49 per annum;
- A separate study by the Northamptonshire Councils along with the Clinical Commissioning Groups (CCGs) cites an annual target figure of 103 dwellings per annum up to 2031;
- A third study by Sheffield Hallam University quantifies a greater need for specialist housing for older people of 598 units per annum across North Northamptonshire. It refers to a shortfall of 387 units in 2020, rising to 2,267 units by 2035. The below table is also included:

Table 20	Specialist older person's housing shortfall (East Northamptonshire)				
Year	2017	2020	2025	2030	2035
Cumulative shortfall	-207	-387	-1,202	-1,756	-2,267

7.2.8 In relation to care home provision, paragraph 8.67 notes the following:

'In addition a shortfall in care home provision has been identified within the County as a whole, along with the need for more specialist care to be provided to meet dementia patient requirement.'

7.2.9 The following paragraph turn to how the emerging policies seek to assist in providing supply to meet the need across the plan period. Within the contents of these paragraphs, there is no direct reference to the provision of care home spaces.

7.2.10 Within the March 2023 Main Modifications, the supporting text is shown modified to include 'residential and nursing care homes' at paragraph 8.71. The Policy wording of EN31 (d) remains) to refer to residential and nursing care homes across strategic, allocated and windfall sites.

7.2.11 In considering the contents, implications and significance of the emerging Part 2 Local Plan, it is necessary to identify that it is not adopted and is subject to change ahead of potential adoption. It is however relatively far progressed and was subject to hearings in 2022. The key matters of relevance for this application are the evidence base which set out a picture of the need for care home spaces, and the potential supply that may come forward in the coming years.

Evidence base of LPP2 - Need

7.2.12 The Part 2 Local Plan cites three measures of need for specialist housing for older people. Depending on the methodology used, the need for East Northamptonshire is cited as 985 units (49 per annum) (to 2031) ranging to 2,267 units, depending on whether the SHMA toolkit or the assessment by Sheffield Hallam University is applied. Between these two is the evidence of the Northamptonshire Councils along with the Clinical Commissioning Groups, citing a need for 103 dwellings per annum (interpreted also to include care bed spaces as well as other types).

7.2.13 The range from a need of 985 units to 2,267 units is relatively large. The evidence does indicate a under-supply which is growing as time passes. From this evidence, it is considered reasonable to conclude that there is an unmet need for specialist housing for older people, including care homes spaces. The text at 8.67 specifically cites the need for more specialist care spaces, including to meet dementia patient requirements.

Submitted Need Assessment

7.2.14 The submitted Planning Need Assessment provides further evidence on which to build the picture of care home need locally. The details submitted assess the need on the basis of both the market, defined as a 6 mile catchment area, as well as North Northamptonshire. It assessed need of both en-suite care bed need as well as dedicated dementia spaces. The submitted assessment analysed need and supply and found a market catchment need of 43 market elderly wetrooms and 1,064 across North Northants, by 2025. For specialist dementia, the need is shown as 24 and 531 respectively.

7.2.15 The submitted report makes a distinction between 'general' care homes and those specialising in dementia care. It notes that within the catchment area there is sufficient supply, as of 2025, but across the authority area the need would be 330 beds.

7.2.16 In terms of the planning assessment, the starting point for considering need is that of the authority area i.e. North Northamptonshire. The submitted evidence

indicates a shortage of care home spaces for North Northants of 1,064 (wetrooms) and 531 (dementia) by 2025. The need for such within six miles is less and actually indicates the supply is being met in terms of dementia bed spaces.

- 7.2.17 Following the receipt of the comments from the Council's Adult Social Care Team, the Applicant submitted a response in April 2023. The submission highlights that, within a 2017 document by Northamptonshire County Council named '*Study of Housing and Support Needs of Older People (2017)*' which stated that 'an additional 909 care home beds are needed by 2030'. The submission cites other documents, including the former County Council's Accommodation Market Position Strategy (2018/19), that 88% of nursing care home residents are self-funders.
- 7.2.18 The submission raises questions about the consultation comments received from Adult Social Care in respect of supply. It also raises the matters of quality, care home closures, occupancy rates, Covid-19, and assessment of need as there is occasions of people seeking a care home outside of their authority area. The response indicates that occupancy levels are greater locally than pre-pandemic levels, indicating a high level of need for care bed spaces. It also states that it is part of the Council in its Market Sustainability Plan (2023) will seek to increase the number of nursing beds to meet the anticipated demand for increased acuity.
- 7.2.19 In considering the submitted evidence, the need for specialist care home spaces (wetrooms/ensuite) and dementia care spaces across the authority area is significant and unmet. The comments of Adult Social Care are considered separately.

Comments of Adult Social Care – Commissioning and Strategy

- 7.2.20 In March 2023 comments were received from the Council's Service Manager for Commissioning and Strategy. The comments firstly note that there have been enquiries to the Council for developing care beds in the next five years. It also then refers to the numbers of residential or nursing placements. It cites 12 referrals, 6 of which are within East Northamptonshire.
- 7.2.21 On the topic of supply of care homes in East Northamptonshire, the comments note that there are 14 offering services to people aged 65 or over with residential or nursing. An occupancy/unoccupancy rate is noted of 58 vacancies (11.5%) of the care home capacity of 501 people. It notes that of these, 177 are Council placements. The response then notes caution about the future sustainability of a care home based on population growth, anticipated demand and supply. Finally, the response expresses support for the provision of care for those with dementia.
- 7.2.22 In considering the response, it is considered reasonable to consider the matter of supply cited. The response refers to enquiries from potential developers of care home spaces, but no further details are provided on the locations,

planning status, quantum and so on. There are a number of reasons that may mean an enquiry about a potential care home development may not result in this occurring. Therefore, minimal weight can be given to the potential supply cited here.

7.2.23 The 'need' data cited gives an indication of the current involvement of the Council in providing funded care to people in care homes. The details show a current list of 6 people expressing a request for a space in East Northamptonshire. From this and the cited occupancy rates, the comments express caution about the ability for a care home to be occupied and sustainable.

7.2.24 It is appropriate to note that the submitted care home, specialising in dementia care, is proposed as being for self-funders (market). The context of the Adult Social Care comments is from a perspective of the data of Council funded places and the overall need and demand is not part of the consideration.

Summary of Need Evidence

7.2.25 The evidence available includes that cited in the submitted LPP2, the Applicant's documents and the comments from the Council's Adult Social Care Team. Based on the available information, there is an apparent significant unmet need for care home bed spaces for older people, particularly those designed for people with dementia. The evidence, including that which is in the LPP2, indicates the unmet need is growing significantly. Whether the need is 49, 103 or 598 units of specialist housing (all types amalgamated) for older people per annum, the need is considered substantial. On this basis, a contribution of care spaces toward this need should be afforded substantial weight.

Material Considerations – Appeal Decisions cited

7.2.26 The Applicant has cited a number of appeal decisions on the basis that these are applicable to the proposal. Taking these in turn, these include two applications for care homes/use. The first of which, appeal decision ref. 3281350, relates to a development of a 64 bedroom care home in the near Crawley in Mid-Sussex District Council, from April 2022. In reviewing this appeal decision, it is necessary to understand the physical and planning policy context of the site. Plans and further details of the application subject of the appeal were not provided with the submission and the review is based on the contents of the Appeal Decision.

7.2.27 It is apparent that the site of the proposal was outside of a settlement as defined by the local development plan and that it was not allocated. The Inspector applied a balancing exercise in and found that the development did cause a limited extent of harm to the landscape character of the site and that it was contrary to adopted policy in terms of its spatial strategy. In paragraph 86 of the Appeal Decision, the Inspector noted the following:

'The proposed development would however contribute towards what I have found to be a significant unmet need for registered care homes in Mid Sussex, more so in relation to provision for bedrooms that have at least the minimum ensuite facilities, causing me to afford substantial weight to the benefit of adding to the local supply with the proposed care home. I have also found that that benefit is strengthened by the circumstances whereby there is an operator committed to the proposal subject to gaining planning permission, indicating a likelihood of relatively short term implementation, and given the intended provision for full wetroom ensuite facilities, thereby exceeding what was agreed to be the minimum requirement. There would also be the likelihood of added local economic benefits associated with the jobs generated by the proposed development, both during its construction in the shorter term and once operational in the longer term.'

- 7.2.28 The Inspector went on to note that they found that the proposal did not comply fully with the development plan. The balancing exercise found however that material considerations indicated that planning permission should be granted. Paragraphs 44 to 61 of the decision address the matter of 'need' which was an apparent significant factor in the balancing exercise. The Inspector also cited the type of appeal bed spaces, including reference to those existing that do not have ensuite facilities, including a wetroom. The Inspector in that case found a significant unmet need for registered care homes in the authority area, particularly those with wetroom facilities. 'Substantial weight was attributed to the benefit of adding to the local supply.
- 7.2.29 From this appeal decision, it is noted that the Inspector allowed the appeal for the scheme which was contrary to the development plan in terms of its special strategy, but material considerations, particularly the extent of need for care home spaces, outweighed the harm identified.
- 7.2.30 The second appeal decision cited was for 222 extra-care units in Walton on Thames. The proposal differs in various ways to that subject of current consideration, but is presented for its relevance in terms of the weight to be attributed to the supply towards meeting the need for care-bed spaces.
- 7.2.31 A final Appeal Decision is presented which was for 10 dwellings in Horley. The significance of this is not apparent and it does not appear to have implications for the current scheme.
- 7.2.32 Based on the first two appeal decisions presented, it is considered that these demonstrate the Planning Inspectorate can and do place significant or substantial weight towards proposals toward meeting an unmet need. It also demonstrates that, depending on the various circumstances, it is possible for the benefits toward meeting an unmet need to outweigh adopted development plan policy. These considerations are considered applicable, but the appeal decisions are considered on their own merits which are clearly distinct from that subject of the application. The general basis and principle however, of weight being attributed to supply of care bed spaces, is a material consideration.

Supply of care bed spaces

- 7.2.34 The JCS does not set out either a need or supply breakdown of care bed spaces, or specialist older person's accommodation in general. The LPP2 does not provide details of the expected supply to come forward by 2031. Policy EN31 expresses Policy support/requirement for the inclusion of specialist older person's housing, but it does not set a breakdown of the different types and further details of how these would be provided. Reference to extra-care schemes of specific sites is made, but these differ to the proposal. The part (d) places an encouragement of for care homes where a need is identified, but no further specific details.
- 7.2.35 In terms of supply, the comments from Adult Social Care did not express details of supply coming forward. Aside from this, the planning department has reviewed recent permission across the authority area. Since 2017, the review located a permission for a 66 bedroom care home in Corby (ref. 19/00244/DPA) permitted in 2019, a 'loss' of a 9 bedroom care home in Barton Seagrave through change of use (ref. NK/2021/0739) and an extension of a care home in Kettering. A further care home extension for 20 beds was permitted in Corby in 2016 (ref. 16/00305/DPA). The review of planning permissions indicate a total of 133 bed spaces in new care homes across the two permissions cited, since 2017. From this review, the supply coming forward through new planning permission is relatively limited in the context of the evidence of need.

Summary of Need and Supply

- 7.2.36 The evidence available indicates there is a limited supply of new care bed spaces being developed across North Northamptonshire. When comparing the supply that has received planning permission since 2017, a net additional number of care beds is less than 150 bed spaces. When comparing this against the stated need in the LPP2 and the Applicant's submission, there is an apparent significant unmet need for specialist housing for older people in general, and for care home spaces, including those suited for dementia care.
- 7.2.37 From the contents of the LPP2 and other available information, there is an absence of sites allocated for care homes. It is unclear how or where care homes will be developed across the plan period. The approach would appear reliant on 'windfall' sites of care homes coming forward. Therefore, it is concluded that the evidence indicates a substantial unmet need for care home spaces across North Northamptonshire. The proposal for 68 beds towards this is attributed substantial weight.