



Local Plan for the Broads

Broads Authority response to Matter 10 – Other environment policies June 2018

Issue – Does the Plan set out positively prepared policies for dealing with climate change, promoting renewable energy and enhancing the quality of the built environment which are justified, effective and consistent with national policy?

[Chapter 13 – Climate change: Policies PUBSP3, PUBSP3]

[Chapter 17 – Renewable energy: Policies PUBDM13, PUBDM14]

[Chapter 18 – Landscape character: Policies PUBSP7, PUBDM15, PUBDM16, PUBDM17, PUBDM18, PUBDM19]

[Chapter 19 – Amenity: Policy PUBDM20]

[Chapter 20 – Light pollution: Policy PUBDM21]

[Chapter 26 – Design: Policy PUBDM42]

[Chapter 31 – Other Development Management policies: Policies PUBDM47, PUBDM48, PUBDM49]

Questions

a) Does the Plan set out a proactive strategy to mitigate and adapt to climate change? Which policies would be effective in this regard?

i. *Yes. The effects of climate change on the Broads are identified in section 7 of the Local Plan as both threats and opportunities. The vision on page 23 refers to climate smart communities. Climate change adaptation and mitigation is integral to the Local Plan. The following policies relate to climate change and will be effective in addressing adaption and mitigation:*

- *PUBDM4 relates to flood risk – sea level rise and flooding from intense rainfall events affect the community and the landscape of and biodiversity that rely on the Broads. Flood risk is the key impact for the Broads arising from climate change.*
- *PUBDM13 seeks to reduce overall energy demand of development. It seeks a fabric first approach and also includes historic buildings.*
- *PUBDM14 relates to proposals for renewable energy. It sets out the considerations which need to be taken into account when planning for renewable energy generation in the protected landscape.*
- *PUBDM22 seeks access and movement by modes other than single occupancy cars.*

- *PUBDM42 relates to design and certain elements of the policy relate to emissions and efficiency.*
 - *The policies in the housing section seek residential development to be located in areas with good access to services and facilities and employment by modes other than single occupancy car use in order to achieve sustainability.*
- ii. *The key policy in relation to climate change is PUBDM8 which requires applicants to complete the checklist set out at Appendix A of the Local Plan. The checklist is designed to make applicants really think about what could happen over the lifetime of their development and how they can address this in their development. The Authority considers this an innovative and proactive approach to addressing climate change adaptation in particular within a Local Plan. When PUBDM8 is adopted the checklist will form part of the Authority's validation requirement.*
- b) *Is Policy PUBDM13 on energy in line with the Written Ministerial Statement dated 25th March 2015 with respect to technical standards?*
- i. *Yes although the HBF raised a concern with regards to this policy (LP-PUB4, page 46, re number 213).*
- ii. *The Energy and Planning Act 2008 says:*
- (1) *A local planning authority in England may in their development plan documents, and a local planning authority in Wales may in their local development plan, include policies imposing reasonable requirements for—*
- (a) *a proportion of energy used in development in their area to be energy from renewable sources in the locality of the development;*
- (b) *a proportion of energy used in development in their area to be low carbon energy from sources in the locality of the development;*
- (c) *development in their area to comply with energy efficiency standards that exceed the energy requirements of building regulations.*
- iii. *The Deregulation Act 2015 says that (1A) Subsection (1)(c) of the Energy and Planning Act 2008¹ does not apply to development in England that consists of the construction or adaptation of buildings to provide dwellings or the carrying out of any work on dwellings.*
- iv. *Therefore whilst (c) of the Planning and Energy Act 2008 does not apply, (a) and (b) still do apply and the policy PUBDM13 relates to (a) and (b). The Authority considers that the policy is consistent with the WMS of 25 March 2015.*
- v. *This approach also came to light through negotiations with developers of two large sites in the Broads who considered this approach to be effective. It has been used in the Broads.*

i. ¹ *The Deregulation Act commenced on 27 March 2015 and proposals came into force from 1 April 2015.*

- vi. *This response was shared with the HBF but they still wish for their comment to remain.*
- c) Is the approach to wind turbine development in Policy PUBDM14 in line with the Written Ministerial Statement dated 18th June 2015?
- i. *The Written Ministerial Statement (and NPPG) sets out two tests relating to wind turbines:*
 - *the development site is in an area identified as suitable for wind energy development in a Local or Neighbourhood Plan; and*
 - *following consultation, it can be demonstrated that the planning impacts identified by affected local communities have been fully addressed and therefore the proposal has their backing.*
 - ii. *The Authority assessed which sites are suitable for wind turbines as required in the Statement/NPPG.*
 - iii. *The Authority's evidence (Landscape Character Study, EB3. LSS Part 2², figure 4.1 to 4.6, from page 43) shows that most of the Broads has at least moderate to high sensitivity for the smallest turbines of up to 20m. The Sensitivity increases as the turbines get larger. There is one area that has moderate sensitivity and that is areas 10 and 11 near to Norwich. These areas were considered in detail as part of EB23 which is the Renewable Energy Paper (section 9 from page 7). Section 9.5 page 12 onwards shows the constraints of that area. The constraints include bodies of water limiting the land on which turbines could be placed, conservation areas, listed buildings and historic parks and gardens nearby and county wildlife sites and local nature reserves. Parts of the area are wooded as well. The paper concludes that whilst being rated as having a moderate sensitivity to single small or medium wind turbines, there will still be an impact on key characteristics and qualities of areas 10 and 11. Coupled with the constraints in the area, allocating area 10 and 11 for wind turbines in the Local Plan is not appropriate.*
 - iv. *As no sites were deemed appropriate for wind turbines in the Broads, there were no sites to consult on or planning impacts to identify and address.*
 - v. *The Authority's approach is in line with the Written Ministerial Statement and NPPG.*
- d) Do Policies PUBSP7 and PUBDM15-19 provide an effective framework for protecting and enhancing landscape character which is in line with national guidance?
- i. How would Policy PUBDM15 operate in conjunction with Policy PUBDM19?

² Also found here: http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/425753/LSS-PART-2.pdf

- A. *Policy PUBDM15 effectively sets the standard of what is expected with regard to landscape consideration. It is a comprehensive policy and the Authority considers that it provides an effective framework for decision making.*
 - B. *PUBDM19 highlights the settlement fringe character type as areas particularly susceptible to change and positively encourages the enhancement of this landscape type. The policy is also more specific with regard to cumulative and sequential effects, which are also more likely within this landscape type. This policy can work in conjunction with Article 4 directions.*
 - C. *When a development proposal is assessed with regard to landscape and visual effects, the intactness and quality of the landscape is considered i.e. general and cumulative erosion of the landscape character and presence of landscape detractors, both characteristics which are commonly associated with the settlement fringe. By identifying the settlement fringe landscape type within the wider character area, and attributing a positive policy to it, the Broads Authority is effectively protecting the landscape from development that could otherwise be considered as inconsequential due to the fact landscape quality is already eroded; effectively reducing the risk for areas where landscape character is already eroded, or the landscape visually disturbed, to prevent further deterioration of settlement fringes, or indeed encroachment of them into the wider character area. Over time it offers opportunity for remediation and enhancement.*
 - D. *PUBDM19 and PUBDM15 should be read together, with the former working in addition to PUBDM15 where applicable. This approach prevents landscape being discounted as unimportant on the basis that its qualities are already eroded, and enables enhancement.*
- ii. Are the settlement fringe areas robustly based and clearly mapped?
- A. *The justification for this policy is set out in EB27. EB27 identified the kind of changes that such areas in the Broads could be subject to. The work comprised a desk-based exercise to determine the settlement fringe areas and these are included at Appendix A of EB27 and are shown in the Landscape Character Assessment.*
 - B. *The settlement fringe areas are mapped. The Landscape Character Assessment shows different character types diagrammatically (see Appendices of EB2). The Landscape Character Areas are mapped on GIS and settlement fringe areas can be added to the policies map and this would be a useful change to the policies maps. EB27 identifies settlement fringe areas that are particularly at risk and this is a useful information source when determining applications in those areas.*
- iii. Does Policy PUBDM16 provide effective guidance on flooding matters associated with land raising?

- A. *The Environment Agency has requested amendments to PUBDM16 (LP-PUB4, page 47, rep 112). These seem reasonable and the proposed change 47 (LP-SUB2) seek to address these comments. On making those amendments, the Authority and Natural England consider the policy will provide effective guidance.*
- B. Does Policy PUBDM18 give sufficient recognition to the effect of utilities infrastructure on the historic environment?
- A. *Historic England has requested amendments to PUBDM18 (LP-PUB4, page 48, rep 144). These seem reasonable and the proposed changes 49 and 50 (LP-SUB2) seek to address these comments. On making those amendments, the Authority and Historic England consider the policy will provide the sufficient recognition.*
- e) Is Policy PUBDM21 on amenity soundly based? How would criterion j) be applied?
- i. *The Authority considers the policy sound. The policy is similar to the Development Management DPD (AP2) policy DP28 with some amendments and clarification. The policy is used regularly in determining applications.*
- ii. *Criterion J relates to insects and vermin and these could conceivably come about as a result of poor waste management practices. This criterion enables schemes to be designed and assessed with the prevention of vermin and insects in mind. Conditions could consequently arise relating to adequate waste storage on site as a result of this criterion.*
- f) Are the different Dark Sky Zones effectively clarified in Policy PUBDM21 and Appendix C? Is criterion a) clearly articulated and justified?
- i. *Yes. Appendix C shows the Dark Sky Zones over the entire Broads. The Policies Maps for each settlement and allocation show the Dark Sky Zone they are in using small inset maps. As set out in our answers to the Initial Questions (EPS1) in relation to the policies maps, the Authority is looking into how to provide a public facing interactive mapping system that can easily show the various policies that apply to a particular area.*
- ii. *NFU East Anglia raised a concern with the policy, in particular a) (LP-PUB4, page 49, rep number 209). The representation states that members may need to use external lighting *at times*. The policy seeks to prevent *permanent* external lighting. So well designed lighting that is on *at times* could be acceptable. The response was discussed with the NFU who wish for their comment and the response to remain for clarity but does not consider issue affects soundness.*
- iii. *The wording and approach is similar to Exmoor National Park's adopted Local Plan policy CE-S2³ which says:*

³ Page 44: http://www.exmoor-nationalpark.gov.uk/_data/assets/pdf_file/0008/1027718/ENP-Local-Plan-2011-2031-reduced-size.pdf

- a) *The Dark Sky Reserve Core Zone is protected from permanent illumination.*
 - b) *External lighting within the Dark Sky Reserve Critical Buffer Zone is strictly controlled.*
- g) Are criteria h) and k) in Policy PUBDM42 on adaptability and accessibility robustly based and in line with national guidance on optional technical standards? Is there clear evidence on local need, and has their impact on viability been assessed?
- i. *A Topic Paper has been produced to address this issue. It has been shared with the HBF, Suffolk County Council and Waveney District Council who made a representation on this matter. Suffolk County Council and Waveney District Council consider that it addresses their comments. HBF acknowledged the Topic Paper and implied they would make written representations. The Topic Paper is included at Appendix A to this Matter (10).*
- h) Does the Plan make sufficient provision for inclusive design and accessible environments in accordance with paragraphs 57, 58, 61 and 69 of the NPPF?

Yes, through the following policies:

<i>NPPF requirement</i>	<i>Local Plan for the Broads</i>
<i>Paragraph 57 and 58: Defining characteristics, add to overall quality of area, function well, sense of place, mix of uses, local character and history, safe and accessible environments, visually attractive, appropriate landscaping.</i>	<i>DM42 refers to relationship to surroundings and other development, mix of uses, density, scale form and massing, appropriate facilities, adaptability and accessibility, crime and landscaping. The historic section states on page 50 that policies seek to ensure that development is valued in the future and enhance the cultural value of the area. DM10 e) refers to linking to the past through interpretation measures.</i>
<i>Paragraph 61: 'planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment'.</i>	
<i>Paragraph 69 about health</i>	<i>The Local Plan includes policies on open space (DM6), Amenity (DM20), Transport (section 21), Safety by the Water (DM45) as well as the policy in Designing Places for Healthy Lives (DM44).</i>

- i) Is the priority afforded to the conversion of buildings to employment, tourism or recreation and community uses in Policy PUBDM47 justified and soundly based? What is the definition of 'sustainable location' and 'adequate access' as set out in criterion i), and is the criterion effective and justified?
- i. *The answer to this question is similar to the question relating to PUBDM11 in Matter 9. Whilst PUBDM11 relates to historic buildings, PUBDM47 relates to conversion of other buildings.*

- ii. *Whilst the provision of new uses is often an effective way to support the vitality of these communities, the Authority must be mindful of the impact of the subsequent use. The Authority considers the hierarchy system is the best way to assess the conversion of buildings as it results in minimising the potentially adverse impact on the special landscape character of the Broads and on local communities. Uses other than permanent residential often impact less as they can avoid the introduction of ancillary / additional domestic paraphernalia and do not tend to require as much provision of public services. The policies seek to allow development to support the local economy and communities in areas where permanent residential development would not be sustainable and could not be supported.*
- iii. *Whilst the buildings assessed using PUBDM47 do not have historic significance, their setting is still an important consideration as set out in criterion a).*
- iv. *It is noted that agricultural buildings in the Broads Authority are not covered by the Part 3 Class Q permitted development rights that allow conversion to a C3 (dwelling houses) use.*
- v. *With regards to criterion i) 'sustainable location' and 'adequate facilities' paragraph 3 of page 133 of the Local Plan seeks to elaborate on this criterion. As a general rule, a 'sustainable location' will be within a development boundary, and 'adequate facilities' will be provided within a development boundary. The Authority is trying to balance the importance of bringing redundant buildings into use against the risk of promoting development in unsustainable locations. There are also some areas of the Broads that are very near to or actually within an established settlement with services and facilities that do not have a development boundary, and this proximity to services and facilities would be taken into consideration by the Authority.*



Broads Local Plan Design policy requirement relating to Building Regulations M4(2) Topic Paper May 2018

1. Introduction

In the pre-submission version of the Local Plan, the Broads Authority are seeking to introduce a requirement for new build residential with enhanced accessibility or adaptability through the Building Regulations M4(2).

As stated in a recent Communities and Local Government Select Committee Report (February 2018)⁴, on Housing for older people, *'The right kind of housing can keep older people healthy, support them to live independently and in the longer-term reduce the need for home care or residential care and lead to savings in health and social care budgets.'* The Committee's recommendations include *'building all new homes to accessible and adaptable standards so that they are 'age proofed' and can meet the current and future needs of older people'.*

Adaptable and accessible housing can make an important contribution to meeting the overall housing need for older people, and meeting the NPPF requirements to promote healthy communities and to plan to meet the housing needs of different groups in the community. M4(2) housing can be made more accessible more easily (if needed) and at a lower cost than standard housing, helping people to remain independent, in their own homes and communities, for longer.

This policy requirement was subject to pre-submission consultation that ended January 2018. Some comments were received relating to that policy, generally questioning the threshold and justification. This Topic Paper discusses this regulation, investigates data sources and provides further justification for such a requirement. An amended policy DM42 for the Broads Authority Local Plan is shown at Appendix 1.

2. About Building Regulation M4(2)

The NPPG⁵ says: *'Where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and/or M4(3) of the optional requirements in the Building Regulations and should not impose any additional information requirements (for instance provision of furnished layouts) or seek to determine compliance with these requirements, which is the role of the Building Control Body. They should clearly state in their Local Plan what proportion of new dwellings should comply with the requirements'.*

Section 42 of the Deregulation Act 2015⁶ establishes this approach.

⁴ Housing for older people: <https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/370/370.pdf>

⁵ NPPG: <https://www.gov.uk/guidance/housing-optional-technical-standards>

⁶ Deregulation Act 2015: <http://www.legislation.gov.uk/ukpga/2015/20/contents/enacted>

This regulation relates to accessible and adaptable dwellings. Information about the application of this standard follows and is taken from the Building Regulations⁷.

Application

- 2.1 The provisions of Section 2A apply only where a planning condition requires compliance with optional requirement M4(2) for accessible and adaptable dwellings (see paragraphs 0.3 to 0.6).
- 2.2 The provisions of Section 2A apply to external and internal areas and elements that form part of the **approach route** to the individual **dwelling** and fall within the plot (or curtilage) of the **dwelling** or the building containing the **dwelling**.
- 2.3 The provisions also apply to the **approach route** between the **dwelling** and the point, or points, at which an occupant or visitor, including a disabled person, would expect to get in and out of a car. This **point, or points, of access** may be within or outside the plot of the **dwelling** or the building containing the **dwelling** (typically a block of **flats**). These provisions do not apply beyond the curtilage of the development.
- 2.4 Reasonable provision should be made to ensure that the **approach route** to any **communal** facilities that serve the **dwelling** meets these provisions. **Communal** facilities include storage areas, such as those used for depositing refuse and recycling, but not plant rooms or other service areas unless occupants need regular access, for example for meter reading.
- 2.5 For a house (or other **dwelling** that sits within its own plot) the **approach route** will often only involve a driveway, or a gate and a path, but for a **dwelling** within a larger building (typically a block of **flats**) the **approach route** will usually involve one, or more, **communal** gates, paths, entrances, doors, lobbies, corridors and access decks, as well as **communal** lifts and stairs.

3. Assessing Data

The NPPG says: *'Based on their housing needs assessment and other available datasets it will be for local planning authorities to set out how they intend to approach demonstrating the need for Requirement M4(2) (accessible and adaptable dwellings), and/or M4(3) (wheelchair user dwellings), of the Building Regulations'*. According to the Guide to available disability data⁸, the following provides an overview of the available government data sources that can be accessed by local authorities to extract more detailed local authority level data:

- Local Authority Housing Statistics
- COntinuous REcordings (CORE)
- Personal Independence Payments (PIP)
- Labour Force Survey
- Census Data
- Population Estimates
- Household projections – these were used within the SHMAs relevant to the Broads.

Other than the Census data, none of these data sources provides data at a Broads Authority Executive Area level. As such, it is not possible to ascertain if, for example, people in the Broads part of each district require level access housing. Nevertheless, the following sections 3.1 to 3.6 show relevant data for the six districts that cover the Broads. It includes disability data and Census data which are assessed in relation to population profile and health.

3.1. Local Authority Housing Statistics

The following table shows relevant data taken from the Local Authority Housing Statistics data returns, England 2016-17⁹. It can be seen that there are some people on the waiting lists for all the six districts that need to move on medical or welfare grounds. As stated previously, there is no data specifically for the Broads.

⁷ Building Regulations: <https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>

⁸

www.gov.uk/government/uploads/system/uploads/attachment_data/file/416475/150323_Guide_to_disability_data_final_web_version.pdf

⁹ www.gov.uk/government/statistical-data-sets/local-authority-housing-statistics-data-returns-for-2016-to-2017

	Total households on the housing waiting list	People who need to move on medical or welfare grounds, including grounds relating to a disability
Broadland	2,854	161
Great Yarmouth	242	54
North Norfolk	2,479	129
Norwich	4,053	137
South Norfolk	588	167
Waveney	2,191	208

3.2. Continuous REcordings (CORE)¹⁰

This data source provides data on social housing statistics. Data relates to the 2016/17 reporting year, from April 2016 until March 2017. 2016/17 - Affordable Rent General Needs Private Registered Provider. This shows that there is some demand for wheelchair standard dwellings and dwellings to address other medical needs. As stated previously, there is no data specifically for the Broads.

	Reason for housing: Property unsuitable because of ill health/disability	Requires level access housing	Other disability related requirements	Reasonable Preference Medical Welfare	Wheelchair standard		
		Yes	Yes	Yes	Yes	No	Total
Broadland	20	9	13	11	81	129	210
Great Yarmouth	0	1	5	0	5	18	23
North Norfolk	14	10	2	14	37	103	140
Norwich	6	0	6	1	5	50	55
South Norfolk	16	4	19	0	87	193	280
Waveney	9	3	19	1	57	62	119

A second table provides some extra data: 2016/17 - Social Rent Supported Housing Private Registered Provider. The data below shows that some dwellings provide aids or are designed with health needs in mind. As stated previously, there is no data specifically for the Broads.

	Fitted with aids or adaptations	Designed to accessible general standard	None	Designed to wheelchair user standard
	Count	Count	Count	Count

¹⁰ www.gov.uk/government/publications/continuous-recording-of-social-housing-lettings-and-sales-system-core-guidance

Broadland	63	0	30	19
Great Yarmouth	85	0	6	0
North Norfolk	49	0	32	20
Norwich	217	0	78	20
South Norfolk	109	0	29	53
Waveney	35	0	157	32

3.3. Personal Independence Payments (PIP)¹¹

Personal Independence Payment started to replace Disability Living Allowance (DLA) for people aged 16 to 64 from 8 April 2013. This Release contains data for both new claims and claims made by those with an existing claim for Disability Living Allowance (known as Reassessments). Published on 13th September 2017 and cover the period 8th April 2013 to 31st July 2017. As stated previously, there is no data specifically for the Broads.

	New Claims			Reassessments		
	Normal Rules	SRTI	All	Normal Rules	SRTI	All
Broadland	2,070	180	2,250	1,650	20	1,670
Great Yarmouth	3,710	140	3,850	2,600	20	2,630
North Norfolk	2,080	170	2,250	1,660	10	1,670
Norwich	4,440	180	4,610	2,960	20	2,980
South Norfolk	2,130	170	2,310	1,640	20	1,650
Waveney	3,280	180	3,460	2,580	30	2,610

3.4. Labour Force Survey

At the time of writing this Topic Paper, the organisation responsible for this data were on strike and therefore it was not possible to get the log-in data required to access and assess the data.

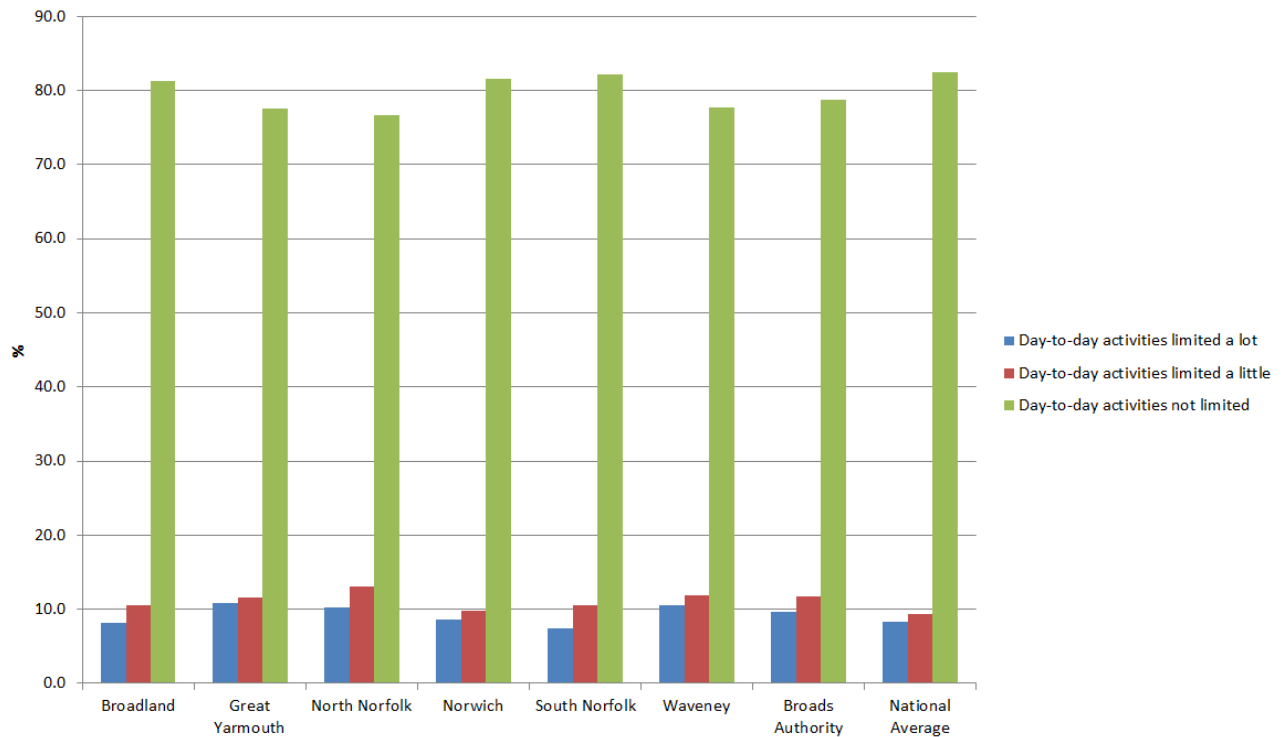
3.5. Census Data

Activities limited and health rating of the Broads and the six constituent districts – Census 2011

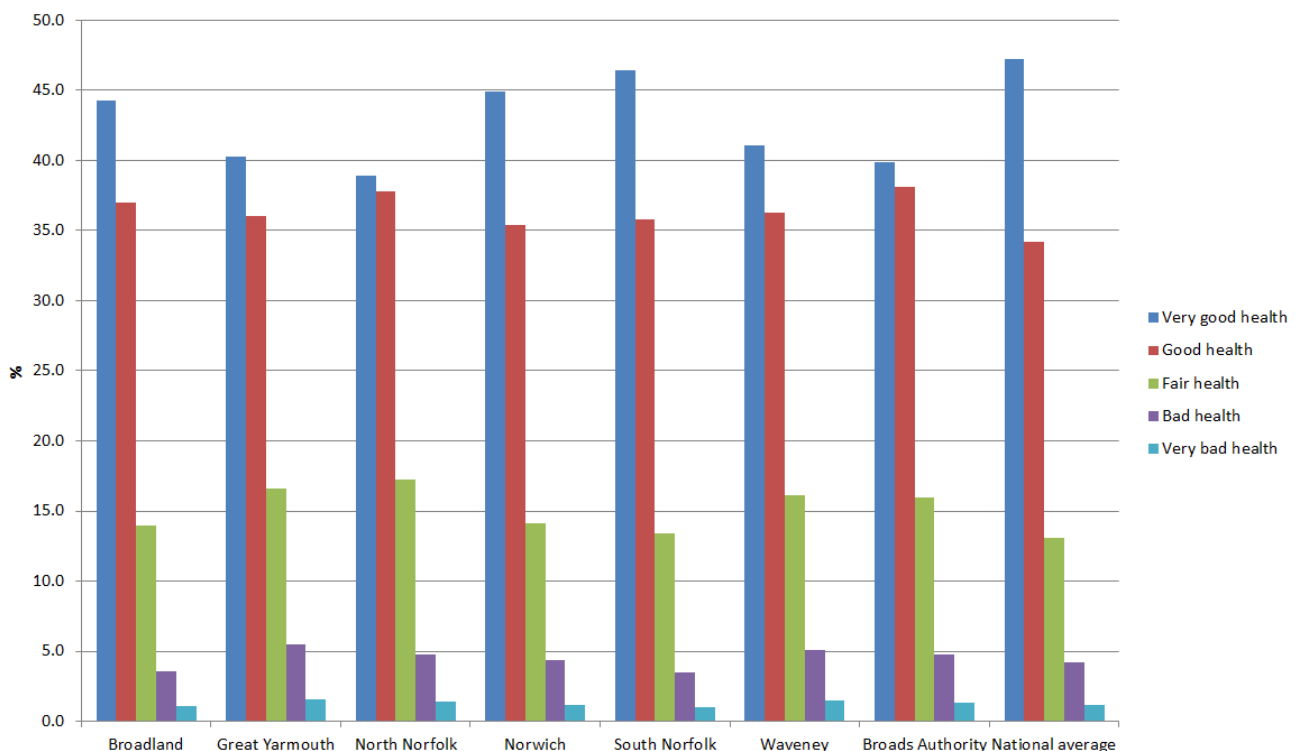
The following charts show how those who responded to the Census rated if their health and if their activities were limited. England's national average figures are included as a comparison.

¹¹ <https://www.gov.uk/government/collections/personal-independence-payment-statistics>

Census 2011 - self rated limited activities - all districts, England plus Broads Authority.



Census 2011 - self rated health assessment - all districts plus Broads Authority.

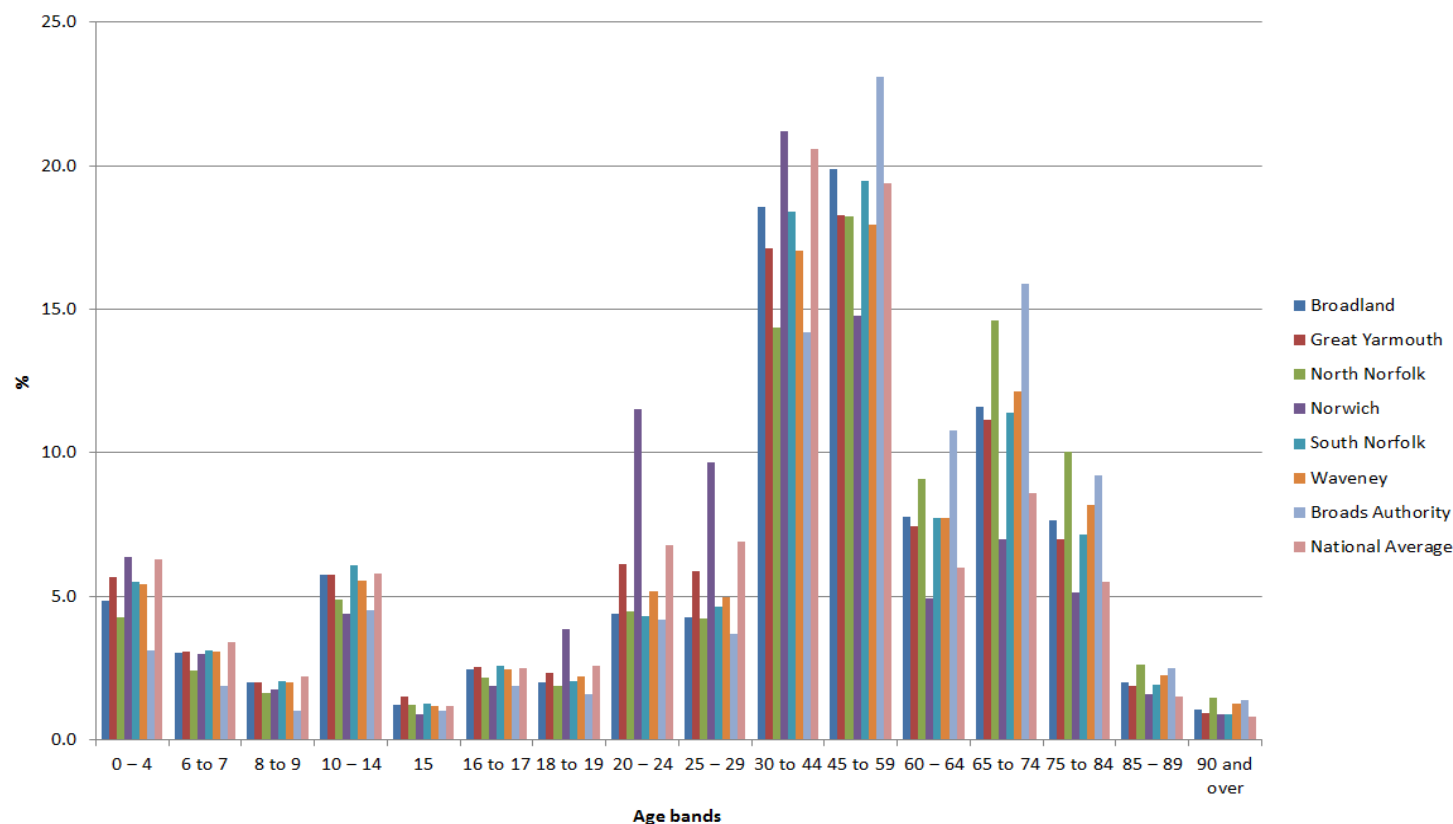


The charts show that generally, each authority has the same profile. For the limited activities chart, there are some minor differences between the authorities. For the health assessment, the rating for very bad health seems to be very similar between the authorities, and there is some slight fluctuations for the rating for bad health with Great Yarmouth and Waveney both peaking slightly over 5%. The ratings for fair health also show some fluctuations with North Norfolk and Great Yarmouth peaking at similar levels. For very good health, South Norfolk

peaks while North Norfolk has the lowest rating. All the ratings for very good health in the 7 authorities are below the national average. In the Broads Authority area, 23% of people assess that their daily activities are limited.

Age profile of the Broads and the six constituent districts – Census 2011

Census 2011 data - age bands of Broads Authority and its constituent districts



The chart shows that the age profile of the Broads Authority area shows fewer people aged up to 9 years old, but similar age profile as the other districts from 10 to 29. For the age group 30-44 the profile is the same as North Norfolk, but lower than the other districts (and lower to the national average). From 45 to 74, the bar for the Broads Authority area sticks above the rest showing that the proportion of these age groups in the Broads is much greater than the other districts. For the age group 65 to 74 for example, it is important to note that by 2036 the population within this age group will be aged from 83 and older. From 85 and older, the age profile is similar to North Norfolk's with higher profiles than the other districts, but the differences between all authorities follow a similar profile. When compared against the national average, it can be seen that the Authority has a much greater proportion of people aged 60 and over than the national average for England. The Census 2011 shows that the Broads Authority Executive Area has an ageing population, with around 30% of the population being over 65 (against around 17% for the national average).

3.6. Population Estimates

Age profile projections

For South Norfolk, Norwich, North Norfolk and Broadland, the following data is taken from the 2015 Central Norfolk Strategic Housing Market Assessment¹². They show the population estimates by five year age band for 2015 and 2036. The two estimates for 2036 differ slightly. One is based on 2014-based sub national population projections (based on short-term migration trends) with the other projections based on longer-term 10-year migration trends over the period 2015-36.

Whilst we do not have the breakdown for each age band for Waveney, we do have information which shows which proportion of the total population is likely to be 65 and over, or 85 and over, in the forthcoming years.

For Great Yarmouth some data was included in the Norfolk Strategic Planning Framework and this is shown on the section entitled "Norfolk Districts – including Great Yarmouth".

Please note that the following data is for the entire district including the area which is the Broads. Information for the Broads Authority area or indeed the Broads part of the districts is not available. However, considering the Census data in section 3.5 shows how the population profile of the Broads Authority area compares to the other districts (depending on the age bracket), with generally a higher proportion of older people living in the Broads Authority area.

South Norfolk

Age band	2015		2036			
	No	% of total	2014 based SNPP	% of total	10 year migration trend	% of total
Aged 65-69	9,619	7.3	10,860	6.8	10,884	6.8
Aged 70-74	7,469	5.7	10,599	6.6	10,591	6.6
Aged 75-79	5,752	4.4	8,736	5.5	8,742	5.5
Aged 80-84	4,113	3.1	6,829	4.3	6,860	4.3
Aged 85+	4,067	3.1	9,829	6.2	9,826	6.1
Total	131,010	-	159,568	-	160,089	-

Whilst the % of total for the 65-69 age band decreases slightly in 2036, for all other age groups above 70 the % of total increases between 2015 and 2036, with the greatest increase being the 85 plus age band.

Norwich

¹² 2015 CNSHMA http://www.broads-authority.gov.uk/data/assets/pdf_file/0010/978580/Broads-Local-Plan-July-Bite-Size-Appendix-B-CNSHA-Central-Norfolk-FINAL.pdf

Age band	2015		2036			
	No	% of total	2014 based SNPP	% of total	10 year migration trend	% of total
Aged 65-69	6,007	4.3	6,919	4.4	7,048	4.3
Aged 70-74	4,543	3.3	6,238	3.9	6,322	3.8
Aged 75-79	3,681	2.7	5,051	3.2	5,115	3.1
Aged 80-84	2,939	2.1	4,015	2.5	4,057	2.5
Aged 85+	3,298	2.4	5,553	3.5	5,638	3.4
Total	138,872		158,898		164,355	

The % total for each age band in the table above is less than the more rural districts. Nevertheless, all age bands show an increase of their proportion as a% of total in 2036.

North Norfolk

Age band	2015		2036			
	No	% of total	2014 based SNPP	% of total	10 year migration trend	% of total
Aged 65-69	9,798	9.5	10,031	8.7	9,754	8.7
Aged 70-74	7,603	7.4	10,118	8.7	9,863	8.7
Aged 75-79	5,986	5.8	8,535	7.4	8,357	7.4
Aged 80-84	4,675	4.5	6,873	5.9	6,776	6.0
Aged 85+	4,641	4.5	10,049	8.7	9,867	8.8
Total	103,308		115,829		112,739	

Whilst the % of total for the 65-69 age band decreases slightly in 2036, for all other age groups in the table the % of total increases with the greatest increase being the 85 plus age band. The proportion of people aged 65 and above is greatest when compared to the other districts – showing that North Norfolk generally has an older age profile.

Broadland

Age band	2015		2036			
	No	% of total	2014 based SNPP	% of total	10 year migration trend	% of total
Aged 65-69	9,688	7.7	10,078	7.2	9,993	7.2
Aged 70-74	7,310	5.8	9,923	7.1	9,834	7.1
Aged 75-79	5,847	4.6	8,260	5.9	8,197	5.9

Aged 80-84	4,395	3.5	6,685	4.8	6,645	4.8
Aged 85+	4,402	3.5	10,161	7.3	10,053	7.3
Total	126,628		140,129		138,455	

Whilst the % of total for the 65-69 age band decreases slightly in 2036, for all other age groups above 70 the % of total increases from 2015 to 2036, with the greatest increase being the 85 plus age band.

Norfolk Districts – including Great Yarmouth.

Whilst the Great Yarmouth SHMA did not have any data relating to age profile projections, there is some data in the Norfolk Strategic Planning Framework which is copied below. This shows that the proportion of people aged 65 and above will be 6.9% higher in 2036 compared to 2014.

Table 2: Existing population numbers (000s) and % by age quantiles (2014) and projected population numbers and % by age quantiles (2036) of Norfolk Districts. Source: ONS

District	All people (000s)	2014			All people (000s)	2036		
		000s aged 0-19 (%)	000s aged 20-64 (%)	000s aged 65+ (%)		000s Aged 0-19 (%)	000s aged 20-64 (%)	000s aged 65+ (%)
Breckland	134	29.4 (21.9)	72.9 (54.4)	31.7 (23.7)	153.7	31.2 (20.3)	73.5 (47.8)	49 (31.9)
Broadland	126	26.1 (20.7)	68.8 (54.6)	31.2 (24.8)	140.1	27.2 (19.4)	67.8 (48.4)	45.2 (32.3)
Great Yarmouth	98.2	22.2 (22.6)	53.4 (54.4)	22.5 (22.9)	107	22.3 (20.8)	52.7 (49.3)	31.9 (29.8)
King's Lynn and West Norfolk	150	31.8 (21.2)	81 (54)	37.1 (24.7)	166.9	34 (20.4)	79.9 (47.9)	53.2 (31.9)
North Norfolk	102.9	18.6 (18.1)	52.1 (50.6)	32.1 (31.2)	115.8	19.5 (16.8)	50.8 (43.9)	45.6 (39.4)
Norwich	137.5	30.2 (22)	86.9 (63.2)	20.4 (14.8)	158.9	35.1 (22.1)	95.9 (60.4)	27.8 (17.5)
South Norfolk	129.2	29 (22.4)	69.7 (53.9)	30.4 (23.5)	159.6	35.4 (22.2)	77.2 (48.4)	46.8 (29.3)
Norfolk	877.7	187.4 (21.4)	484.9 (55.2)	205.2 (23.4)	1002	204.7 (20.4)	497.8 (49.7)	299.4 (29.9)

Table 3: Change in 000s between 2014 and 2036. Difference between 'All People' for each district between 2014 and 2036 in %. Source: ONS

District	All people (000s)	Difference between 2014 and 2036		
		000s aged 0-19 (%)	000s aged 20-64 (%)	000s aged 65+ (%)
Breckland	19.7	1.8 (-1.64)	0.6 (-6.6)	17.3 (8.2)
Broadland	14.1	1.1 (-1.3)	-1 (-6.2)	14 (7.5)
Great Yarmouth	8.8	0.1 (-1.8)	-0.7 (-5.1)	9.4 (6.9)
King's Lynn and West Norfolk	16.9	2.2 (-0.8)	-1.1 (-6.1)	16.1 (7.2)
North Norfolk	12.9	0.9 (-1.2)	-1.3 (-6.8)	13.5 (8.2)
Norwich	21.4	4.9 (0.1)	9 (-2.8)	7.4 (2.7)
South Norfolk	30.4	6.4 (-0.3)	7.5 (-5.6)	16.4 (5.8)
Norfolk	124.3	17.3 (-0.9)	12.9 (-5.6)	94.2 (6.5)

Waveney

The Waveney table shows that the % of people 65 and over, and 85 and over, increases over the years, their proportion being much higher in 2035 when compared to 2017.

		2017	2020	2025	2030	2035
Waveney	65 and over	26.8%	27.6%	29.3%	31.4%	33.4%
	85 and over	4.0%	4.3%	4.9%	5.8%	7.4%

Even if it uses slightly different years, a similar trend to Waveney is seen in all districts but Norwich City.

Another table compares the forecast increase of the 65 and over and 85 and over between 2015 and 2036 in North Norfolk, Broadland, Norwich and South Norfolk. Norwich City also shows an increase in the proportion over 65 and over 85, but it is not as great an increase as the rural districts.

		2015	2036	
			2014 Based SNPP	10 year migration trend
North Norfolk	65 and over	25.0	32.2	32.3
	85 and over	3.5	7.3	7.3
Broadland	65 and over	31.7	39.4	39.6
	85 and over	4.5	8.7	8.8
Norwich	65 and over	14.7	17.5	17.1
	85 and over	2.4	3.5	3.4
South Norfolk	65 and over	23.7	29.4	29.3
	85 and over	3.1	6.2	6.1

Figures are %

4. Viability of the proposed requirement.

The 2017 Viability Assessment of the Local Plan¹³ says:

'The Government's Housing Standards Review has also resulted in changes being made with reference to Lifetime Homes and the Wheelchair Housing Design Standard. Accessibility is now incorporated into Part M of Building Regulations, applied by Local Planning Authorities as conditions and checked for implementation through the Building Control process. Again, as with residential space standards, there needs to be evidence for both need and viability.'

¹³ http://www.broads-authority.gov.uk/data/assets/pdf_file/0005/1079330/Viability-Appraisal-Report-Final-2017.pdf

Costs analyses¹⁴, produced by EC Harris, for the Government's Housing Standards Review consultation in 2014, suggest:

- the average extra over access cost per dwelling is approximately total of £2,447 for houses and £1,646 for flats for meeting Part M4 (2) standards. This is based on an average extra over access cost per dwelling (£682/dwelling) alongside the average access related space cost per dwelling but without allowing for cost recovery (£1,444/dwelling)*
- For Part M4 (3) the same report indicates average extra over (E/O) costs to be £15,691 for flats and £26,816 for houses.*

This report and costs associated with this report is already three years out of date.

The Broads Authority do not have a policy requirement on space standards for wheel chair access for Part M4(3), but the modelling and report assumes 20% of dwellings to meet Part M4(2) standards at no additional cost.'

The modelling of the viability assessment report considered 20% of dwellings meeting Part M4(2) on schemes over 5 dwellings in size, whereas the pre-submission version of the Local Plan had the numbers the other way around and stated 5% on schemes over 20 dwellings. There is therefore an error in the policy and this is discussed in section 6 that follows.

On the issue of viability, further clarification was sought from the consultants on this design standard:

- Compliance with M4(2) can generally be met, on new build, at a notional cost. Many of the requirements of M4(2) surround access, ease of access and adaptation, locality to parking etc., so if the requirement for such is known from the outset then the Design Team would be able to design a solution with little or no additional cost.
- Part of M4(2) also refers to future adaptations, such as the downstairs WC becoming a wet-room (i.e. future provision for accessible showers). Again, these costs are negligible for new build on the basis that the size of the dwellings remains the same.
- If the works are trying to retrospectively enhance the dwellings that are already constructed to M4(2) then there are additional costs as there would be a lot of localised remodelling / demolition and the like.
- There is not an allowance for additional costs due to M4(2) within the viability model; as the model is reflective of a high-level viability assessment and is in line with the Harman Guidance and as such does not drill down to the level of building regulation iterations. It assumes that accessible solutions could be incorporated from the initial design for nothing / very little in the way of additional costs in most instances. One caveat is that the assumption is on a broad range of sites – it is a generalisation. It may be that some sites are on a steep hill and creating a level access from the car parking to the front door would be quite costly to undertake.

¹⁴ Of relevance, Waveney District Council's emerging viability evidence is based on the requirement of M4(2) costing around £521 per dwellings

For new build, the requirement can be designed in from the start at little or no cost. If sites are on steep hills, the cost could increase; but it is recognised that there are very few steep hills in the Broads. For conversions, there could be a slight cost increase but that depends on the level of works to the structure of the conversion; in instances where buildings would be stripped back to their structure, the requirements could be addressed with little or no additional cost.

5. Equality Act 2010¹⁵

Two of the protected characteristics that this Act covers are age and disability; the characteristics that Building Regulation M4(2) seeks to ensure are provided for in development. The Act in particular says that *'the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons "disabilities"'*.

6. Amendments to the policy DM42 Design

The policy and reasoned justification have been amended and can be found at Appendix A. One major change is the thresholds for meeting Building Regulation M4(2). As shown in the viability appraisal that pre-dates the pre-submission version of the Local Plan, the threshold should have been 20% of dwellings on schemes delivering 5 or more dwellings. The pre-submission version of the Local Plan had the numbers the other way around and stated 5% on schemes over 20 dwellings. This was a drafting error and this will be raised through the examination of the Local Plan. The size of development proposals in the Broads tend to be small¹⁶ so in order for the policy to be effective and actually apply in the Broads Authority area, so that it makes the difference it is intended to make the lower threshold of 5 dwellings would be relevant to more schemes than a 20 dwelling threshold.

Of particular interest, the Communities and Local Government Committee, when discussing housing for older people in February 2018¹⁷, considered that *'all new homes should be built to be 'age proof' for the current and future needs of an ageing population'*. However, taking into consideration viability issues and not wanting to unduly influence housing mix, a requirement of 20% seems reasonable.

7. Summary and conclusions.

Whilst there is a lack of population projection data at the Broads authority Executive Area level, the Census analysis for the Broads shows similar population profiles to our districts; it can therefore be argued that over time, the age profile of the Broads will change in a similar manner to our districts and in particular the rural ones. That is to say that the relative proportions of those aged 65 and over, and 85 and over, will increase by 2035/36.

¹⁵ Equality act 2010, Section 149: <https://www.legislation.gov.uk/ukpga/2010/15/section/149>

¹⁶ The Housing Topic Paper includes an assessment of all applications for dwellings and their size. It shows that the vast majority were 1 dwelling in size. There are some however that are larger. There have been schemes for 7, 8, 10, 14, 14, 16, 40, 76, 105, 120 dwellings. http://www.broads-authority.gov.uk/_data/assets/pdf_file/0008/984464/Revised-Housing-Topic-Paper-agreed-July-2017.pdf

¹⁷ Housing for older people: <https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/370/370.pdf>

When compared against the other districts and the English national average, the age profile of the Broads Authority area shows a much greater proportion of the population aged over 60.

It is reasonable to assume that older people may experience health and mobility issues and it is these issues which the Building Regulations M4(2) seeks to help address.

Turning to viability, the assessment concludes that for new build, the requirement can be designed in from the start at little or no cost. If sites are on steep hills, the cost could increase; but it is recognised that there are very few steep hills in the Broads. For conversions, there could be a slight cost increase but that depends on the level of works to the structure of the conversion; there are instances where the requirements could be addressed with little or no additional cost.

Adaptable and accessible housing can make an important contribution to meeting the overall housing need for older people, and meeting the NPPF requirements to promote healthy communities and to plan to meet the housing needs of different groups in the community. M4(2) housing can (if needed) be made more accessible more easily and at a lower cost than standard housing, helping people to remain independent, in their own homes and communities, for longer.

The Authority therefore concludes that there is justification for the requirements in the Local Plan for 20% of schemes of 5 dwellings or more. The amended policy that is proposed to the Planning Inspector is included at Appendix A.

Appendix 1 – proposed amendments to policy DM42 Design.

The criterion is part of policy DM42:

Accessibility and adaptability: Developments shall be capable of adapting to changing circumstances, in terms of occupiers, use and climate change (including changes in water level). In particular, dwelling houses should be able to adapt to changing family circumstances or ageing of the occupier(s) and commercial premises should be able to respond to changes in industry or the economic base. Applicants are required to consider if it is appropriate for their proposed dwelling/ some of the dwellings to be built so they are accessible and adaptable and meet Building Regulation standard M4(2) and M4(3). If applicants do not consider it appropriate, they need to justify this. For developments of ~~more than 20 dwellings, 5%~~ 5 dwellings or more, 20% will be built to meet Building Regulation Standard M4(2).

Reasoned Justification

The Authority also encourages the provision of some dwellings, in appropriate locations, to be designed to be **accessible** and accommodate wheelchairs. In schemes of ~~over 20~~ 5 dwellings or more it requires ~~20~~ 5% to meet Building Regulations part M4(2). The details are set out in the Building Regulations part M¹⁸.

The justification for this requirement is discussed in the Design policy requirement relating to Building Regulations M(4)2 Topic Paper (2018) (insert footnote and link). In summary:

- The Census 2011 shows that the Broads Authority Executive Area has an ageing population, with 30% of the population being over 65, and 23% of people saying their daily activities are limited.
- The age profile of the Broads is likely to change in a similar manner to our districts. That is to say that the relative proportions of those aged 65 and over and 85 and over will increase by 2035/36. Older people may experience health and mobility issues and it is these issues which the Building Regulations M4(2) seeks to help address.
- Turning to viability, the 2017 Viability Assessment concludes that for new build, the requirement can be designed in from the start at little or no cost. If sites are on steep hills, the cost could increase; but it is recognised that there are very few steep hills in the Broads. For conversions, there could be a slight cost increase but that depends on the level of works to the structure being converted.

¹⁸ Building Regulations part M:

www.gov.uk/government/uploads/system/uploads/attachment_data/file/506503/BR_PDF_AD_M1_2015_with_2016_amendments_V3.pdf

The NPPG¹⁹ is clear, however, in saying that '*Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied*'. The Authority acknowledges that this standard may not be appropriate in some locations or for some schemes, but applicants are required to justify reasons for not including dwellings that are accessible and adaptable.

¹⁹ NPPG: planningguidance.communities.gov.uk/blog/guidance/housing-optional-technical-standards/accessibility-and-wheelchair-housing-standards/