

Chief Planning Officer's Advice Note

Cornwall Council Interim Planning Guidance:

Specialist Accommodation for emergency homeless or move on housing.

This is one of a series of notes issued by the Chief Planning Officer to guide greater consistency when making planning decisions. These notes may be updated from time-to-time in response to changing circumstances. It provides guidance to help reach a decision only and should not be used as a reason for refusal. The note cannot be used as a substitute for the policies of the adopted Local Plan.

Emergency homeless (Stage 1) or 'move on' (Stage 2) housing is a type of accommodation which occupants would stay in temporarily before ultimately moving to a permanent tenancy. Stage 1 housing is where occupants would live in one of the properties on a short-term license whilst they receive intense support. Stage 2 housing is where occupants are likely to stay for an 18 – 24 month period in a non-secure tenancy where they receive varying levels of support. It is important that the proposed housing units are specifically designed to meet the needs of the occupants.

Cornwall Council have identified that a way of providing the appropriate accommodation is through the use of modular self-contained units. These are intended to meet the needs of highly vulnerable people to enable them to make the transition from homelessness to a permanent tenancy.

The accommodation is aimed at single individuals having moderate to significant support needs who would benefit from some private space where they can establish a measure of independence. The internal footprint would limit the amount of upkeep or potential for guests, whilst still providing a sufficient amount of internal space of a good quality for a single person. Once they are ready to move out, residents will be supported to find more permanent accommodation. The proposed self-contained units would, in effect, be dwellings within Use Class C3 despite the likely element of support to be provided. It is recognised that there is a critical and urgent need for this particular type of specialist housing which provides supported but independent accommodation.

Policy 13 (1) of the Cornwall Local Plan 2010-2030 provides that all new development is expected to provide 'sufficient internal space in housing for everyday activities and to enable flexibility and adaptability by meeting nationally described space standards (NDSS) for affordable housing'. There may be circumstances where the units would be smaller than the NDSS for 1-bed, 1 person units and so would not accord with the second part of the policy. The LPA recognises that the needs of the occupants of this type of housing are different. It will be necessary for proposals to evidence that they are specifically designed to provide sufficient internal space to meet the needs of the proposed occupants. There may be circumstances where a unit designed to meet NDSS would not meet the needs of the occupants as it would not allow for a stepped approach from homelessness to a permanent tenancy. Paragraph 66 of the Cornwall Council Housing Supplementary Planning Guidance explains that the requirement for all affordable housing to meet NDSS 'reflects an intention to raise standards and provide homes that are sufficiently spacious to allow people to live in good standard accommodation; and for homes to be sufficiently flexible to adapt to meet people's needs throughout their lifetimes'. There is no requirement for these units to enable flexibility and adaptability to meet people's needs in the long term. There is a requirement for these units to meet people's needs at this specific time in their lives. These units are not intended to provide permanent accommodation and the lack of compliance with the second part of Policy 13(1) of the Cornwall Local Plan 2010-2030 is considered to be a benefit for the future occupants as long as their needs are being met.

It will be necessary to restrict the occupancy of the units as the justification for the conflict with Policy 13(1) is based upon them being occupied by people with specific needs. The occupancy could be restricted by a condition requiring the units to be occupied in accordance with the criteria set and evidenced in the management plan. A model condition is set out below. A model condition is also set out below for the units being removed from site if the use ceases.

It is important that the intentions of Policy 13(1) are not circumvented. Any application submitted will need to set out the intended purpose of the proposed accommodation, how the accommodation would meet the needs of the proposed occupants and a management plan setting out who will occupy the units, the timescales for occupation and the element of support offered. Case officers should consult with the Affordable Housing Team for all applications of this type (whether the application exceeds the thresholds for affordable housing in Policy 8 or not) to seek specialist advice on whether the proposals will meet the needs of the future occupants.

The Council would expect the modular units to be provided with small outdoor areas to meet the needs of the occupants whilst limiting the amount of upkeep. Applications should demonstrate how the communal spaces make provision for the storage of waste, recycling and compostables and high quality, cohesive and useable spaces to meet the needs of occupants in line with Policies 12 and 13 of the Cornwall Local Plan 2010-2030, outcomes external 1-3 of the Cornwall Design Guide 2021, and Policy G1(8) of the submission version of the Climate Emergency Development Plan Document and relevant Neighbourhood Plan policy where applicable.

The LPA anticipates that future occupants will not have cars and that provision will only be required for visitors/people providing support. Units should therefore be sited in locations where occupants are able to access the necessary facilities without the need to rely on the private car. The required level of car parking/cycle provision arrangement should be justified having regard to the site-specific development plan context. There may be occasions where the proposed level of car parking conflicts with a specific Neighbourhood Plan policy. In these circumstances, case officers should consider whether the site-specific justification for the proposed level of car parking, particularly, whether the likelihood that the future occupants will not have cars, indicates that the conflict with the car parking policy is justified.

The submitted Management Plan should set out how the units will be managed to ensure the successful integration with the existing community.

There is an urgency to deliver these units on site to meet housing needs. Applicants are therefore advised to submit detailed information if they wish to avoid the need for pre-commencement conditions. Pre-application advice would be the best way to ascertain the likely information required. Officers should use best endeavours to advise applicants of any likely pre-commencement conditions at the earliest stage possible to enable additional information to be submitted. Applicants will need to sign up to extensions of times to enable this to happen within an agreed period.

The local planning authority has to assess all of the considerations and then make a judgement as to whether the development accords with the development plan as a whole. It does not have to accord with each and every policy therein. In the case of the assessment for this type of specialist housing, it is likely that the specific needs of the future occupants would outweigh the conflict with the second part of Policy 13(1) of the Cornwall Local Plan 2010-2030.

Decisions will be made on a case-by-case basis depending on the merits of the proposal which will include site specific matters.

Model occupancy condition

The units hereby approved shall only be occupied by qualifying persons in accordance with the definitions listed at x of the submitted Management Plan dated x. The units shall be managed and occupied in accordance with x of the submitted Management Plan dated x.

Reason: To meet the need for accommodation for homeless people in Cornwall. This specialist accommodation would not be suitable as a permanent home as it does not meet the Nationally Described Space Standards. The conflict with Policy 13(1) of the Cornwall Local Plan 2010-2030 is justified due to the specific needs of the occupants.

Temporary condition

Should the modular homes for specialist housing for homeless persons cease to be occupied in accordance with the agreed Management Plan, the development shall be removed from the site within 3 months of the cessation of use and the land restored to its former condition in accordance with a detailed scheme to be first submitted and approved in writing by the Local Planning Authority.

Reason: To meet the current need for accommodation for homeless people in Cornwall.