

Regeneration and Planning
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Dear Sir / Madam,

LANCASTER LOCAL PLAN: SUGGESTED MODIFICATIONS

Thank you for consulting with the Home Builders Federation on the Local Plan for Lancaster District.

The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.

As a starting point the HBF would like to draw the Council's attention to a procedural note produced by the Inspectors for the Leeds Site Allocations Plan in which the Inspectors consider how suggested modifications should be addressed and how they relate to the initially submitted document. They state *'having regard in particular to the Planning and Compulsory Purchase Act 2004 (s20 7B&7C), the 2012 Local Planning Regulations (various) and the Planning Practice Guidance on local plans (Paragraph: 004 Reference ID: 1200420160519). In summary taken together, these make it clear that, once submitted for examination, the substance of a submitted plan can only be changed in one way, through a process of main modifications (MMs). MMs can only be made if they are (1) recommended by the Inspector and (2) necessary to achieve a sound plan.'* The HBF therefore have significant concerns in relation to the standing of the Council's suggested Modifications consultation.

PART ONE: STRATEGIC POLICIES AND LAND ALLOCATIONS DPD

Policy SP6: The Delivery of New Homes

Amended Housing Requirement (SPLA M30, SPLA M37 & SPLA M38)

The Council propose to reduce the housing requirement to a net minimum of 455 dwellings each year, this is a reduction from the publication document which had a requirement of 522dpa and from the previous consultation where the housing requirement was identified as an average of 675dpa.

As set out in our previous responses the HBF consider that the housing requirement is too low, and should be increased, rather than reduced further. The OAN Verification Study (February 2018) suggests that the demographic trends will generate a need for around 605dpa, whilst the economic growth will create a need for between 584 and 617dpa. Paragraph 158 of the NPPF (2012)¹ highlights the importance of integrating strategies for housing and employment. The OAN Verification Study continues to highlight that the demographic scenarios will not accommodate the level of jobs growth likely to occur and that there is a need for additional homes to be provided to meet the jobs growth. The Study identifies 617dpa as the housing needed to meet the economic growth identified in the Review of the Employment Land Position for Lancaster District (RELP) (baseline+ scenario). However, it is noted that paragraph 14 of this study states that *'the lowering in the scale of housing growth needed to support this jobs growth is not considered to justify a departure from the previously concluded OAN used to inform the emerging Local Plan'* and that *'the narrower range of 650 to 700 homes per annum can also be considered to remain broadly reasonable'*. The HBF consider that the Council should be planning for the housing requirements set out in own evidence.

The HBF note that the Council suggest that one of the reasons for the reduction in the housing requirement is to reflect the MHCLG Standard Methodology for OAN. The Standard Methodology identifies an Indicative assessment of housing need based on the proposed formula of 401dpa for the period 2016 to 2026 (using the 2014 household projections). The HBF notes that the MHCLG figure is applicable for ten years but the Council has extrapolated this over the plan period.

The figure generated by the standard method is considered as the minimum starting point, it is noted that it relies on past growth trends, which in the case of the Lancaster may have been affected by the lack of appropriate site allocations and poor housing delivery. The HBF considers that there are circumstances where an uplift will be appropriate such as where growth strategies are in place (for example the Northern Powerhouse) or where funding is in place to facilitate growth (for example Garden Villages or the Housing Infrastructure Fund). It is therefore clear that in the case of Lancaster an uplift would very much be considered appropriate.

The Council will also be aware that MHCLG are currently undertaking a consultation in relation to changes to the parts of PPG relating to the standard method for assessing local housing need. The consultation highlights that the Government's

¹ And continued in Paragraphs 80-81 in NPPF (2018)

priorities continue to be deliver more homes and to do so faster. It also identifies that the recent household projections release has led to some areas reconsidering the number of homes to plan for; and that ONS has confirmed that lower household projections do not mean fewer homes need to be built, and that the standard method will be changed to ensure the objective of building more homes. The document continues to highlight that the standard method only applies to plan-making for plans submitted after 24 January 2019 and therefore it is not necessary for the Lancaster Local Plan to reflect these figures. The document is also very clear that the 2016-based are not a justification for a lower housing need.

The Assessing the Reasonable Alternatives paper and the Council's Approach to Delivering Housing Supply in Lancaster District set out that the Council do not consider that there is sufficient housing land supply to meet the objectively assessed need (OAN) in full. The HBF consider that there may be opportunities for further work with those in the housing industry to identify where there could be further supply available and developable within the plan period.

Amended period covered by Housing Requirement (SPLA M30, SPLA M32, SPLA M37 & SPLA M38)

The HBF previously commented on the confusion caused by the plan period being 2011/12 to 2030/31 and the housing requirement covering the period to 2033/34. The proposed modifications have not added clarity, and the confusion remains. The HBF continue to highlight the need for a 15-year plan period in line with the NPPF requirements.

Lapse Rate (SPLA M34, SPLA M51 & SPLA M52)

The HBF is generally supportive of the inclusion of a lapse rate for small sites and of the inclusion of an allowance for demolition and change of use.

Housing Allocations (SPLA M203 to SPLA M246)

The HBF continues to recommend that the plan allocates more sites than required to meet the housing requirement as a buffer. This buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites.

The HBF does not comment on the merits or otherwise of individual sites therefore our representations are submitted without prejudice to any comments made by other parties on the deliverability of specific sites included in the overall HLS, 5 YHLS and housing trajectories. However, the HBF do have some concerns about the delivery of homes and seek assurance that the housing requirement will be delivered.

PART TWO: REVIEW OF THE DEVELOPMENT MANAGEMENT DPD

Policy DM1: New Residential Development and Meeting Housing Needs

Effective use of Land (DM M23)

The HBF consider that the effective use of land is generally a positive way to contribute to sustainability, however, it should not compromise the delivery of housing to meet local needs and limit the delivery of sustainable sites. The HBF support the inclusion of 'local market' within part (I.), however, we do not support the

deletion of the reference to viability. The HBF would continue to propose that the policy is modified as follows: *'Ensure that available land is used effectively, taking into account the characteristics of different locations, the local market and the specific circumstances of individual sites including viability'*.

Housing Needs (DM M25 to DM28)

The HBF understands the need for a mix of house types, sizes and tenures and is generally supportive of providing a range and choice of homes to meet the needs of the local area. It is, however, important that any policy is workable and ensures that housing delivery will not be compromised or stalled due to overly prescriptive requirements or the need to provide significant amounts of additional evidence. It should also be noted that the SHMA will only ever identify current deficits and reflects a snap-shot in time.

The HBF recommends a flexible approach is taken regarding housing mix which recognises that needs and demand will vary from area to area and site to site; ensures that the scheme is viable; and provides an appropriate mix for the location. The HBF would also highlight the need for creating a housing market that will attract investors to Lancaster, and to provide an element of aspiration to ensure working people and families are retained within the area.

The HBF do not support the changes to the proposed examples of when it may not be appropriate to provide the full range of housing needs. The HBF continue to recommend that the policy makes it clear that there may be further reasons than those listed for the full range of housing need not to be met. *'There may be circumstances where it would not be appropriate to provide for the full range of housing needs identified in the Strategic Housing Market Assessment, **this can include, but is not limited to the following examples** for example.'*

Policy DM2: Housing Standards

The policy seeks to introduce the optional housing standards for space and accessibility. The enhanced standards, as introduced by Government, are intended to be optional and can only be introduced where there is a clear need and they retain development viability. As such they were introduced on a 'need to have' rather than a 'nice to have' basis.

Nationally Described Space Standard (DM M31)

The HBF continues to have concerns in relation the requirement for all new dwellings (market and affordable) meet the Nationally Described Space Standard (NDSS) (or any future successor). The PPG identifies the type of evidence the Council will be required to produce in order to introduce such a policy and this is set out in our previous response.

The HBF does not support the deletion of the final sentence from paragraph 5.23, which had identified that there may be instances where the standard is not appropriate.

If the Council can provide the appropriate evidence and this policy is to be included, then the HBF recommend that an appropriate transition period is included within the policy.

Adaptable Homes (DM M34)

The HBF continue to have concerns in relation to introduction of the M4(2) standard and would continue to highlight that if the Council wishes to adopt the higher optional standards for accessible & adaptable homes the Council should only do so by applying the criteria set out in the PPG and providing evidence required in relation to likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability.

If this policy is to be retained the HBF general supports the addition of a viability consideration within this policy, in line with the requirements of the NPPF and PPG.

However, the Council should be mindful that it is unrealistic to negotiate every site on a one by one basis because the base-line aspiration of a policy or combination of policies is set too high as this will jeopardise future housing delivery.

The HBF continue to consider that Policy H2 is not justified by appropriate and is unnecessary and should be deleted. However, if the Council can provide the appropriate evidence and this policy is to be included, then the HBF recommend that an appropriate transition period is included within the policy.

Policy DM3: The Delivery of Affordable Housing

Affordable Housing Targets (DM49 & DM50)

The HBF supports the need to address the affordable housing requirements of the borough. The NPPF is, however, clear that the derivation of affordable housing policies must not only take account of need but also viability.

The HBF supports the identification of no affordable housing contribution being sought from apartments schemes in any part of the district. However, this now appears at odds with paragraph 5.71 which requires an affordable housing contribution from older person apartment schemes. The HBF would recommend that a consistent approach to apartments is taken and that no contribution is sought from any apartment scheme, regardless of the age of the future occupier.

Affordable Housing Requirements (DM51)

Amendments to criterion (II) which requires affordable housing to 'accord with the most up to date SHMA' are not considered appropriate. There may be other forms of more up to date evidence that need to be considered or there may be a more localised demand identified by a registered provider. The HBF consider that the SHMA is just one piece of evidence that should be considered, and there should not be a requirement to 'accord' with it. The HBF would recommend it is identified as a consideration or a starting point and that consultation and liaison are also recognised.

It is noted that a viability clause is included within this requirement, whilst this is supported it should not be used as a mechanism to justify an unsustainable affordable housing target.

Policy DM30: Sustainable Design

Electric Vehicle Charging Points (DM M194)

This looks to include a new criterion in relation to the provision of electric vehicle charging points. In the first instance the HBF would ask that the Council look again at the sentence created, which is not well written and should be amended (*'through the consideration of . . . incorporate electric vehicle charging points'*). The HBF do not oppose the provision of electric charging points, and consider that as currently written the need to consider the incorporation of charging points is appropriately written to allow flexibility and in line with the requirements of paragraph 105 of the NPPF (2018) and paragraph 35 of the NPPF (2012).

Policy DM58: Telecommunications and Broadband Improvements (DM M314)

This policy continues to require all major development to enable Fibre to the Premises (FTTP). The HBF generally consider that digital infrastructure is an important part of integrated development within an area. However, the inclusion of digital infrastructure such as high-speed broadband and fibre is not within the direct control of the development industry, and as such it is considered that this policy could create deliverability issues for development and developers. Service providers are the only ones who can confirm access to infrastructure. Whilst, paragraphs 43 to 46 of the NPPF establishes that local planning authorities should seek support the expansion of electronic communications networks it does not seek to prevent development that does not have access to such networks. The house building industry is fully aware of the benefits of having their homes connected to super-fast broadband and what their customers will demand.

The HBF consider that in seeking to provide broadband and fibre to homes the Council should work proactively with telecommunications providers to extend provision and not rely on the development industry to provide for such infrastructure.

Whilst the amendment to encourage FTTP in smaller schemes and the identification of viability as an issue is an improvement, it does not go far enough. The HBF continue to propose that the policy is modified as follows:

- ~~*'All major developments within the district will enable Fibre to the Premises (FTTP). For smaller schemes the Council will expect FTTP to be provided where practical'*~~

Future Engagement

I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.

The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Harding', with a stylized, cursive script.

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