

Lichfield District Council
Spatial Policy & Delivery,
District Council House
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SENT BY E-MAIL ONLY TO
developmentplans@lichfielddc.gov.uk

18th March 2019

Dear Sir / Madam

LICHFIELD LOCAL PLAN REVIEW (LPR) PREFERRED OPTIONS & POLICY DIRECTION CONSULTATION

Introduction

Thank you for consulting with the Home Builders Federation (HBF) on the above mentioned consultation. 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. We would like to submit the following answers in response to specific questions in the Council's consultation document.

Question 3 : Do you think that a spatial strategy based upon the identified settlement hierarchy would be appropriate and help the council to deliver sustainable development? Is there an alternative settlement hierarchy we should consider?

The strategic policies of the LPR should set out a spatial strategy which accommodates the level of growth needed within the District and where that growth should be located. The spatial strategy should set out a level of housing growth that meets the housing needs of the District and includes provision to assist in delivering the unmet needs of the Greater Birmingham Housing Market Area (HMA). The LPR should consider the most sustainable locations as informed by the settlement hierarchy directing growth to both the existing built up areas of settlements and sustainable extensions to existing settlements. There should be a short and long-term supply of sites within and adjacent to existing urban areas and on brownfield and greenfield land which is sufficient to meet the District's housing requirements. The LPR should also consider any implications in the District from the Greater Birmingham Strategic Growth Study.

Question 9 : Do you agree with the preferred policy direction for the strategic policy on housing provision? Do you think the policy should



consider any other issues relating to housing provision, and if so what should these be?

The strategic policy for housing should set out the overall level of housing growth between 2016 – 2036. The strategic policy should ensure that a sufficient supply of deliverable and developable land is available to deliver the housing requirement which meets the District's housing needs and assists in meeting unmet housing needs arising in the Greater Birmingham HMA. The spatial distribution of housing growth should provide a sufficient supply of land to meet the District's housing requirement and to ensure the maintenance of a 5 year housing land supply and achievement of measurements against the housing delivery test. This should include the identification of strategic and non-strategic allocations for residential development.

Question 10 : Do you agree with the policy direction for the strategic policy considering housing mix including homes to meet specific needs?

As set out in 2019 National Planning Policy Framework (NPPF) the housing needs for different groups should be assessed to justify any policies on the size, type and tenure of housing including a need for affordable housing (paras 61 & 62). All policies should be underpinned by relevant and up to date evidence which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned (para 31). All households should have access to different types of dwellings to meet their housing needs. Market signals are important in determining the size and type of homes needed. When planning for an acceptable mix of dwellings types to meet people's housing needs the Council should focus on ensuring that there are appropriate sites allocated to meet the needs of specifically identified groups of households such as self / custom builders and the elderly without seeking a specific housing mix on individual sites. The LPR should ensure that suitable sites are available for a wide range of developments across a wide choice of appropriate locations. As set out in the 2019 NPPF the setting of the thresholds and the level and type of affordable housing required together with the provision of other necessary infrastructure should not undermine the deliverability of the LPR (para 34). The cumulative burden of policy requirements should be set so that most development is deliverable without further viability assessment negotiations (para 57).

Question 11 : Do you agree with the policy direction relating to housing density?

Housing mix and density are intrinsically linked and should be considered holistically. In viability assessment testing the inter-relationship between density, house size (any implications from the introduction of optional space and accessible / adaptable homes standards), house mix and developable acreage should be considered. A blanket approach to housing density across the District is unlikely to provide a variety of typologies to meet the housing needs of different groups. A range of density standards specific to different areas of the District is necessary to ensure that any proposed density is appropriate to the character of the surrounding area. It is also appropriate to

encourage the development of higher densities in suitable locations such as in town / city centres and locations with good accessibility to public transport. If a minimum residential development density of 35 dwellings per hectare or any other specifically identified density standard is sought where a density below this minimum is proposed then consideration on a case by case basis should be given to determine if a lower density is appropriate in that location.

Question 12 : Do you agree with the preferred policy direction in relation to self-build and custom-build housing?

Under the Self Build & Custom Housebuilding Act 2015 the Council has a duty to keep a Register of people seeking to acquire self / custom build plots and to grant enough suitable development permissions to meet identified demand. As set out in 2019 NPPF the housing needs for different groups should be assessed to justify any policies on the size, type and tenure of housing. This includes people wishing to commission or build their own homes (para 61). The National Planning Practice Guidance (NPPG) (ID: 57-025-201760728) sets out ways in which the Council should consider supporting self / custom build including :-

- developing policies in the LPR for self / custom build ;
- using Council owned land if available and suitable for self / custom build and marketing such opportunities to entrants on the Register ;
- engaging with landowners who own housing sites and encouraging them to consider self / custom build and where the landowner is interested facilitating access to entrants on the Register ; and
- working with custom build developers to maximise opportunities for self / custom housebuilding.

The Council should support self-build and custom-build developments where these are sustainably located and consistent with other national and local planning policies. The Council's preferred policy approach should be permissible to development for self / custom build immediately adjoining as well as within settlement boundaries. The Council should identify specific site allocations for self / custom build development. The Council should also consider a Rural Exceptions Site Policy for self / custom build.

A policy requirement for a proportion of self / custom build plots on all or certain sized residential development sites should not be sought. This approach only changes housing delivery from one form of house building company to another without any consequential additional contribution to boosting housing supply. It also seeks to place the burden for delivery of self / custom build plots on house-builders contrary to national guidance which outlines that the Council should engage with landowners and encourage them to consider self / custom build. Any proposed policy approach should not move beyond encouragement by requiring provision of self / custom build plots on all or certain sized residential development sites. A policy requirement for self / custom build plots on residential development sites is not justifiable. The 2019 NPPF specifies that all policies should be underpinned by relevant and up to date evidence which

should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned (para 31).

The Council's Self & Custom Build Register alone is not a sound basis for setting a specific policy requirement. As set out in the NPPG the Council should provide a robust assessment of demand including an assessment and review of data held on the Council's Register (ID 2a-017-20192020) which should be supported by additional data from secondary sources to understand and consider future need for this type of housing (ID 57-0011-20160401). The Council should also analyse the preferences of entries as often only individual plots in rural locations are sought as opposed to plots on large housing sites. It is also possible for individuals and organisations to register with more than one Council so there is a possibility of some double counting. The Council's Register may indicate a level of expression of interest in self / custom build but it cannot be reliably translated into actual demand should such plots be made available. The Council should also assess the delivery of self / custom build housing coming forward as a result of windfall development.

The Council's policy approach should be realistic to ensure that where self / custom build plots are provided they are delivered and do not remain unsold. It is unlikely that the allocation of plots on large housing sites can be co-ordinated with the development of the wider site. At any one time there are often multiple contractors and large machinery operating on a housing site from both a practical and health & safety perspective it is difficult to envisage the development of single plots by individuals operating alongside this construction activity.

If demand for plots is not realised then they would remain permanently vacant effectively removing these undeveloped plots from the Council's housing land supply. Where plots are not sold it is important that the Council's policy is clear about when undeveloped plots revert back for development by the original housebuilder. It is important that plots should not be left empty to detriment of immediately adjacent neighbouring properties or the development as a whole. The timescale for reversion of these plots to the original housebuilder should be as short as possible. The consequential delay in developing such plots presents further practical difficulties in terms of co-ordinating their development with construction activity on the wider site. There are even greater logistical problems created if the original housebuilder is required to return to a finished site after a marketing period has finished to build out plots which have not been sold to self / custom builders.

As well as on-site practicalities any adverse impacts on viability should be tested. The Council should provide evidence to indicate any adverse effects on the viability of large housing sites affected by such a policy approach. Self / custom build are exemption from Community Infrastructure Levy (CIL) contributions and affordable home ownership provision as set out in 2019 NPPF (para 64). Under the 2019 NPPF it is the Council's responsibility to robustly viability test the LPR in order that the cumulative burden of policy requirements is set so that most development is deliverable without further viability

assessment negotiations (para 57) and the deliverability of the Local Plan is not undermined (para 34). A Viability Assessment may conclude that a self / custom build policy requirement has a detrimental impact upon the level of affordable housing provision on sites. The Council may wish to adopt an aspirational approach in allocating plots to deliver self / custom build but this should not be pursued at the expense of delivering affordable housing for which a specific need has been identified in the Council's own evidence.

Conclusion

It is hoped that these representations are of assistance to the Council in preparing the next stages of the Lichfield LPR which to be found sound under the four tests of soundness as defined by the 2019 NPPF should be positively prepared, justified, effective and consistent with national policy (para 35). If the Council requires any further assistance or information please contact the undersigned.

Yours faithfully
for and on behalf of **HBF**



Susan E Green MRTPI
Planning Manager – Local Plans