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Dear Kerry Trueman,

ALLERDALE LOCAL PLAN PART 2: INSPECTOR'S MATTERS, ISSUES AND QUESTIONS

Thank you for consulting with the Home Builders Federation on the Allerdale Local Plan (Part 2) Site Allocations Document Inspector's Matters, Issues and Questions.

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 comments upon selected questions posed within the Inspector's Matters, Issues and Questions.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Joanne Harding', is written over a light blue horizontal line.

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Inspector's Matters, Issues and Questions for Examination

Matter 3: Housing

Issue 3: Whether the proposed approach towards housing is justified, effective and consistent with national policy and the spatial strategy in the ALPP1?

Issue 3a: Housing – Overall Approach

Housing Supply during the Plan Period

Q20. Is the overall level of housing provided for in Policies SA6 and SA8-SA29 consistent with the housing requirement and strategy set out in Policy S3 of the ALPP1?

Policy S3 of the ALPP1 states that provision will be made for the delivery of at least 5,471 net additional dwellings over the plan period 2011-2029.

Table 2 of the ALPP2 sets out that 1,969 dwellings have already been completed, and that 3,027 dwellings have planning permission, giving a total of 4,996 dwellings. Policy SA6 of the ALPP2 identifies 22 sites with a potential capacity for 1,276 dwellings, thus giving an overall total of 6,272. This would be generally in line with the HBF recommendations 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 may occur from some sites, the HBF would normally recommend a buffer in the order of 20%. Such an approach would be consistent with the NPPF requirements for the plan to be positively prepared and flexible.

Q21. Is there a sufficient range and number of sites allocated in Policies SA6 and SA8-SA29 of the ALPP2 to deliver the housing requirements over the plan period? Do the allocations allow sufficient flexibility to meet the housing requirements in Policy S3 of the ALPP1?

The HBF does not wish to comment upon the acceptability or otherwise of individual sites. It is, however, important that all the sites contained within the plan are deliverable over the plan period and planned to an appropriate strategy.

The HBF would support the Council in providing further allocations to ensure there is an appropriate range and number of sites, this may be particularly beneficial in areas where there is a reliance on planning permissions or sites that have been allocated where there is limited evidence of their deliverability.

Q22. Are the assumed densities and numbers of dwellings to be accommodated on each of the sites allocated in Policies SA6 and SA8-SA29 justified and effective? How has the development potential or yield for each site identified in Policies SA6 and SA8-SA29 been arrived at? What safeguards are there that the development potential of each allocation will be realised?

The HBF does not wish to comment upon the acceptability or otherwise of individual sites. The HBF consider that the Council's assumptions on sites in relation to delivery, density and capacity should be realistic based on evidence supported by the parties responsible for housing delivery and sense checked by the Council based on local knowledge and historical empirical data. However, it is not evident how the development potential for each site has

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been determined and what involvement the landowners and development industry have had in these decisions.

It is also not evident what safeguards are in place to ensure that allocations are delivered or that homes are delivered to maintain the range and supply of sites. Whilst SA7 may be beneficial in supporting a five year supply of homes, it will not necessarily help to ensure that supply is appropriately located to maintain the plan strategy or to ensure that there is an appropriate range of sites. Therefore, the HBF would support the Council in providing further allocations to ensure there is an appropriate range and number of sites.

Q23. Does the Housing Trajectory in Appendix 3 of the ALPP2 and the Housing Topic Paper Update dated January 2019 (Ref TP3A) accurately reflect the likely start dates, built out rates and completions of the allocated sites? On what basis have the likely start dates, built out rates and completions been assumed?

As previously stated, the HBF does not wish to comment upon the acceptability or otherwise of individual sites. However, it is not clear what evidence has been used to determine the lead in times and build out rates for the sites, for example it is not apparent why build out rates on allocated sites vary from 15dpa to 30dpa or why some sites start in 2023 and some in 2026.

Q24. Is it robustly demonstrated that the ALPP2 can deliver a 5 year housing supply throughout the Plan period? What evidence is there to show that those sites included in the 5 year housing supply are deliverable? Does Policy SA7 provide sufficient flexibility to boosting the housing land supply in the event that the Council cannot demonstrate a 5 year land supply?

The HBF have concerns in relation to the evidence to demonstrate that those sites included within the 5-year supply are deliverable and that the 5-year supply can be demonstrated throughout the plan period.

Whilst it is accepted that the Local Plan will be tested against the NPPF (2012), in reality as soon as the document is adopted it will be used alongside the NPPF (2019), which will set a higher bar for the deliverability of sites. NPPF (2019) states that *'To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. In particular:*

a) sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years'.

The HBF support a practical response to the monitoring of the five-year housing land supply as set out in SA7 but would continue to seek assurances that it will be implemented in such

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a way as to allow development to come forward and homes to be delivered. It is also not entirely clear how this would sit alongside the presumption in favour of sustainable development as set out in the NPPF (both 2012 and 2019). It is assumed that the Council would also take this national policy into account whilst determining applications in the absence of a five-year supply.

Therefore, the HBF would support the Council in providing further allocations to ensure there is a five year supply throughout the plan period, and in creating a more flexible policy SA7 to allow for sustainable sites to be brought forward.

Q25. In overall terms would the Plan realistically deliver the number of houses required over the Plan Period?

Without evidence from the landowners, developers and homebuilders responsible for the sites identified, either as existing permissions or allocations, it is not apparent whether the Plan will deliver the number of homes required.

Issue 3d: Affordable Housing (Policy SA3)

Q53. Does the Local Plan make appropriate provision for affordable housing?

Policy SA3 states that all housing development of more than 10 dwellings or 1,000sqm will be required to provide 20% affordable housing and 40% in Cockermouth.

The Housing Study May 2016 identified an overall net requirement of 175 affordable housing per annum. Policy S3 of the ALLP1 set a housing requirement of at least 5,471 net additional dwellings over the plan period equivalent to an average of 304 each year. In order to meet the affordable housing requirement this would be equivalent to 58% of the annual housing requirement.

The Viability Study 2018 and the Viability Topic Paper both highlight the viability issues within the district and the need for flexibility in relation to the policy requirements, including the affordable housing requirement. Suggesting that even the currently proposed figures may not be delivered.

It is therefore considered that an uplift to the housing figure may be appropriate to address the affordable housing need.

Q54. Is it sufficiently clear what forms 'an exceptional circumstance' to justify off site provision of affordable housing referred to in Policy SA3?

The HBF does not wish to comment on this question at this time.

Q55. Is the requirement for an affordable housing provision of 20% in all housing developments of more than 10 dwellings or where the dwellings have a combined gross floor space of more than 1000 sqm justified by the evidence base available?

Table 7.1 of the Viability Study 2018 highlights the issues of viability for a significant number of sites. It shows that a number of schemes are not able to support any level of affordable housing, whilst more than half of the schemes would struggle to provide the 20% required by

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this policy. The Viability Topic Paper acknowledges within paragraph 6.2 that some of the proposed residential allocations are only viable where a flexible approach is taken to policy requirements especially with regard to affordable housing provision.

The HBF are concerned that the Council's own evidence highlights that the affordable housing requirement is not viable, and this policy requirement along with others in the plan could jeopardise the future delivery of housing. Paragraph 34 of the NPPF (2019) is clear that policies setting out the levels and types of affordable housing provision should not undermine the deliverability of the plan.

Q56. Is the requirement for an affordable housing provision of 40% in all housing developments in Cockermouth of more than 10 dwellings or where the dwellings have a combined gross floor space of more than 1000 sqm justified by the evidence base available?

The Viability Study 2018 has not tested the viability of any sites within Cockermouth, it is therefore not clear what evidence there is to support the 40% affordable housing requirement in Cockermouth.

Issue 3f: Housing Standards (Policy SA5)

Q59. Is the proposed requirement that all new homes are designed and constructed to meet optional Building Regulation requirements M4 (2) justified by the evidence base available and consistent with national policy including the guidance set out in the Planning Practice Guidance³?

The HBF is generally supportive of providing homes that are suitable to meet the needs of older people and disabled people. However, if the Council wishes to adopt the higher optional standards for accessible, adaptable and wheelchair homes the Council should only do so by applying the criteria set out in the PPG. PPG (ID 56-07) identifies the type of evidence required to introduce such a policy, including the 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. The HBF do not agree with the Council that the provided evidence suggest that all dwellings should be built to M4(2) standards, however, there may be a case based on the evidence provided that a proportion of dwellings could be provided to this standard.

Likely Future Need

Whilst the HBF does not dispute the ageing population within Allerdale as set out in the Options Housing Standards Topic Paper (Jan 2019), it is not clear how this ageing population and potential future need reflects in the need for all new homes to be provided at M4(2) standards. If it had been the Government's intention that generic statements identifying an ageing population justified adoption of the accessible & adaptable homes standards, then the logical solution would have been to incorporate the M4(2) as mandatory via the Building Regulations which the Government has not done. The optional higher M4(2) standard should only be introduced on a "need to have" rather than a "nice to have" basis.

Size, location, type and quality of dwellings needed

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Figure 6 of the Optional Housing Standards Topic Paper, taken from the Council Housing Study 2016, shows the housing options that older people have stated they would consider in the following five-years. It identifies that most would look to continue living within their current home with additional support (81%). Subsequent choices of buying or renting property, buying or renting sheltered accommodation and buying or renting extra care accommodation are all clustered around 20+%, with buying or renting sheltered accommodation being the most popular choice (26.8%). Again, it is not clear how this is related to the requirement for all dwellings to need to be built to M4(2) standards. If anything this shows that in the short term there will be a need for adaptations to the existing stock and that consideration will need to be given to the opportunities for sheltered accommodation in both the market and rental sectors. This is highlighted further by paragraph 2.13 which highlights shortfalls in the Extra Care Housing, residential care and supported living places.

No further information is provided in relation to the size, location, type and quality of dwellings needed based on future demand. The HBF may have expected to see information in relation to the how the need is consistent across the Borough rather than in particular locations, for example it is noted that Table 6.15 highlights the reasons why households are unable to move and that 24.7% stated that there was a lack of suitable property in the area they wanted, clearly suggesting that location may be an important factor. The HBF would also have expected to see evidence to support the need for all types and sizes of homes to be accessible for example is it appropriate to identify an ageing population and then suggest that all family homes need to be accessible. It is noted that Table 6.16 of the Housing Study 2016 sets out the dwellings aspirations of households containing a head of household aged 65 years or over, this suggests that very few would be looking to purchase a 4 bedroom property. It therefore may be appropriate to include information in relation to the sizes or types of homes that were of particular need for example will it be single people, older couples or will it be family homes with facilities for older or disabled members

The accessibility and adaptability of existing housing stock

The English Housing Survey has been used to consider the existing stock, whilst this provides useful insight into the age of buildings it does not highlight the specific reasoning for Allerdale to require all new housing to meet the additional accessible and adaptable housing standards. It is noted that the Survey considered that 72% of homes could be adapted to provide visitability. It also noted that the Housing Study also highlights the proportion of bungalows in Allerdale at 15.5%.

The impact on viability

As with other policy requirements, Table 7.1 of the Viability Study 2018 highlights the issues of viability for a significant number of sites. Whilst paragraph 2.33 of the Options Housing Standards Topic Paper states that the requirements for M4(2) and, where applicable, M4(3) will need to be balanced with the demands of other developer contributions at the time of a planning application. Supporting the HBFs concerns that this policy requirement is not viable, particularly when considered in combination with other requirements.

Q60. Is the proposed requirement that 5% of the total units on all residential developments over 30 units should be designed and constructed to meet Building Regulation requirements M4 (3) justified by the evidence base available and viable?

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As stated above, the HBF do not consider that there is sufficient evidence to require that 5% of the total units on all residential developments over 30 homes should be designed to M4(3) standards.

Q61. Is wording in Policy SA5 of the ALPP2 sufficiently flexible to ensure that this policy does not undermine the viability and delivery of residential development in the Borough?

The HBF considers that this policy is deleted in its entirety. However, if the policy is to be retained the HBF recommend that the flexibility of the policy should be increased to ensure that the policy does not undermine the viability and delivery of residential development in the Borough.

The HBF also recommend that

- Rather than requiring the applicant to demonstrate that homes are not practically achievable, the policy should take into account site specific factors such as vulnerability to flooding, site topography and other circumstances which may make the site less suitable for M4(2) and M4(3) compliant dwellings as set out in PPG;
- ensure that if step-free access is not viable that M4(2) and M4(3) should not be applied;
- the policy only requires the M4(3) homes in line with M4(3)(2a) (wheelchair adaptable) – provision sufficient to allow simple adaptation of the dwelling to meet the needs of occupants who use wheelchairs
 - If M4(3)(2b) (wheelchair accessible) is proposed the policy should be amended to ensure policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling; and
- ensure an appropriate transitional period is included.

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Matter 9: General (Non-site) Policies

Issue 9b: Broadband (Policy SA33)

Q90. Is the term 'high speed and reliable' broadband connection a specific enough basis on which to determine planning applications? What criteria would be used to determine whether broadband is 'high speed and reliable' for individual development proposals?

The HBF does not wish to comment on this question at this time.

Q91. How would the delivery of this policy be achieved? Is the delivery of a broadband connection within the control of developers?

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.

The HBF consider that in seeking to provide broadband the Council should work proactively with telecommunications providers to extend provision and not rely on the development industry to provide for such infrastructure. The Council should also note that Part R of the Building Regulations clearly sets the appropriate standards for high speed electronic communication networks, that are within the control of the housebuilder.

Q92. Is the wording of the policy suitably flexible to allow for circumstances where this would be unviable or not possible?

There is some flexibility within the policy, which the HBF supports. However, it is considered that further flexibility could be beneficial to allow for consideration of the viability of the development and the potential constraints to delivery of broadband. Whilst, paragraph 112 of the NPPF (2019) 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.

Q93. Is the suggested Main Modification MM27 justified? Is this necessary in the interests of soundness?

The HBF do not consider that MM27 is justified or in the interest of soundness, it continues to place the onus on the development industry rather than the broadband service operators and instead creates more work.