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Dear Sir / Madam

STRATFORD UPON AVON SITE ALLOCATIONS PLAN (SAP) – PRE SUBMISSION 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 representations and in due course attend the SAP Examination Hearing Sessions to discuss matters in greater detail.

Reserve Housing Sites

Policy SAP.1 - Identifying Reserve Housing Sites identifies approximately 3,000 dwellings on reserve housing sites listed in Annex 1 in accordance with Policy CS.16 of the adopted Stratford upon Avon Core Strategy. The commitment to identify reserve housing sites is set out in Policy CS.16 of the adopted Stratford-on-Avon Core Strategy which requires the Council to identify reserve sites capable of accommodating 20% (circa 2,920 dwellings) of the housing requirement to 2031. The inclusion of Policy CS.16 was stipulated by the Inspector examining the Core strategy in order for the Plan be "sound" and capable of adoption. The four purposes for identifying reserve housing sites are set out in **Policy SAP.1** as :-

- To rectify any identified shortfall in housing delivery in order to maintain a 5 year supply of housing land (YHLS) in Stratford-on-Avon District ;
- To contribute to meeting any identified additional need for housing in relation to a net growth in jobs at Jaguar Land Rover arising from development of the employment allocation at Gaydon / Lighthorne Heath;
- To contribute to meeting within the District any identified shortfall in housing across the Coventry and Warwickshire Housing Market Area



(C&WHMA) as demonstrated through the agreed outcomes of ongoing joint working between the Coventry and Warwickshire authorities ;

- To contribute to meeting any housing needs arising outside the C&WHMA that it is accepted through co-operation between the relevant Councils as needing to be met within the C&WHMA and most appropriately being met within the District of Stratford upon Avon.

These reserve housing sites will be released in accordance with **Policy SAP.2 - Releasing Reserve Housing Sites**. The Council will manage the release of reserve housing sites identified under **Policy SAP.1** by applying the intended purposes set out in Parts A to F of **Policy SAP.2** which state :-

- A. To Rectify an Identified Shortfall in Housing Delivery. Where the Council's monitoring anticipates or confirms a shortfall in 5 YHLS, reserve housing sites across the District will be considered for release in order to maintain the 5 YHLS. To be considered under this purpose, the site shall be capable of implementation within five years of being approved and be of a size that reflects the scale of deficiency in the housing supply ;
- B. To Respond to the Growth in Jobs by Jaguar Land Rover on land at Gaydon / Lighthorne Heath. To be considered under this purpose the site (a maximum of 600 dwellings) should have a reasonable relationship to this location to help to minimise the need to travel as indicated on Map 2 ;
- C. To Meet a Shortfall in Housing Arising from the Coventry HMA. To be considered under this purpose the site (a maximum of 600 dwellings) should be reasonably related to Coventry as indicated on Map 3 ;
- D. To Meet a Shortfall in Housing from Within Warwickshire. To be considered under this purpose the site (a maximum of 600 dwellings) should be a reserve sites in the District which lies within the C&WHMA ;
- E. To meet a Shortfall in Housing in the Birmingham HMA. To be considered under this purpose the site (a maximum of 600 dwellings) should be reasonably related to the Birmingham conurbation as indicated on Map 3 ;
- F. To Meet a Shortfall in Housing Arising from Other Areas. To be considered under this purpose the site (a maximum of 600 dwellings) should be well-related to the origins of the need identified.

In determining which site or sites to release, the Council may also consider the settlement pattern identified in Core Strategy Policy CS.15. A reserve site will not be released for development unless and until there is substantive evidence to demonstrate the need to do so based on their intended purpose as set out in Parts A to F.

It is confusing that in **Policy SAP.1** there are four purposes for identifying reserve housing sites but under **Policy SAP.2** there are six intended purposes for the release of reserve housing sites. The sub-division of unmet housing needs from within the C&WHMA between Parts C and D of **Policy SAP.2** and unmet housing needs from beyond the C&WHMA between Parts E and F of

Policy SAP.2 is overly complex and unjustified. The boundaries drawn on Map 3 are arbitrary ignoring overlaps between the purposes that localities may serve. Moreover in Annex 1 reserve housing sites are identified by settlement only, there is no cross referencing to locations as defined on Maps 2 and 3. The complexity of **Policies SAP.1** and **SAP.2** is not conducive to effective working.

The Council has identified a substantial body of reserve sites (circa 75 sites in Annex 1) for approximately 3,027 dwellings (based on an assumption of 30 dwellings per hectare) to 3,544 dwellings (based on an assumption of 35 dwellings per hectare). If evidence demonstrated the need to release reserve housing sites for an intended purpose in an attributed locality there is no guidance on the Council's process of selecting one or more sites from the body of identified reserve housing sites. The Council's site selection process is unclear. Is it a race between developers / landowners of individual sites to obtain planning consent first? Without further clarification it is unreasonable for the Council to expect applicants for planning consent on reserve housing sites to submit full planning applications as proposed under **Policy SAP.1**. Under such uncertain circumstances, applicants cannot be expected to bear the significant costs associated with the submission of full planning applications.

Policies SAP.1 and **SAP.2** should be modified before submission of the SAP for examination.

Self-build and Custom-build Housing Needs

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. The NPPG (ID: 57-025-201760728) sets out ways in which the Council should consider supporting self / custom build. These are :-

- developing policies in the Plan 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 HBF is supportive of the principle of encouraging self / custom build for its potential additional contribution to overall HLS. The Council's proposals to allocate sites in **Policy SAP.4 - Self-build and Custom-build Housing Allocations** and the positive policy approach of **Policy SAP.5 - Unallocated Self-build and Custom-build Housing Sites** are welcomed. The HBF's support for the allocation of sites for self / custom build should not be interpreted as an endorsement or otherwise of any individual sites selected by the Council.

The HBF is not supportive of the bullet point of **Policy SAP.3 - Meeting Self-build and Custom-build Housing Needs** which states that :-

- on reserve housing sites comprising 100 or more dwellings that are released for development, of which at least 5% of the plots should be made available for this purpose.

There is a juxtaposition between the provision of self / custom build plots on reserve sites and the four purposes of identifying reserve sites in **Policy SAP.1** and the corresponding release triggers in **Policy SAP.2**. This is further amplified if local connections to Stratford upon Avon qualifications are applied. There is also a juxtaposition between prompt delivery requirements of **Policy SAP.1** and potential delays from self / custom build marketing strategies, non-delivery due to lack of demand, slower delivery rates if built by individual self builders and no recourse for mainstream developers to deliver self / custom build plots if not delivered by self / custom builders. It is noted that reserve site planning applications should be submitted as full planning applications as set out in **Policy SAP.1** and its supporting text whilst self / custom build plots are expected to be initially submitted as outline planning applications.

If the potential conflict between **Policies SAP.1, SAP.2** and **SAP.3** is not recognised by the Council the HBF object to a restrictive policy requirement for the inclusion of self / custom build housing on reserve housing sites which only change housing delivery from one form of house building to another without any consequential additional contribution to boosting housing supply. The provision of serviced plots for self / custom build on reserve housing sites of 100 or more dwellings should not be sought. This policy requirement seeks to place the burden for delivery of self / custom build plots on developers contrary to national guidance which outlines that the Council should engage with landowners and encourage them to consider self / custom build. The Council's proposed policy approach should not move beyond encouragement by seeking provision of self / custom build plots on reserve housing sites of 100 or more dwellings.

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. 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 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 latest version of the Council's Register updated in July 2019 shows 146 entries for the period 2016 – 2019. On the Council's Register locational

preferences are shown as multiple answers which indicate a spread of preferences across the District but only 16 entries specify a preference for a plot within a large housing development. The 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 has provided no justification for the 100 or more dwellings site threshold. In Appendix 1 eight reserve housing sites have a threshold of 100 or more dwellings which are ALC.B, BID.A, BID.C, STR.A, STR.B, STR.C, LMD.A and LMD.B giving a potential yield of approximately 76 – 89 self / custom build plots (based on an assumption of 30 or 35 dwellings per hectare respectively). Under **Policy SAP.3** provision of self-build and custom-build homes are also provided as an integral part of the housing mix in the new settlements at Gaydon / Lighthorne Heath and Long Marston Airfield. There is a potential supply of self / custom build plots which is disproportionate to the minimal demand.

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 self / custom build plots on reserve housing sites of 100 or more dwellings 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 there is a risk of plots remaining permanently vacant effectively removing these undeveloped plots from the Council's HLS.

Where plots are not sold it is important that the Council's policy is clear as to when these revert to the original developer. It is important that plots should not be left empty to the detriment of neighbouring properties or the whole development. The timescale for reversion of these plots to the original housebuilder should be as short as possible from the commencement of development. The consequential delay in developing those 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 has completed the development and is forced to return to site 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. It is the Council's responsibility to robustly viability test the SAP in order that the cumulative burden of policy requirements are set so that most development is deliverable without further viability assessment negotiations and the deliverability of the Plan is not undermined. Self / custom build are exemption from Community Infrastructure Levy (CIL) contributions and affordable home ownership provision as set out in national policy. This policy may have a detrimental impact upon the level of affordable housing provision achieved on reserve housing sites of 100 or more dwellings. 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.

It is noted that similar policy requirements for self / custom build plots were found unsound by the Inspectors examining the Broxtowe LPP2 and Rushcliffe LPP2 respectively due to insufficient demand for such provision, no justification for proposed site thresholds and unclear ineffective policy wording (see MM29 to Policy 13 of Rushcliffe LPP2 Schedule of Main Modifications Document for consultation ended on 5th July 2019 and MM28 to Policy 15 of Broxtowe LPP2 Schedule of Main Modifications Document for consultation ended on 9th July 2019).

This bullet point of **Policy SAP.3** is unsound and it should be deleted.

Conclusions

For the Stratford upon Avon SAP to be found sound under the four tests of soundness as defined by the 2019 NPPF (para 35), the Plan must be positively prepared, justified, effective and compliant with national policy. It is considered that the SAP should be modified before submission for examination. It is hoped that the Council will find these representations are helpful in the meantime if any further assistance or information is needed please contact the undersigned.

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



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