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Dear Miny Schofield,

**CALDERDALE LOCAL PLAN: INSPECTOR'S MATTERS, ISSUES AND QUESTIONS (STAGE 2)**

Thank you for consulting with the Home Builders Federation on the Calderdale Local Plan Examination 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.

The HBF would like to submit the following comments on selected questions posed within the Inspector's Matters, Issues and Questions.

Yours sincerely,



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## Matter 7 – Housing need (update<sup>1</sup>)

**Issue - Is the Council's proposed revised housing requirement of 14,950 dwellings between 2018 and 2033 (997 per year)<sup>2</sup> justified and consistent with national policy? [Policies SD3 and SD4]**

### Questions

**a) What engagement has taken place with neighbouring Councils and other key organisations on the Council's proposed change to the housing requirement, in relation to the Duty to Cooperate?**

1. The HBF believes this is a question for the Council and does not wish to comment at this time.

**b) Is the housing requirement adequately aligned with the employment strategy in the Plan? Is the mix of 'policy-on' employment forecast and baseline employment forecast an appropriate approach to determining the housing requirement, which takes account of uncertainties associated with economic modelling?**

2. The Regional Economic Intelligence Unit at West Yorkshire Combined Authority (WYCA) worked with the consultants who prepared the Employment Land Study for Calderdale, to create scenarios for the potential change in job numbers over the Plan period. The study identifies a baseline employment growth figure of 7,791 jobs and a 'policy on plus transport' figure of 10,318 jobs between 2018 and 2033<sup>3</sup>. The 'Modelling the economic implications of the proposed housing requirement' report produced by Turley in 2019 suggests that 910 dwellings per annum (dpa) would be needed in Calderdale to support the baseline employment forecast and that 1,040 dpa would be needed in Calderdale to support 'policy-on plus transport' employment growth. These figures are lower than those found in the SHMA 2018, however, the report states that *'this remodelling continues to reinforce the conclusions of the SHMA that in order to support job growth, a higher level of population growth will be required than the starting-point projections'*.

3. However, the Council have decided to apply the 'policy-on plus transport' (1,040dpa) for the first 10 years to 2027/28 and the 'baseline growth' scenario (910dpa) for the period 2028/29 to 2032/33. Thus, giving a figure of 14,950 overall, equating to an average of 997dpa. The Council have used this approach to reflect what they consider to be uncertainties towards the end of the plan period in the assumptions used in the modelling. The HBF considers that this increase in housing requirement is an improvement, however, it remains unclear as to why the Council did not choose just to take forward the 1,040dpa proposed by the Turley evidence. If the Council have concerns around the certainty of the figures used to determine this figure in the longer term this could be addressed during a future review of the Plan to determine if the housing requirement is still appropriate.

**c) If uncertainties in economic forecasting are accepted and delivery of the 'policy-on' economic scenario is questioned, why is the Council proposing to retain the economic strategy in the submitted Plan?**

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<sup>1</sup> This issue was discussed at the Stage 1 hearings. Following receipt of the Inspector's post-hearings letter (INS07) the Council published further consultation in January 2020 on a revised housing requirement (as set out in the consultation paper 'Housing requirement Update and Potential Supply' (CC39)).

<sup>2</sup> See document CC39, as set out above.

<sup>3</sup> For clarity it should be noted that total jobs cited above is converted into full time equivalents (FTEs) for the purposes of the Local Plan's assessment of employment land requirements, and hence the net increase of 8,295 FTE jobs cited in table 6.8 of the Publication Draft Local Plan. This reflects the fact that housing requirements are influenced by the total size of the workforce; whereas employment land requirements are influenced by the space required for employees working at any given time.

4. It is not apparent why the Council is retaining the economic strategy within the submitted Plan but does not consider that the forecasts are certain enough in relation to the housing requirement.

**d) Where will the necessary workers come from to achieve the 'policy-on' employment forecast?**

5. The HBF believes this is a question for the Council and does not wish to comment at this time.

**e) To what extent does the Council's proposed balance between housing and employment growth take account of productivity aspirations in the Council's Inclusive Economic Strategy and the West Yorkshire Combined Authority's emerging Local Industrial Strategy (LIS)?**

6. Paragraph 4.7 of the Turley report states that *'the modelling assumptions around future labour-force behaviours are based on robust and commonly used datasets and do not seek to separately take account of changes associated with the Council's Inclusive Economic Strategy'*. It is therefore clear that the Council's proposed balance between housing and employment growth does not take account of the productivity aspirations in the Council's Inclusive Economic Strategy.

**f) What progress has been made in the production of the LIS? How does the emerging LIS fit with the Combined Authority's Strategic Economic Plan?**

7. The Leeds City Region Local Industrial Strategy is currently being prepared, the draft priorities were published in October 2019, these include: Addressing the productivity gap; putting health at the heart of the region; supporting businesses to meet the challenges of the future economy and create good quality jobs; accelerating economic growth across the City Region through technology and innovation; building on the successes of our globally important healthcare sector as a source of jobs and growth; making sure our environment promotes healthy, active lifestyles and is fit for future generations to enjoy; skilled people, in good jobs, with access to training to help build their careers; and healthy, modern communities where everyone living and working in the region can reach their full potential.

**g) What is the jobs growth forecast (total jobs growth and jobs per annum) associated with the Council's proposed revised housing requirement of 997 dwellings per annum (dpa)?**

8. The HBF believes this is a question for the Council and does not wish to comment at this time.

**h) How much employment land would be needed to support the Council's proposed housing requirement of 997 dpa? (the figure of 73 hectares in the Plan is based on the 'policy-on' employment forecast).**

9. The HBF believes this is a question for the Council and does not wish to comment at this time.

**i) What alternative options were considered by the Council, in relation to providing a better alignment between housing and employment growth? What are the reasons for selecting the preferred option and rejecting other approaches, and is this clearly set out in the Council's evidence base?**

10. The Cabinet Report of 14<sup>th</sup> October 2019 provides the following options:
- i. Maintain the housing requirement at 840dpa and reduce expected economic growth to below the existing baseline figure (6,441 additional jobs);
  - ii. Increase the housing requirement to 910 dpa and reduce expected economic growth to the baseline figure (7,791 additional jobs);
  - iii. Increase the housing requirement to 1,040 dpa and maintain expected economic growth at the current policy-on plus transport level (10,318 additional jobs).
11. The option of selected of 997dpa does not appear to have been included within the report to Cabinet. However, the Housing Requirement Update and Potential Supply (January 2020)

document states that the Cabinet resolved that 997dpa will provide the basis of the Council's case at the forthcoming Local Plan hearings. Paragraph 4.1 appears to provide the only explanation for this figure, it suggests that the revised housing requirement largely adheres to the findings of the Turley report and states that *'given the complexity and assumptions around modelling, for example, economic activity, commuting rates, population change, household formation and economic participation rates uncertainty exists about the extent to which these assumptions can be relied on. This uncertainty inevitably increases towards the end of the forecast period. Therefore the housing requirement figure reflects the Turley research and modelling for the first ten years of the Plan period based on the 'policy-on plus transport growth' scenario but employs the Turley 'baseline growth' scenario for the final five years of the Plan period'*.

**j) Are the proposed changes to the housing requirement based on a sound process of Sustainability Appraisal (SA)<sup>4</sup>? Have the relative merits of the options been assessed for each SA objective? What are the Council's overall SA conclusions/summary relating to each of the four options? Why has this been omitted from the SA?**

12. The Sustainability Appraisal (SA) Update (December 2019) identifies the 4 options considered by the Council:
  - 1) 840dpa and reduced economic growth (6,441 additional jobs)
  - 2) 910dpa and reduced economic growth (7,791 additional jobs)
  - 3) 1,040dpa and maintain economic growth (10,318 additional jobs)
  - 4) 997dpa and 'policy on with transport' economic growth
13. The SA Update assesses the requirements set out in each of the four options against each of the SA objectives, it does not however provide any overall conclusions in relation to the sustainability of each of the options or provide any conclusions that may have compared each of the options. The HBF is concerned about this lack of comparison and overall conclusions, it is not clear which of these options may be considered to be most appropriate in terms of sustainability.
14. It is also noted that the SA Update only assesses the potential supply in relation to Option 4, which is the Council's preferred approach. Again, the Council are concerned that this does not provide the full information to the Council in order to make an appropriate and informed judgement.

**k) Have the proposals in the consultation paper (CC39) been subject to an appropriate process of Habitat Regulation Assessment (HRA)? When are the implications relating to air quality due to be assessed, as referred to in paragraph 1.2 in the Council's HRA 2019 (CC36)?**

15. The HBF believes this is a question for the Council and does not wish to comment at this time.

**l) Is the Council's proposal to 'step' the housing requirement (as set out on page 19 in the Council's updated Housing Technical Paper, March 2020 (CC40)) justified and soundly based?**

16. The Housing Technical Paper (March 2020) proposes to step the housing requirement as follows: 2018 to 2024 at 560dpa, 2024 to 2027 at 900dpa and 2027 to 2033 at 1,482dpa. The HBF is concerned by this approach, this is not considered to be addressing the housing need in the borough and it is not considered to provide an appropriate balance between housing and employment growth. It appears this stepped housing requirement is intended to reduce the backlog in housing supply at the start of the plan and is being used by the Council as a way of achieving a five-year land supply position on adoption. It is important to remember that this is not just a theoretical mathematical numbers exercise but represents actual households in housing need

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<sup>4</sup> As set out in the Council's 'Sustainability Appraisal Update – Additional Housing Supply' December 2019 (CC33).

today, so it is unreasonable and unequitable to expect them to wait until later in the plan period before their current housing needs are addressed.

17. The Council have sought to reduce the housing requirement at the later end of the plan period to reflect uncertainty in the economic assumptions, and thereby lower the average annual housing requirement to 997dpa, they are now looking to reduce that further through a stepped approach. The 560dpa figure proposed until 2024 is significantly less than the 1,040dpa needed to meet the economic growth. Whilst the Council suggest that these figures are not a 'ceiling', it is not apparent what the Council will be doing in terms of supply or action to encourage homes to be delivered at a level more akin to the need. The HBF does not consider the stepped trajectory to be justified and would recommend that further sites should be allocated for delivery in the first five years of the plan.

**m) Does the proposed housing requirement figure of 997 dpa also represent the Council's views on objectively assessed need/actual housing need over this period? (e.g. are the requirement and need the same?).**

18. The HBF believes this is a question for the Council and does not wish to comment at this time.

**n) Is the Council still basing its approach to estimating need on the government's standard methodology (with an economic uplift applied to determine the housing requirement) or is it now seeking to rely on evidence in the Strategic Housing Market Assessment (2018) as updated by the recent Turley report<sup>5</sup>?**

19. The HBF believes this is a question for the Council and does not wish to comment at this time.

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<sup>5</sup> 'Modelling the economic implications of the proposed housing requirement' (August 2019) produced for Calderdale Council by Turley.

## **Matter 8 – Growth delivery, infrastructure and viability**

### ***Issue – Does the Plan set out a robust and viable framework for the delivery of growth and infrastructure?***

[Policies IM1 – IM6]

#### **Questions**

##### **Policy IM6**

**a) Are criteria i to vi in Policy IM6 intended to provide a strategic framework or operate as a development management policy? Would the Council's proposed changes to Policy IM6, as set out in the Draft Working List of Potential Modifications (April 2020), support this approach?**

1. The HBF does not wish to comment on this question.

**b) What is the definition of 'larger sites' in the last paragraph in Policy IM6 (relating to broadband provision)?**

2. The HBF does not consider that the policy is clear on what is considered a 'larger site'. The justification text appears to suggest that 'larger sites' are those which include in excess of 500 dwellings.

3. The HBF generally considers 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. 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 considers 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.

4. The HBF proposes that the policy is modified as follows:  
*'All new housing and employment development should consider how the benefits of high-speed broadband can be provided for future occupiers. ~~Larger sites should facilitate provision of broadband, and plan for this as part of the strategic master plan for the site.~~*

##### **Viability**

**a) Does the Plan provide sufficient guidance on the role of planning obligations and CIL in delivering infrastructure needed to support growth?**

5. The Plan provides some limited guidance on the role of planning obligations and CIL in delivering the infrastructure needed to support growth. It would be beneficial if it were much clearer what costs are likely to face developers as they take sites forward. Uncertainty in terms of the CIL or Planning Obligations may disincentivise developers or lead to viability issues when bringing sites forwards.

6. Paragraph 13.22 of the Local Plan states that *'the Council will work with developers, infrastructure providers, local communities and other stakeholders to facilitate local transport interventions needed to support growth across the Borough'*. It goes on to state that where appropriate planning obligations will be used to ensure delivery of the needed infrastructure and that transport related

contributions to the Community Infrastructure Levy (CIL) will be required of appropriate applications.

7. Paragraph 13.60 also states that *'the Council will work with developers, infrastructure providers, local communities and other stakeholders to facilitate schools and other social infrastructure needed to support growth across the Borough. Where appropriate, s106 Planning Obligations, and conditions attached to planning permissions will be used to ensure delivery of the needed infrastructure'*.
8. Policy HW2 in relation to health impact assessment looks for measures to mitigate the adverse impact of development to be secured through planning obligations.
9. The justification text<sup>6</sup> in relation to District Heat Networks suggests that they may be delivered through the Community Infrastructure Levy (CIL).

**b) Is the Council's assessment of the Plan's viability robust? (as set out in the Local Plan and Preferred Sites for Allocation Viability Assessment 2018 and the Addendum Report 2019). In particular:**

**i. Does it take account of the full range of expected requirements on new development arising from policies in the Plan, including those in Policy IM4?**

10. Section 6 of the Viability Assessment 2018 sets out the impact of Local Plan requirements on the baseline residential assessments, it looks at Policies HS2, HS3, HS4, HS6 and BT1. It does not appear to consider Policy IM4: Sustainable Travel which includes the provision of electric car charging points.
11. The Government in their Electric Vehicle Charging in Residential and Non-Residential Buildings<sup>7</sup> (July 2019) document suggests that the cost of installing a charging point<sup>8</sup> in a residential building will add an additional cost of approximately £976 per car parking space for an average home.
12. It is also important to note that the Viability Assessment has not included S106 agreements or CIL contributions. It states that it is taken into account when analysing the results from the modelling by ensuring a sufficient margin has been applied to the viability results, which means that the cost of any of the policies referring to provision through planning obligations or CIL have also not been considered in the Viability Assessment.

**ii. Does the work show the cumulative effects of all of the policies on development viability? What are the key conclusions in respect of sites and typologies (both residential and commercial)?**

13. The Viability Assessment 2018 considers policies HS2: Residential Density, HS3: Housing Mix, HS4: Housing for Independent Living, HS6: Affordable Housing and BT1: High Quality Inclusive Design. Due to the fact the assessment is considering allocations rather than site typologies policy HS2 is not actually tested, instead the proposed density of the allocation has been utilised. Policy HS3 in relation to the mix of housing and BT1 in relation to design are both included within the baseline assessments, and are not therefore, tested as such. It is not apparent what consideration has been given to other policy requirements such as Policy IM4, and the need for EV Charging points or to those policies requiring planning obligations.

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<sup>6</sup> Paragraph 10.46

<sup>7</sup> <https://www.gov.uk/government/consultations/electric-vehicle-chargepoints-in-residential-and-non-residential-buildings>

<sup>8</sup> Upfront cost (retro-fitted cost £2,040)



14. Policy HS4: Housing for Independent Living and HS6: Affordable Housing are both tested individually and together. Paragraph 6.39 of the Viability Assessment states that *'just over a quarter (28%) of the housing allocations are viable and generate land values in excess of the minimum benchmark land values after the application of Policy HS6. Whilst both policies (HS4 and HS6) contain suitable viability clauses an overall reduction in affordable housing requirements may be necessary, especially if a viable CIL is to be introduced'*.
15. The Viability Addendum also considers Policy HS5: Self build and Custom housebuilding, and again the conclusions highlight the issues with the cumulative impacts of the policy requirements and paragraph 7.1 states that *'it is likely that some flexibility will be required in the application of these policies particularly Policy H6 [Affordable Housing] to ensure sites generate land values that provide a reasonable return to the landowners'*.

**iii. Where land allocations are shown as not being viable, what are the implications of this?**

16. The HBF is concerned that a number of land allocations are shown as not being viable, as this may lead to the non-delivery of homes. This would be contrary to the NPPF<sup>9</sup> which states that *'Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened'*, and as such would not be sound.

**iv. Overall, does the work demonstrate that the Local Plan is deliverable?**

17. The HBF does not consider that the viability assessment and the addendum demonstrate that the Local Plan is deliverable, and that the cumulative impact of the policies tested highlight significant issues and if the additional policy requirements are considered this issue will only get worse. Paragraph 173 of the NPPF (2012) established the importance of viability testing to ensure that the sites and scale of development identified in the Plan should not be subject to such scale of obligations and policy burden that their ability to be developed might be threatened, this is continued into NPPF (2019) within paragraph 34. Therefore, the HBF does not consider the Plan as proposed is sound, and that the policy requirements should be reduced and appropriate flexibility incorporated.

**c) What viability work has been undertaken in respect of the additional housing requirement and allocations proposed by the Council in the consultation paper in January 2020?**

18. The HBF is not aware of any further work that been undertaken in relation to the additional housing requirement and allocations proposed by the Council.

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<sup>9</sup> NPPF 2012 Paragraph 173

## Matter 10 – Other housing needs

**Issue – Does the Plan set out positively prepared policies to meet affordable housing needs and the housing needs of other groups, which are justified, effective and consistent with national policy?**

[Policies HS2 – HS8, Policy IM7]

### Questions

#### Affordable housing

**a) What is the breakdown of affordable housing need over the Plan period by affordable housing type?**

1. The HBF assumes this question is for the Council to answer. The 2018 SHMA has not updated the affordable housing need calculation, although it suggests that it is unlikely to have changed significantly, with a continued need for affordable housing likely to be evident. The 2015 SHMA indicated that 527 affordable homes would be needed annually over five years in order to meet newly arising needs and clear the historic backlog, once the backlog had been assumed to have cleared the calculations suggested an annual need for 74 affordable homes to meet newly arising needs.

**b) Is the site size threshold of 11+ units for seeking affordable housing, as set out in Policy HS6, justified? Did the Council consider pursuing a threshold of 10+ units?**

2. It is assumed that the Council had set the 11+ units threshold at the time when the PPG had stated that *'contributions should not be sought from developments of 10-units or less'* (ID:23b-031). However, Government policy within the NPPF and the PPG has moved on from this and PPG now states that *'planning obligations for affordable housing should only be sought for residential developments that are major developments'*. The NPPF defines major development as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. Therefore, the currently proposed threshold is contrary to policy and will need to be justified.

**c) Are the affordable housing percentages in Table 16.6 in the Plan supported by viability evidence? What percentages have been achieved in recent years?**

3. Table 16.6 sets out the affordable housing requirements, ranging from a 35% requirement in Zone A to 20% in Zone D, with thresholds ranging from more than 10 in Zone A and 15+ in Zone D.
4. The Viability Assessment does not use quite the same format and instead is split into 9 zones, it would appear Zone 1 approximately equates to Zone A, Zone 2 to Zone C, Zone 3 to Zone C, Zone 4 to Zone A, Zone 5 to Zone D, Zone 6 to Zone B, Zone 7 to Zone B, Zone 8 to Zone C, and Zone 9 to Zone D. Tables 36 to 44 set out the assessment of viability for Policy HS6: Affordable Housing. They show that there are a number of sites where the policy is not considered viable and where the benchmark land values will not be met. Paragraph 6.35 highlights that within Zones 3, 7 and 9, the land values are unlikely to be sufficient to encourage landowners to release land for development.
5. It is noted that the Viability Assessment does not assess affordable housing provision on Brownfield sites in Zones 2, 3, 5, 8 and 9. It is not apparent from the proposed policy that the Council intends to offer any alternate requirements for brownfield or greenfield sites within any of the Zones in the Plan.
6. Tables 46 to 54 set out the cumulative impacts of Policy HS4: Housing for Independent Living and Policy HS6: Affordable Housing, again they show that there are affordability issues for some areas. It is noted that paragraph 6.39 states that *'whilst both policies (HS4 and HS6) contain suitable*

*viability clauses an overall reduction in affordable housing requirements may be necessary*'. Table 80 provides a summary of the viability assessment and the consultants proposals for policy requirements.

7. The Viability Assessment Addendum 2019 a number of additional draft allocations. Tables 5 and 6 provide an overview of the assessment, they highlight that of the greenfield sites seven of the sites do not generate land values that exceed the minimum land value benchmark and that all but one of the brownfield sites are not viable.
8. Whilst the need for affordable housing is not disputed the policy must also be based upon realistic thresholds and targets which are founded within evidence upon local plan viability. The HBF has concerns that the Viability Assessment 2018 and the Viability Assessment Addendum 2019 highlight viability issues for a number of sites and typologies, particularly brownfield sites and that these do not appear to have been taken into account in relation to the policy requirements.

**d) Is the approach to rural exception housing in Policy HS6 robust and effective? Why is the policy restricted to a limited number of villages in the western area? Is the selection of villages supported by robust evidence and justified?**

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

**Other housing needs**

**a) Is Policy HS2 consistent with national policy?**

10. NPPF<sup>10</sup> states that to boost significantly the supply of housing, authorities should set out their own approach to housing density to reflect local circumstances. The HBF consider that the policy generally provides an approach that reflects local circumstances.

**b) Is the threshold of 10+ units for providing a mix of housing types and tenures justified, as set out in Policy HS3? What is the reason for setting a different threshold (30+ units) for requiring the submission of a supporting statement?**

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

**c) Is the requirement for all residential development to meet requirement M4(2) and be adaptable and accessible, as set out in Policy HS4, justified by the evidence on the proportion of people in Calderdale who will be 65+ years or have a moderate/serious disability in the future<sup>13</sup>? Does the viability work show sufficient headroom for all types and sizes of schemes?**

12. 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 homes the Council should only do so by applying the criteria set out in the PPG. PPG states that where a local planning authority adopts a policy to provide enhanced accessibility or adaptability, they should do so only by reference to requirement M4(2) and / or M4(3) of the optional requirements in the Building Regulations. It was recognised that it was not appropriate to apply Category 2 or 3 standards to all new homes as not all people who buy or move into new homes need or wish to have such provision. It is incumbent on the Council to provide a local assessment evidencing the specific case for Calderdale which justifies the inclusion of optional higher standards for accessible / adaptable homes in its Local Plan policy. 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.

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<sup>10</sup> Paragraph 47 NPPF 2012

13. The Housing Technical Paper (March 2020) provides the Council evidence to support the inclusion of the M4(2) standards for all new homes. It is noted that given the timing of this document it is unlikely that this evidence has informed the production of the policy and has instead been produced to justify the policy once submitted.
14. It must be remembered that all new homes will be built to part M4(1), according to Part M of the Building Regulations meeting M4(1) will ensure reasonable provision for most people, including wheelchair users, to approach and enter the dwelling and to access habitable rooms and sanitary facilities on the entrance storey. As such these standards are likely to be suitable for the majority of people.

#### Likely Future Need

15. The Housing Technical Paper states that the older population in Calderdale is projected to increase over the Plan period and will comprise a significant proportion of the total population by 2033. Table 2 shows the number of households aged over 65 years; this shows that whilst the increase in households aged over 65 years is 58% in Calderdale it is higher in England at 60%. Whilst the increase in the older population is noted, it is not apparent how this supports the need for all homes to be built to the M4(2) standard, particularly as it is not clear how many of these households will actually be seeking a new home, rather than looking to adapt their existing property.
16. Tables 3 and 4 set out the number of people predicted to have a moderate or serious physical disability by 2035 at 4.4% and 1.6% respectively. It is noted that this is a very small proportion of the population and it is not apparent how many of these people will actually need physical adaptations to their homes, particularly those who may need adaptations over and above those already provided by a new M4(1) home.
17. The Paper also highlights that based on the 2011 Census 1.2% of residents describe their health as very bad. The Census also identifies that 8.2% of the population feel that their day to day activities are limited by their long-term health problem or disability, and the majority of these people do not live in communal establishments. As above, this again is only a small proportion of the population, and it is below the proportions for both Yorkshire (9%) and England (8.2%), therefore it is not clear why this would be considered sufficient to support the requirement for all homes to be built to the M4(2) standards.

#### Size, location, type and quality of dwellings needed and how the needs vary across different tenures

18. The Housing Technical Paper highlights information from the 2015 SHMA which identifies that older households are likely to occupy smaller properties – 60% of older households contain one or two bedrooms, compared to 45% of all households. However, it also identifies that the majority of older households own their own homes. Again, it is not clear how this support the need for all homes to be built to the M4(2) standards.
19. The Housing Technical Paper states that the SHMA does not indicate particular geographies for the demand for older person's housing.

#### The accessibility and adaptability of the existing stock

20. The Housing Topic Paper identifies the numbers of properties that have been adapted in Calderdale and the costs of these adaptations, it also identifies where people have moved home to find more suitable accommodation. It does not however, provide an overview of the numbers of properties existing within the borough that are considered accessible or adaptable. It also does not

highlight how many of the homes that have been adapted or have been moved to or from have been built to the M4(1) standard, which all new homes are now expected to meet.

Overall viability

21. The Housing Topic Paper highlights that the Viability Assessment concluded that almost 60% of the proposed housing allocations are viable and generate land values in excess of the minimum benchmark land values after the application of Policy HS4. For sites where viability is a challenge, the policy states that the Council will consider waiving the requirement if it would render it unviable.
22. The HBF is concerned by the proportion of sites that are not viable, and by the viability of all the sites when the policy requirements are considered cumulatively. Whilst the inclusion of a viability clause is beneficial and supported, it does not replace the need to have a deliverable plan. The NPPF<sup>11</sup> established the importance of viability testing to ensure that the sites and scale of development identified in the Plan should not be subject to such scale of obligations and policy burden that their ability to be developed might be threatened, this is continued into NPPF (2019) within paragraph 34. The Viability Assessment 2018 makes it clear that this policy will have significant implications for viability, particularly when considered cumulatively with other policy requirements within the plan.

Conclusion

23. The HBF do not consider that the evidence provided is sufficient to support the policy of all homes being built to M4(2) standards. However, if this policy is to be retained then the HBF recommend that an appropriate transition period is included within the policy.
24. HBF propose that the policy is modified as follows:
  - *'Proposals for ~~residential development should ensure that 100% of units are~~ adaptable and accessible homes<sup>(30)</sup> **will be supported in** ~~in~~ locations in Calderdale where site specific circumstances, including topography and flood risk, **are appropriate** ~~will result in this requirement not being possible to achieve or would render a scheme unviable, the Council will consider reducing or waiving the requirement~~'.*

**d) To what extent will the Plan help to ensure the housing needs of older people are met? What other non-planning measures will be needed to support delivery?**

25. The HBF considers this is a question for the Council and does not wish to comment at this time.

**e) Appendix 2 in the Council's updated Housing Technical Paper (March 2020) (CC40) indicates that the Council has insufficient evidence to support a policy for wheelchair user dwellings. What evidence has been collated and what does it show?**

26. The HBF considers this is a question for the Council and does not wish to comment at this time.

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<sup>11</sup> Paragraph 173 of the NPPF (2012)

## **Matter 22 – Housing supply (update<sup>12</sup>)**

***Issue – Does the Plan make sufficient provision to enable the Council's proposed revised housing requirement of 14,950 dwellings<sup>13</sup> to be delivered over the Plan period, and for a five year supply of land to be provided?***

### **Questions**

**a) Is the Council's revised approach to estimating supply from extant permissions, as set out in the updated Housing Technical Paper (March 2020), justified and consistent with national guidance? Have realistic assumptions been made about delivery and an appropriate discount rate applied?**

1. Section 6 of the Housing Technical Paper sets out the Council's evidence in relation to the sources of supply to meet the housing requirement. Table 7 identifies a supply of 2,200 extant planning permissions. This appears to have a base date of 31<sup>st</sup> March 2019, and the notes on the table suggests a lapse rate of 38% (major sites 54% and small sites 10%). Table 11 identifies the total number of extant permissions as 3,618 dwellings.
2. The HBF is supportive of the use of a 10% discount for sites with planning permission of less than 10 units and the recognition that some permissions will lapse or not be renewed. For proposals of 10 or more dwellings officers have made a judgement using available intelligence to ascertain the likeliness of the scheme coming forward. Whilst the HBF supports the Council in making these judgements, it still may be beneficial to include a level of discount to ensure that unforeseen events are also taken into consideration.

**b) Is the adjusted windfall rate and its application over the Plan period, as set out in the updated Housing Technical Paper, reasonable?**

3. Table 7 identifies a supply of 1,283 windfalls. Whilst the HBF acknowledges the previously the Council has had a healthy level of development from windfall sites, it is considered that this level of delivery will reduce over future years as the sites allocated in the Local Plan and identified in the SHLAA come forward.
4. The HBF is supportive of not including an allowance for windfalls in the first three years of the Plan.

**c) Do the standard lead-in times for sites with permission, as set out in Table 18 in the Housing Technical Paper, provide a robust starting point for estimating site delivery?**

5. The lead-in times proposed in Table 18 appear generally reasonable. However, the HBF would strongly recommend that the Council works closely with developers of sites to ensure that they reflect the realities of the sites included in the supply.

**d) Is the process of estimating the lead-in time for allocations without permission, as set out in Table 3 in Appendix 7 in the updated Housing Technical Paper, robustly based? How were the additional factors listed in paragraph 7.17 of the Paper applied? Were they added to any particular standard lead-in times?**

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

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<sup>12</sup> This issue was previously covered at the Stage 1 hearings under Matter 4. The questions under Matter 22 relate to the Council's proposed revisions to the housing requirement and sources of supply, as set out in the consultation paper January 2020 ('Housing Requirement Update and Potential Supply' CC39) and the Council's updated Housing Technical Paper (March 2020) (CC40).

<sup>13</sup> As set out in the Council's 'Housing Requirement Update and Potential Supply' consultation paper (January 2020) (CC39).

**e) Do the general build-out rates in Table 19 in the updated Housing Technical Paper provide a robust starting point for estimating allocation site delivery rates? In how many cases have bespoke adjustments been made, and why?**

7. The build-out rates proposed in Table 19 appear generally reasonable. However, the HBF would strongly recommend that the Council works closely with developers of sites to ensure that they reflect the realities of the sites included in the supply.

**f) Are the estimated delivery rates in the housing trajectory realistic and consistent with national guidance relating to the deliverability/developability of sites?**

8. The HBF does not wish to comment on the deliverability of individual sites. However, the HBF would continue to strongly recommend that the Council works closely with the developers of the individual sites to ensure the trajectory is appropriate.

**g) Are the 'indicative density' figures for each allocation based on the gross, net or 'indicative developable'<sup>14</sup> site area? Is the 'indicative developable area' the same as the net site area? Do all of the site allocations achieve the Plan minimum of at least 30 dwellings per hectare (net)?**

9. The HBF considers this a question for the Council to answer.

**h) Paragraph 6.15 in the updated Housing Technical Paper refers to uplifts in dwelling numbers on a number of mixed-use sites (amounting to 200 dwellings) in the Council's latest housing supply work. Are these uplifts justified and evidenced? Are other changes proposed by the Council<sup>15</sup>?**

10. The HBF considers this a question for the Council to answer.

**i) Table 7 in the updated Housing Technical Paper indicates that supply over the Plan period will exceed the housing requirement by some 600 dwellings. Does this provide sufficient flexibility to respond to changing circumstances?**

11. The HBF considers that 600 dwellings is not sufficient flexibility in the supply, this is less than a years supply, in fact somewhere in the order of 7 months of supply. The HBF considers that it is important to ensure that there is sufficient flexibility to allow for changing circumstances and the possibility that some of the currently proposed sites may not come forward or may come forward with a different number of dwellings to that proposed.

**j) In the Council's five year housing land supply calculations in Table 21, why has the shortfall in completions since the Plan base date been distributed over the Plan period rather than within the first five years (the Liverpool approach rather than the Sedgefield approach)? Is this approach justified and in line with paragraph 031 in the Government's Planning Practice Guidance on Housing Supply and Delivery?**

12. The HBF considers that the Sedgefield approach should be used. The Sedgefield method is considered to be in compliance with the Governments ambitions to boost housing supply, and PPG (ID: 68-031-20190722), which states *that 'the level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgefield approach), then the appropriate buffer should be applied'*. If the Council wishes to use the Liverpool method, they need to provide a justification for doing so.

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<sup>14</sup> As set out in the site information in Appendix 1 to the Plan.

<sup>15</sup> At the time of publication the Council was intending to produce a 'Mixed Use Sites Capacity Study' looking at capacity on these sites. It is due to be published prior to the Stage 2 hearings. Please see the Council or Programme Officer for further information.

**k) Table 21 indicates that the Council has applied extant permission figures from March 2019 to estimate supply from this source at March 2020. What are the reasons for taking this approach, rather than using the projections in the housing trajectory for the five year period? Why does the Council's figure of 2146 differ from the total remaining dwellings at March 2019 in Table 13 (2200 dwellings)?**

13. The HBF considers this a question for the Council to answer.



## **Matter 25 – Health and well-being policies**

***Issue – Does the Plan set out positively prepared policies for health and well-being which are justified, effective and consistent with national policy?***

**[Policies HW1-HW6]**

**a) Is the approach to Health Impact Assessments and the threshold of 30 units, as set out in Policy HW2, supported by robust evidence and consistent with national policy?**

14. The HBF recognises the importance of ensuring new development supports the wider aims of local authorities and their partners to improve the health and well-being of their residents and workforce. However, the requirement for all residential development of 30 or more units to undertake a Health Impact Assessment (HIA) is unnecessary and an additional burden on applicants. The PPG sets out that HIAs are '*a useful tool to use where there are expected to be significant impacts*' (ID:53-005-20190722) but it also outlines the importance of the local plan in considering the wider health issues in an area and ensuring policies respond to these. As such Local Plans should already have considered the impact of development on the health and well-being of their communities and set out policies to address any concerns. Consequently, where a development is in line with policies in the local plan an HIA should not be necessary. Only where there is a departure from the plan should the Council consider requiring an HIA.
  
15. The HBF proposes that the policy is modified as follows:  
The reference to residential development should be deleted, or alternate text included to ensure that it will only apply to windfall sites that are considered to be a departure from the plan.  
The HBF proposes the policy is modified to: '*A Health Impact Assessment (HIA) should be provided for ~~residential developments of 30 or more units~~, non-residential developments . . .*'