Spatial Planning (Westfields)
C/O Municipal Buildings
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SENT BY EMAIL
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21/12/2020

Dear Sir / Madam,

CHESHIRE EAST LOCAL PLAN: REVISED PUBLICATION DRAFT SITE ALLOCATIONS AND DEVELOPMENT POLICIES

1. Thank you for consulting with the Home Builders Federation (HBF) on the Cheshire East Local Plan Revised Draft Site Allocations and Development Policies document.

2. 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.

3. We would like to submit the following comments upon selected policies within the Site Allocations and Development Policies consultation document. These responses are provided to assist the Council in the preparation of the emerging local plan. The HBF is keen to ensure that Cheshire East Council produces a sound local plan which provides appropriate allocations and policies for the area.

Policy HOU 1: Housing mix

Policy HOU 1 is not considered to be sound as it is not positively prepared or justified for the following reasons:

4. This policy looks for housing development to deliver a range of housing types, sizes and tenures in line with policy SC4. It then goes on to require all housing schemes of 10 or more dwellings to provide a statement setting out an assessment of housing need, an assessment of the local housing market, the schemes ability to accommodate a mix and range of housing, viability and demand for self and custom build.

5. The HBF understands the need for a mix of house types, sizes and tenures and is generally supportive of providing a range and choice of homes to meet the needs of the local area. It is, however, important that any policy is workable and ensures that housing delivery will not be compromised or stalled due to overly prescriptive requirements, requiring a mix that does not consider the scale of the site or the need to provide significant amounts of additional evidence. The HBF has concerns that the collection of evidence required by this policy will be very time-consuming and may require the need to employ different specialists.

6. The HBF recommends a flexible approach is taken regarding housing mix which recognises that needs and demand will vary from area to area and site to site; ensures that the scheme is viable; and provides an appropriate mix for the location. The HBF also recommends that the evidence required to support the housing mix is proportionate to the development, the current housing mix statement requirements appear particularly onerous and not proportionate to the level of development it is aimed at.

7. Part 3 of the policy requires the statement to address how the proposal will be capable of meeting, and adapting to, the long-term needs of the Borough's older residents. The wording of this policy may need to be considered in light of the responses received to Policy HOU 6.

8. *The HBF considers that the policy should be modified as follows in order to make the document sound:*
    1. *In line with LPS Policy SC 4 'Residential mix', housing developments should deliver a range and mix of house types, sizes and tenures, which are spread throughout the site and that reflect and respond to identified housing needs and demands. Taking account of the most up to date housing needs and demands information, national policies and where relevant, neighbourhood plan policies, ~~a housing mix statement should be provided at detailed planning/reserved matters stage for all major housing schemes on how the proposed housing mix and type on the site responds to~~* ***consideration should be given to****:*
        i. *assessments of housing need including house types, tenures and sizes using Table 8.1 'Indicative house type tenures and sizes' as a starting point for analysis;*
        ii. *assessment of the local housing market and its characteristics;*
        iii. *character and design of the site and local area reflecting on the scheme's ability to accommodate a mix and range of housing; and*
        iv. *the requirements of Policy HOU 3 'Self and custom build dwellings'.*
    2. *~~The housing mix statement should demonstrate how the proposal would address the needs of particular groups in the borough including first time buyers, those wishing to self build, families, the requirements of an ageing population and those also wishing to downsize.~~*
    3. *~~The housing mix statement should also address how the proposal will be capable of meeting, and adapting to, the long term needs of the borough's older residents including supporting independent living.~~*
    4. *~~Housing developments that do not demonstrate an appropriate mix on the site will not be permitted.~~*

Policy HOU 3: Self and custom build dwellings

Policy HOU 3 is not considered to be sound as it is not positively prepared for the following reasons:

9. This policy requires housing developments of 30 homes or more to provide a proportion of serviced plots for self or custom build homes. Many of our members will be able to assist the custom build sector either through the physical building of dwellings on behalf of the homeowner or through the provision of plots for sale to custom builders. The HBF is, therefore, not opposed to the idea of increasing the self-build and custom build sector for its potential contribution to the overall housing supply. However, the Council's approach is restrictive rather than permissive by requiring the inclusion of such housing on sites of 30 dwellings or more. This policy approach only changes the house building delivery mechanism from one form of house building company to another without any consequential additional contribution to boosting housing supply.

10. The HBF would recommend appropriate evidence is collated to ensure that house building delivery from this source provides an additional contribution to boosting housing supply. This is likely to include engaging with landowners and working with custom build developers to maximise opportunities. The HBF would also be interested to see the evidence to support the idea that those wanting to self-build would actually consider building within a larger housing development.

11. *The HBF would recommend that this policy is reworked to provide a positive statement supporting self and custom build homes rather than requiring a portion of homes on other housing sites. The HBF considers that the policy should be modified as follows in order to make the document sound:*
    1. *The council will support proposals for self-build and custom-build housing in suitable locations.*
    2. *~~On all housing developments providing 30 or more homes, a proportion of serviced plots of land should be provided, consistent with the latest available evidence of unmet demand.~~*

Policy HOU 6: Accessibility, Space and wheelchair housing standards

Policy HOU 6 is not considered to be sound as it is not justified or consistent with national policy for the following reasons:

3. This policy looks for major development to provide at least 30% of housing at M4(2) standards, and 6% at M4(3) standards. It also looks for all specialist housing for older people to meet with M4(2) standards and at least 25% at M4(3) standards.

4. 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.

5. 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. It is incumbent on the Council to provide a local assessment evidencing the specific case for Cheshire East which justifies the inclusion of optional higher standards for accessible and adaptable homes in its Local Plan policy. If the Council can provide the appropriate evidence and this policy is to be included, then the HBF recommends that an appropriate transition period is included within the policy.

6. The PPG also identifies other requirements for the policy including the need to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, this is not just in relation to the ability to provide step-free access.

7. The evidence provided within the Housing Option Technical Standards Paper appears to show that in the case of the CORE information, the Disabled Facilities Grant, Census long-term illness and ill health benefit claimants Cheshire East has lower than the national average requirements. The data collected so far therefore does little to support the need for the additional optional standards. The Paper also does not cover all the requirements set out within the PPG e.g. the accessibility and adaptability of the existing stock, the size, location, type and quality of dwellings and the viability of the requirements.

8. The Cheshire East Residential Mix Assessment 2019 uses proportions taken from the English Housing Survey to estimate that there were around 1,280 households needing to move to a more suitable home due to a disability or another long-term health problem in 2018. Figure 25 then goes onto identify the existing household that are likely to develop health problems that affect their housing need and additional households likely to develop problems. However, these households do not appear to have been considered against the same proportional considerations as the current households, to determine if their current home would be suitable for their needs or whether it could be adapted. Consideration should also be given to the increased proportion of homes built to the M4(1) standards and the contribution of other forms of specialist accommodation.

9. Part 3 of the policy states that **all** new residential development should meet the NDSS. The nationally described space standards (NDSS) as introduced by Government, are intended to be optional and can only be introduced where there is a clear need and they retain development viability. As such they were introduced on a ‘need to have’ rather than a ‘nice to have’ basis.

10. PPG (ID 56-020) identifies the type of evidence required to introduce such a policy. It states that *‘where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:*
   a. ***Need*** *– evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*

b. ***Viability*** *– the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
c. ***Timing*** *– there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions'.*

11. The Council will need robust justifiable evidence to introduce the NDSS, based on the criteria set out above. The HBF considers that if the Government had expected all properties to be built to NDSS that they would have made these standards mandatory not optional.

12. The Nationally Described Space Standards Justification Paper (June 2019) has considered 110 applications submitted between 2015 and 2018, totalling 694 homes. It suggests that the majority of dwellings measured met at least some of the assessed NDSS standards but that only 17% of dwellings were compliant with the NDSS in terms of meeting the GIA, bedroom width and floorspace requirements. It is not evident from the information provided what 'need' there actually is for properties built to the standards there is no evidence that smaller properties are not selling, there is no evidence provided that customers are not satisfied with these properties or that these properties are not comparable to other properties available in the market area.

13. The HBF considers that the NDSS can, in some instances, have a negative impact upon viability, increase affordability issues and reduce customer choice. In terms of choice some developers will provide entry level two, three and four-bedroom properties which may not meet the optional nationally described space standards but are required to ensure that those on lower incomes can afford a property which has their required number of bedrooms. Consideration may need to be given to limits in the market value, just because the size of the dwelling has increased, and therefore build cost has increased, this does not necessarily lead to increases in sales prices. The industry knows its customers and what they want, our members would not sell homes below the enhanced standard size if they did not appeal to the market.

14. The HBF would also continue to recommend that a transitional period is included within the policy, whilst some developers will be aware of the introduction of NDSS, this may not apply to all and consideration will need to be given to the lead in times particularly between land value negotiations and an application being submitted.

15. The HBF considers that the policy should be deleted in order to make the document sound.

Policy HOU 13: Housing delivery

Policy HOU 13 is not considered to be sound as it is not justified or consistent with national policy for the following reasons:

16. This policy states that the Council will consider imposing planning conditions requiring development to begin within a shorter timescale, this appears to be repetition of paragraph 76 of the NPPF. It is not considered necessary to repeat national policy and therefore the HBF considers that this requirement should be removed from the plan. The HBF considers it would be more effective to work closely with the developers of the site to understand any reasons why a site may not come forward as swiftly as the Council may like.

17. *The HBF considers that the policy should be modified as follows in order to make the document sound:*
    - *Part 4 should be deleted.*

Site allocations

18. The HBF is keen that the Council produces a plan which can deliver against its housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period. The HBF is concerned by the Council's decision to no longer allocate any sites for housing within the local service centres in the Site Allocations and Development Policies document, particularly as at present the Council cannot demonstrate that sufficient homes will be delivered in these areas to meet their own spatial distribution.

19. The HBF also strongly recommends that the plan allocates sufficient sites to provide flexibility and a level of buffer. This buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites. Such an approach would be consistent with the NPPF requirements for the plan to be positively prepared and flexible. The HBF and our members can provide valuable advice on issues of housing delivery and would be keen to work proactively with the Council on this issue.

20. 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 expect the spatial distribution of sites to follow a logical hierarchy, provide an appropriate development pattern and support sustainable development within all market areas.

21. The HBF representations are submitted without prejudice to any comments made by other parties on the deliverability of specific sites included in the overall HLS, 5 YHLS and housing trajectories. However, the HBF does have some concerns about the delivery of homes and seek assurance that the housing requirement will be delivered.

Policy GEN 4: Recovery of forward-funded infrastructure costs

Policy GEN 4 is not considered to be sound as it is not justified or effective for the following reasons:

22. The HBF has concerns in relation to how this policy will be implemented and whether it will be considered effective.

23. In relation to the forward funding of infrastructure, the HBF considers that there may be some circumstances where this is useful and will be beneficial in the delivery of homes. However, the HBF has concerns in relation to the effectiveness of this policy. It is not clear how the Council or the applicant will determine whether an element of forwarded funded infrastructure has made their proposal acceptable in planning terms and over what timescales this will apply. It is also not clear whether schemes will continue to be expected to pay even if the cost of the infrastructure has already been covered by other schemes. Whilst another key concern to the HBF is how the Council or the developer will consider this cost as part of the viability of the development.

24. The HBF considers that the policy should be deleted in order to make the document sound.

Policy GEN 7: Recovery of planning obligations reduced on viability grounds

Policy GEN 7 is not considered to be sound as it is not justified or effective for the following reasons:

25. The HBF considers that there may be some circumstances where deferred planning obligations can be utilised to bring forward the delivery of homes. However, the HBF has significant concerns around the implementation of this policy and how frequently it will be used. It is considered this will add further burdens to any developer who will need to reproduce viability assessments at a potentially regular basis, going against Government initiatives which are looking to reduce the need for viability assessments. The HBF considers that this policy causes unnecessary uncertainty and additional risk for developers, and that such disincentivising of developers could become an impediment to the development process and compromise the deliverability of large sites particularly those phased and implemented over long time periods.

26. The HBF considers that the policy should be deleted in order to make the document sound.

Policy ENV 6: Trees, hedgerows and woodland implementation

27. Policy ENV 6 is not considered to be sound as it is not justified for the following reasons:

28. This policy states that *'where tree loss is unavoidable it must be compensated for on the basis of at least three new trees for every tree removed'*. The HBF would like to know what the justification and evidence is for this ratio of replacement. It is considered that if the Council are seeking a 'net environmental' gain that this could be achieved in many other ways than seeking a 3:1 tree ratio. The HBF recommends that this part of the policy is deleted.

29. The HBF considers that the policy should be modified as follows in order to make the document sound:

- *Where the loss of significant trees is unavoidable it must be compensated ~~for on the basis of at least three replacement trees for every tree removed~~.*

Future Engagement

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

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

Yours sincerely,

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