

MATTER 3 – HOUSING

Other Types of Housing (Policies HOU 1-4)

Housing Mix (Policy HOU 1)

47. Is the requirement of Policy HOU 1 for all major housing developments to provide an 'appropriate mix' of housing types and sizes using the figures in Table 8.1 as a starting point, justified on the basis of proportionate evidence, clear and unambiguous, and consistent with the LPS and national policy?

1. 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.
2. Table 8.1 sets out the indicative house type tenures and sizes, it is taken from the Cheshire East Residential Mix Study (2019). The HBF considers that it is important the Council retains flexibility in considering this indicative mix of housing, as it should be noted that this evidence is just one snapshot in time. It may not be appropriate on every site in every location and it is unlikely to remain the most up to date evidence. The HBF considers that the Council should also consider other evidence in relation to the housing market and housing need, demand and aspiration.

48. Is it clear which house type tenures are contained within the term 'intermediate housing' in Table 8.1? Would the inclusion of a definition for the term, such as that contained in the Residential Mix Assessment Report, help to remove any ambiguity so decision makers know how react to proposals?

3. The HBF considers that including a definition of 'intermediate housing' would be beneficial and would assist decision makers.

Self and custom build dwellings (Policy HOU 3)

53. Is Policy HOU 3 justified and consistent with national policy in seeking serviced plots for self and custom-build housing on housing developments of 30 or more homes? In particular:

a) Given the current excess in the number of serviced plots permitted over and above the number of self-build and custom-build applicants on the register in Cheshire East, as evidenced in the 2019/20 Annual Monitoring Report²⁶, is criterion 2 of the policy justified?

4. The Authority Monitoring Report (AMR) 2019/20 identifies that the Council has met its legal duty in relation to self or custom build plots with 83 plots provided in base period 1 compared to 34 registrations, 114 plots in base period 2 compared to 91 registrations and 105 plots already in base period 3 compared to 17 registrations. This suggests that it is not necessary to include part 2 of the policies, as the evidence suggests that the policy is successfully delivering self and custom build homes without it.

b) What is the evidence to support the site size threshold of 30 dwellings?

5. There is no legislative or national policy basis for imposing an obligation on landowners or developers of sites of more than 30 dwellings to set aside serviced plots for self &

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custom build housing. Under the Self Build & Custom Housebuilding Act 2015 and 2021 NPPF¹, it is the Council's responsibility, not the landowner's or developer's, to ensure that sufficient permissions are given to meet demand. The Council is not empowered to restrict the use of land to deliver self & custom build housing. The PPG sets out ways in which the Council should consider supporting self & custom build by "engaging" with developers and landowners and "encouraging" them to consider self & custom build "where they are interested"².

6. The Council should ensure that the Local Plan will result in a wide range of different self & custom build housing opportunities. It is unlikely that self & custom build serviced plots on larger residential sites will appeal to those wishing to build their own home. The HBF considers that the provision of a certain percentage self-build plots on schemes above a certain size adds to the complexity and logistics of development and may lead to the slower delivery of homes. The provision of self-build plots on new housing developments cannot be co-ordinated with the development of the wider site. At any one time, there are often multiple contractors and large machinery operating on-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. Furthermore, any differential between the lead-in times / build out rates of self-build plots and the development of the wider site will result in construction work outside of specified working hours, building materials stored outside of designated compound areas, etc and unfinished plots next to completed / occupied dwellings causing customer dissatisfaction.
7. Where plots are not sold, these 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 developer should be as short as possible because consequential delay 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 developer has completed the development and is forced to return to site to build out plots, which have not been sold to self-builders.
8. As well as on-site practicalities, any impacts on viability should be tested and additional costs should be fully accounted for in the Council's viability assessment. The inclusion of self-build plots will have a fundamental bearing on the development economics of the scheme. Site externals, site overheads, and enabling infrastructure costs are fixed and borne by the site developer. The developer will also have borne up front site promotion costs, including planning and acquisition costs. It is unlikely that these costs will be recouped because the plot price a self-builder is able to pay is constrained by much higher build costs for self-build. Profit obtainable if the house was built and sold on the open market by the site developer is foregone. There are also worst-case scenarios of unsold plots remaining undeveloped and disruption if unsold plots are built by the site developer out of sequence from the build programme of the wider site or a return to site after completion of the wider site.

¹ Paragraph 62

² ID 57-025-201760728

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9. Alternative policy mechanisms could be used to ensure a reliable and sufficient provision of self & custom build opportunities across the Borough including allocation of small and medium scale sites specifically for self & custom build housing and permitting self & custom build outside but adjacent to settlement boundaries on sustainable sites especially if the proposal would round off the developed form.

c) What is considered to be an 'acceptable proportion' of serviced plots?

10. The HBF considers that policy is not clear and could be considered ambiguous as it does not set out what proportion of plots should be provided. Paragraph 8.18 provides more detail as to how the proportion may be determined based on any unmet demand in relation to the Council's self-build register. The HBF does not consider that part 2 of the policy is necessary or sound and considers that it should be deleted.

Housing development standards & requirements (Policies HOU 6-14)

Accessibility & wheelchair housing standards (Policy HOU 6)

54. Are the targets for M4(2) Accessible and Adaptable dwellings and M4(3) Wheelchair user dwellings for all major housing developments and specialist housing for older people set out in Policy HOU 6 justified on the basis of proportionate evidence, deliverable and consistent with national policy?

11. The HBF does not consider that policy HOU 6 is justified. 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.
12. 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 on to 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. The Assessment provides little information in relation to the accessibility and adaptability of the existing stock relying heavily on the English Housing Survey from 2014/15. The Assessment also provides limited details as to the size, location, type and quality of dwellings needed to be provided.
- 55. Does the Nationally Described Space Standards (NDSS) Justification Paper²⁷ provide clear evidence of a local need to justify the application of the NDSS in Cheshire East?*
13. The HBF does not consider that the Council currently has the evidence to demonstrate that this standard is necessary and it has not appropriately considered the implications of introducing such a standard.

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14. The Nationally Described Space Standards Justification Paper has considered 135 applications submitted between 2015 and 2019, totalling 1,136 homes for the purpose of the Gross Internal floor area calculation. It suggests that the majority of dwellings measured met at least some of the assessed NDSS standards. It is not evident from the information provided what 'need' there actually is for properties built to the standards.
15. The HBF does not consider that this is sufficient evidence to demonstrate need for the introduction of the NDSS. The Council have not provided evidence to show that these homes have not sold or that the residents of these properties are in anyway unsatisfied with their home. They have also provided no consideration of how these properties compare to other properties within the market area. The HBF considers that if the Government had just expected all properties to be built to NDSS that they would have made these standards mandatory not optional.
16. The HBF considers that standards 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. 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.
17. It should be noted that the HBF's Annual Industry Customer Satisfaction Survey³ published March 2021 and completed by 76,300 new homeowners highlights that 92% of people who have bought a new home would do so again. It also highlights that 94% of homeowners are satisfied with the internal design and layout of their new home. This does not suggest that new homeowners have issues with the size of rooms provided or that there is a need for the NDSS to be introduced.

56. Does the viability evidence demonstrate that the targets for accessible and wheelchair standard housing and the NDSS could be viably supported by residential development and specialist housing for older people alongside all other policy requirements?

18. The Viability Assessment (2020 Update and Refresh) initial appraisals are based on assumptions in relation to affordable housing at 30% (65% rent and 35% intermediate), NDSS, 30% at M4(2), 6% at M4(3), Car Charging points, CIL and S106. Table 12.5 shows that a significant number of site typologies are not viable or are marginal, this includes all of the sites in the low and medium areas and some in the high value areas.

57. Would a transitional period for NDSS be justified to enable developers to factor the cost of the space standards into future land acquisitions?

19. 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.

³ <https://www.hbf.co.uk/policy/policy-and-wider-work-program/customer-satisfaction-survey/latest-results/>

Housing delivery (Policy HOU 13)

66. Is Policy HOU 13 justified, based on proportionate evidence of local circumstances affecting housing delivery? Does it serve a clear purpose, avoiding unnecessary duplication of national policy, as expected in paragraph 16f) of the NPPF, given that the provisions of HOU 13 are substantially contained in national policy?

20. 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 77 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.

67. To ensure it is positively prepared, should Policy HOU 13 also include commitments for the local planning authority to minimise the number of pre-commencement conditions imposed on permissions by resolving issues through pre-application discussion?

21. The HBF considers it would be beneficial to minimise the number of pre-commencement conditions, and that they should only be used where there is clear justification in line with the PPG⁴. The HBF considers that the use of any such conditions should be agreed with the applicant before the permission is granted to ensure that unreasonable burdens are not imposed and that the timing of the condition requirements meet with the planned development of the site.

⁴ ID 21a-007-20180615