



THE HOME BUILDERS FEDERATION

Forward Planning,
Rossendale Borough Council,
Business Centre,
Bacup,
OL13 0BB

Date: 4th September 2015

Email: forwardplanning@rossendalebc.gov.uk

Sent by Email only

Dear Sir / Madam,

Rossendale Draft Local Plan (Part 2): Lives and Landscapes

1. Thank you for consulting with the Home Builders Federation (HBF) on the consultation Draft of the Local Plan (Part 2): Lives and Landscapes document.
2. The HBF is the principal representative body of the house building industry in England and Wales and our representations reflect the views of our membership of multinational PLCs, through regional developers to small, local builders. Our members account for over 80% of all new housing built in England and Wales in any one year including a large proportion of the new affordable housing stock.
3. We would like to submit the following comments upon selected elements of the document.

Policy QP1: Design

4. The policy seeks to encourage the use of the optional building regulations for accessibility, these being Part M optional requirements M4 (2) Category 2 and Category 3. Whilst the HBF does not object to the Council encouraging their use it is important that this is not translated into a mandatory requirement for all developments. The Council will be aware that to introduce the optional standards requires the thorough testing of appropriate evidence at a Local Plan examination. The requirements and suggested evidence are set out within the National Planning Practice Guidance (PPG) paragraphs 56-005 to 56-012. A key component of the evidence base is a consideration of economic viability. This is a key area of concern within Rossendale. The Council's draft *Viability Report* indicates existing issues with economic viability across the area with the scale of existing obligations. The inclusion

of further requirements would only compound these issues. Given that the Council will be unable to insist upon such requirements it is considered that the reference to encouraging the optional standards should be included within the supporting text and not in the policy.

5. The same issues also apply to the reference to the 'Home Quality Mark'. The Council correctly identify this is a voluntary scheme and as such should not be considered mandatory. Once again, it is considered more appropriate for such references to be included within the supporting text rather than within the policy.

Policy QP2: Design Principles and Energy Efficiency

6. The draft policy is not considered to be sound as it is contrary to national policy and is not justified by evidence.
7. The policy seeks to introduce measures to reduce energy and water consumption, reduce carbon dioxide emissions and for developers to utilise opportunities for the use of on-site renewable or low carbon energy generation. The policy further identifies that developers will be required to demonstrate how they have complied with these requirements through the submission of an '*Energy Statement*'.
8. The Council will be aware that following the Government's Housing Standards Review, energy efficiency will, after 2016, become strictly a matter for the Building Regulations and as such the Council will be unable to require further measures to reduce energy consumption, nor will it be able to insist on the use of on-site renewables or low carbon energy generation. The Council's policy justification does acknowledge that energy will be dealt with through the Building Regulations but this does not translate into the policy.
9. In terms of the need for an '*Energy Statement*' this would only serve to create additional costs and bureaucracy for the developer with little or no tangible benefits. This is because the developer will already need to identify how they are complying with the Building Regulations and will not be required to exceed them. It is therefore recommended that this requirement plus the elements relating to energy efficiency be deleted from the policy.
10. The final sentence of the policy refers to allowable solutions and these being spent within Rossendale. The Council will be aware that the Government announced earlier this year that there will be no further change in Building Regulations requirements in 2016 and that the Allowable Solutions element of the policy is to be dropped. The Government will, however, keep Part L standards under review beyond 2016. Given these recent announcements the policy should remove all reference to allowable solutions.
11. Finally with regards to water consumption the PPG clearly sets out that local authorities must set out a '*clear need*' for the introduction of the optional Building Regulations standard, which would require achievement of 110 litres per person per day. PPG paragraph 56-015 identifies the tests of '*clear need*'. The HBF is unaware that the Council can demonstrate that it can meet

these tests and as such the policy requirement is unjustified. It is, therefore, recommended that this element of the policy also be deleted.

Policy H1: Housing Allocations

12. The policy is considered unsound as it is not positively prepared or justified. The following comments have been sub-divided for ease of reference.

Housing Requirement

13. The housing requirement of 3,700 dwellings over the plan period, 2011 to 2026, or 247dpa is based upon the now revoked Regional Spatial Strategy (RSS) requirement for the area, which was incorporated into Core Strategy Policy 2. The Core Strategy was adopted 2011, prior to the publication of the National Planning Policy Framework (NPPF). The Council's 2008 Strategic Housing Market Assessment (SHMA) acknowledged that this requirement was not sufficient to meet the needs of the area. It was therefore a policy driven requirement and cannot be considered to fulfil the requirements of NPPF paragraph 47.

14. The 2012 based Sub-National Household Projections identify a starting point for the identification of Rossendale's objectively assessed housing needs (OAHN) as 219 households per annum. This figure does not take account of past under-delivery, the effects of the moratorium upon the trend based forecasts, market signals or economic signals. It is therefore highly likely that an up to date OAHN would identify a housing requirement significantly greater than is currently being planned for. The HBF is aware that the Council were undertaking work upon a SHMA in 2014, however, this has not yet been published. This study would presumably have provided a reasonable gauge of the likely OAHN for Rossendale.

15. The HBF is cognisant that the Lives and Landscapes document is seeking to implement the adopted Core Strategy and the implications of the High Court decision by Lewis J. in Gladman Developments Ltd. and Wokingham Council (CO/1455/2014) dated 11 July 2014. The Council does, however, have a duty to keep the plan up to date and needs to meet the OAHN for the area. Given that the Council has commenced work upon a SHMA update the lack of an OAHN within this document, or commitment to an early review, is considered contrary to the NPPF and the need for positive planning.

Quantity of Allocations

16. The HBF does not wish to comment upon the acceptability or otherwise of individual allocations. It is noted that the plan indicates it will be providing sufficient allocations for 2,896 dwellings. It is understood that since 2011 there have been 743 completions and 630 dwellings are currently under-construction with a further 124 in the planning process. The justification to the policy therefore indicates that a residual amount of 2,250 dwellings must be identified. Given that 406 of the 2,896 identified allocations are under-construction the plan is therefore seeking to provide a buffer of just 240 dwellings above the residual housing requirement or approximately 10%.

The HBF also note that since 2011, 123 dwellings have been brought forward upon windfall sites. It does, however, need to be recognised that this occurred without the benefit of an allocations document and as such it is likely that once this document is adopted the amount of delivery from such sources will diminish.

17. The HBF supports the principle of providing a buffer of sites as this is not only compliant with the NPPF requirements to boost housing delivery, plan positively and provide flexibility, but will also account for the inevitable under or none delivery from some sites. Whilst the principle is supported a buffer of 10% is not considered sufficient in this instance. The Council's draft *Viability Report* clearly acknowledges the difficult economic conditions within many parts of Rossendale, particularly when planning obligations are considered. Given these conditions it is recommended that the Council provide a greater buffer of sites to ensure that the plan require will be met. A figure of 20% or above should be considered.

Delivery

18. The design guidelines for individual allocations identifies phases for expected delivery. The plan is unclear whether these are indicative or proposed phases for site release. The HBF strongly recommend that the plan clearly identify that the delivery expectations are simply indicative and sites can be brought forward as soon as practicable. The HBF does not support a phased release of sites as this can artificially slow delivery and is considered contrary to the NPPF, which states that sustainable development should be brought forward without delay (ministerial forward). Therefore presuming the plan has identified sustainable allocations there would be no justification for holding back their delivery.

Further Consultations

19. 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 in the footer to this response for future correspondence.

Yours sincerely,

MJ Good

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