



# THE HOME BUILDERS FEDERATION

Date: 29<sup>th</sup> October 2015

Consultee ID: 707

Matter: 1

## SEFTON LOCAL PLAN EXAMINATION

### **Matter 1 – Legal compliance and procedural matters**

The HBF would like to submit the following further comments in respect of Issue 1a. We have no further comments upon the issues identified in Issue 1b.

***Issue 1a: Whether the Council has satisfied the ‘Duty to Co-operate’ requirements of the Localism Act 2011 in the preparation of the Plan.***

- 1.1. The joint Liverpool City Region (LCR) studies undertaken in the early stages of Sefton Local Plan (SLP) preparation established that most authorities’ strategic needs could not be met within the urban area. Rather than preparing joint strategies, plans or policies to address these issues at a sub-regional level, Sefton and all neighbouring Councils decided to plan to meet their own needs, albeit based on certain joint evidence base studies. Does this demonstrate effective collaborative working by Sefton Council to address strategic priorities?***

The Council’s *Duty to Co-operate Statement* (ref: LP12) clearly identifies that joint work has occurred across the LCR. The fact that this has not led to joint strategies is not within itself a reason to conclude that effective collaboration has not occurred. The National Planning Practice Guidance (PPG) provides advice upon compliance with the duty, in particular it states;

*‘...Local Planning Authorities should have explored all available options for delivering the planning strategy within their own planning area. They should also have approached other authorities with whom it would be sensible to seek to work to deliver the planning strategy...’ (ID 9-003) and ‘Cooperation between local planning authorities, county councils and other public bodies should produce effective policies on strategic cross boundary matters. Inspectors testing compliance with the duty at examination will assess the outcomes of cooperation and not just whether local planning authorities have approached others.’ (ID 9-010)*

Furthermore the PPG (ID 9-011) identifies that effective co-operation includes entering into agreements on joint approaches as well as joint research and evidence gathering. The Council has undertaken such joint evidence base work. Whilst recommending that authorities consider the production of joint strategies the PPG specifically stops short of requiring such an approach.

In relation to housing the submitted plan (paragraph 1.15) and the *Duty to Co-operate Statement* (paragraph 2.20 and 2.2) both identify that no neighbouring authority can assist Sefton in meeting its objectively assessed housing needs and vice-versa. It is also noted that the *Strategic Housing Market Assessment (SHMA)* (ref: HO5) identifies Sefton as a largely self-contained housing market area (HMA) therefore, in terms of housing, a consideration of whether housing development outside the existing HMA would meet the needs of Sefton would be a factor. These issues have led the Council and the neighbouring authorities of Knowsley and West Lancashire to undertake Green Belt reviews, based upon a common methodology, to ensure that they could meet their own housing needs within their respective boundaries. The HBF is supportive of this action and considers this to represent collective collaboration.

The HBF does, however, still have concerns with regards to unmet housing needs. These are discussed in greater detail below.

**1.2. Does the recognition that an early review off the SLP is necessary to accommodate (1) the emerging Liverpool Superport proposals and (2) unmet housing need, signal a failure of effective co-operation in plan preparation?**

The HBF consider that it would be preferable for the SLP to have been developed in the context of joint evidence upon unmet housing need and the economic aspirations of the area. This preference does, however, need to be balanced against the dire need for a plan within Sefton. Housing delivery within Sefton is heavily constrained by the Green Belt which currently forms a tight boundary to the key settlements. Without a plan in place, which addresses this issue, Sefton will continue to under-deliver against its housing needs for the foreseeable future. With a plan in place, providing a positive context is provided, the plan could seek to meet its housing needs within the short term.

The HBF also recognise many of Sefton's neighbours already have plans that are either in place or are more advanced than the SLP. To enable the LCR to adequately deal with its regional proposals will require all authorities to reconsider their plans this may be through a commitment for joint plans, similar to the approach in Greater Manchester, or a review of existing plans.

To ensure that the unmet housing needs are met the Council is intending to undertake an immediate review of its plan. Whilst the Council's proposed amendment to paragraph 4.44 of the submitted plan is noted (see Examination document LP19, PMM.5) and supported the HBF consider that further certainty over the review is required. This could be via a policy within the plan to ensure the need for a review is paramount. There should also be a commitment to a timescale, the current *Local Development Scheme* (ref: LP18) does not mention a review let alone a timescale, as well as formal agreement between LCR authorities. Furthermore the plan should be clear that unless a review is undertaken in an appropriate timescale the policies in relation to housing would be rendered out of date. It should also be made clear that any backlog accrued against the housing requirement during this plan would be carried forward into the review.

Therefore in conclusion whilst the HBF does not usually support early review, particularly where this involves fundamental issues such as unmet housing needs, the specific circumstances within Sefton mean that it is the only pragmatic way forward to ensure that housing needs can be met in the short-term. This is on the proviso that the review is commenced immediately and undertaken expediently.

- 1.3. Given the apparent slow progress in reaching agreement on a LCR Statement of Co-operation, is there a firm commitment among the LCR authorities to undertake the joint work now necessary before the SLP review can take place? Is agreement being sought at member level, either through a Memorandum of Understanding or by some other means? Is there a realistic prospect that LCR cooperation will be capable of delivering agreed outcomes across local authority boundaries?**

The HBF consider that the Council, and other members of the LCR, are best placed to respond to this question. We do, however, consider that for the plan to be found sound and compliant with the *Duty to Co-operate* requires a formal commitment from all parties to ensure that the joint work necessary for the SLP review is provided and that such work, is undertaken in a timely manner, ideally within the next 12 months.

*MJ Good*

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