

Local Plan Preferred Options Consultation,
St.Helens Council,
Town Hall,
Victoria Square,
St.Helens,
WA10 1HP

20/01/2017

Email: planningpolicy@sthelens.gov.uk

Sent by Email only

Dear Sir / Madam

St. Helens Local Plan: Preferred Options

1. Thank you for consulting with the Home Builders Federation (HBF) on the St. Helens Local Plan: Preferred Options.
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. The Council will be aware that the HBF provided comments at the previous stage of consultation upon this document. We are pleased to note that the Council has sought to take account of a number of our comments. We would like to submit the following comments to this consultation.

Spatial Vision and Strategic Aims

4. The 'Spatial Vision', 'Strategic Aims' and 'Strategic Objectives' are considered generally appropriate. The reference within the vision to meeting housing needs is particularly welcomed. In terms of the Strategic Objectives, we would re-iterate the following comments made during the Local Plan: Scoping Consultation these were;

Strategic Objective 1.1

5. Whilst this objective is generally appropriate and contains laudable aspirations it places significant emphasis upon the redevelopment of derelict and vacant sites. If these sites are available and deliverable the HBF is supportive of their inclusion. However, to achieve the boost to housing supply required by the NPPF and meet

the needs of the area will require a wide portfolio of sites suitable to a wide cross section of the market. It should also be noted that the NPPF encourages and does not prioritise the re-use of previously developed land. This change in emphasis should be reflected within the aims and objectives.

Strategic Objective 4.1

6. Whilst this objective is generally supported it is not considered positively worded or aspirational. The use of 'sufficient' suggests only just meeting needs. It is suggested that the objective be amended to reflect the NPPF requirement for plans to be 'positively prepared' and 'boost significantly' housing supply.

Strategic Objective 5.1

7. Whilst the use of 'sufficient' is retained the HBF is pleased to note that this objective now refers to the Liverpool City Region Growth Strategy and Strategic Economic Plan.

Policy LPA02: Spatial Strategy

8. The following comments are broken down into the constituent elements of the policy.

Part 3: Previously Developed Land

9. The HBF would expect previously developed land to form a key element of the housing supply. The HBF supports the Council in seeking to encourage its re-development through the lowering of developer contributions to improve viability. It is, however, important that all sites included in the housing trajectory conform with the deliverability criteria set out in footnote 11 of the NPPF (paragraph 47). It is noted that the Council is yet to publish its *Local Plan Economic Viability Assessment* this will require consideration in terms of delivery and the Council may need to consider additional sites to ensure it can deliver its development needs.

Part 4: Green Belt and Safeguarded Land

10. This element of the policy seeks to release land from the Green Belt both for development within this plan period and after the plan period, in the form of safeguarded land. This is considered an appropriate response to the development needs of the area and the land supply position. The HBF therefore supports this approach.

11. The NPPF, paragraphs 83 to 85, provides the mechanism for releasing Green Belt through the Local Plan process and requires local authorities to demonstrate exceptional circumstances. Providing other avenues of delivery have been explored the need to meet the housing needs of an area has been accepted to meet exceptional circumstances in other Local Plan examinations.
12. The HBF agrees that the requirement to allocate sufficient land for the development of market and affordable housing, and for employment development to meet the identified needs constitute exceptional circumstances that justify the alteration of Green Belt boundaries through the preparation of the Local Plan. Indeed it is noted that without such releases the amount of new development that could be significantly below identified needs, this would lead to significant reliance upon neighbouring authorities agreeing to take any unmet needs. The consultation document, paragraph 4.109, rules out any reliance upon neighbouring authorities in meeting the needs of St. Helens.
13. The HBF supports the principle of identifying safeguarded land, this should provide certainty over the Green Belt boundaries beyond the plan period. The NPPF, paragraph 85, identifies that where necessary Local Plans should provide safeguarded land to meet longer term development needs stretching “...*well beyond the plan period...*” and that local authorities should satisfy themselves that Green Belt boundaries “...*will not need to be altered at the end of the development plan period...*”. Furthermore NPPF paragraph 83 is clear that once established Green Belt boundaries should be “...*capable of enduring beyond the plan period...*”.
14. It is noted that the Council is now seeking to provide 15 years supply of safeguarded land. This level of provision is supported and indeed reflects our previous comments on this matter in response to the Local Plan: Scoping Consultation.

Policy LPA05: Meeting St. Helens' Housing Need

15. The policy covers a range of housing need and delivery issues. These are addressed separately below.

Part 1: Housing Requirement

16. The policy identifies a preferred housing requirement of a net minimum of 10,830 dwellings over the plan period (2014 to 2033), at an average rate of 570 dwellings per annum (dpa). The HBF is supportive of the description of the

requirement as a net minimum spread evenly over the plan period. This is considered to be in conformity with the NPPF requirements to plan positively and boost housing supply.

17. The housing requirement represents an annual uplift of 119dpa compared to the objectively assessed housing need (OAN) figure within the 2016 *Mid-Mersey Strategic Housing Market Assessment* (2016 SHMA). This is generally supported and is considered a more appropriate housing figure for the area. We do, however, still have some concerns with the OAN and housing requirement which should be addressed at the next stage of consultation. These are set out below.

18. The Council will be aware that the HBF submitted comments upon the OAN during the Local Plan: Scoping Consultation. We had a number of concerns with the 2016 SHMA conclusions which can be read in detail in our previous comments. In summary these were;

- The OAN figure is set below the 2012 based sub national household projections starting point. Since publication of the SHMA the 2014 based household projections have been published;
- The adjustments made to the 2012 household projections due to Unattributable Population Change (UPC) component of the projections, this suppressed the OAN;
- Dismissal of long-term migration rates;
- The use of overly optimistic economic activity rates; and
- Minimal uplift to take account of market signals and affordable housing need.

19. The 2016 SHMA (paragraph 7.5) does recognise that additional homes may be required to support economic growth stating;

“...if the Council decides to plan for higher levels of job growth than what the baseline economic growth forecast for the Borough is suggesting...”

20. Whilst this recognition and the Council’s subsequent uplift to 570dpa is supported it is unclear how this figure has been derived and whether it aligns with the employment strategies of the Council as well as the Liverpool City Region. This should be clarified prior to the next stage of consultation.

21. The consultation document identifies that the 570dpa represents a 20% increase to stabilise and increase the population, promote more housing choice and pre-recession housebuilding levels. The 20% increase raises the requirement from the OAN figure of 451dpa to 541dpa. The additional 29 dwellings required to reach 570dpa are included to take account of future demolitions (plan paragraph 4.102). This would appear to suggest that the proposed requirement is a gross rather than net figure. This should be clarified. The HBF recommends a net figure as stated should be used.
22. The consultation document also makes reference to the Liverpool City Region work upon a new *Strategic Housing and Employment Land Market Assessment* (SHELMA). Given that St. Helens is part of the Liverpool City Region which also constitutes the functional economic market area for St. Helens and is part of the Liverpool City Region Combined Authority administrative area (CA) the outputs of this study will have a significant bearing upon the housing requirement for St. Helens and will need to be given full consideration at the next stage of consultation upon the plan. It is our understanding that the SHELMA will be published for consultation in February of this year.
23. In conclusion whilst the housing requirement uplift to 570dpa is welcomed it remains unclear how this figure relates to the Council's economic strategy or the Liverpool City Region Growth Strategy and Strategic Economic Plan. The HBF will provide further analysis at the next stage of consultation, at this time the outputs from the SHELMA and its implications for St. Helens should be known.

Part 2: Housing Supply

24. This part of the policy identifies the main sources of supply for the delivery of housing, including allocations, existing planning permissions, windfall sites and the 2016 *Strategic Housing Land Availability Assessment* (2016 SHLAA). The contribution from different elements of the supply and need for Green Belt release are expanded upon within tables 4.5 and 4.6 of the consultation document, which draw upon the 2016 SHLAA. It should be noted that the HBF has not undertaken a detailed assessment of the sources of supply at this stage.
25. Table 4.6, row m, identifies a 10% discount for capacity in years 6-15. This is supported, due to the inevitability that some sites will either deliver more slowly than

anticipated or fail to come forward. The HBF would, however, recommend that this discount is also applied to any unimplemented permissions with years 1 to 5.

26. Table 4.6, row p, identifies a 20% buffer on the requirement for Green Belt Sites. The buffer is applied to provide choice and flexibility. The inclusion of a buffer is supported. It is, however, considered that a higher buffer would be more appropriate. The buffer provides an additional 684 dwellings, this is approximately 8% of the remaining housing requirement. The HBF recommends as large a contingency as possible preferably at least 20% of the remaining plan requirement be included. This would be in conformity with the plan which identifies the housing requirement is a minimum not a maximum figure and the NPPF requirements for plans to be flexible and deal with changing circumstances. The recent Local Plan Expert Group (LPEG) report to Government also recommends that;

“the NPPF makes clear that local plans should be required not only to demonstrate a five year land supply but also focus on ensuring a more effective supply of developable land for the medium to long term (over the whole plan period), plus make provision for, and provide a mechanism for the release of, developable Reserve Sites equivalent to 20% of their housing requirement, as far as is consistent with the policies set out in the NPPF”¹.

27. A 20% buffer of the remaining housing requirement would require sites capable of delivering approximately 1,700 dwellings, 1,016 greater than the current buffer. The additional 1,016 dwellings could be identified through reserve sites taken out of the supply of safeguarded land. A phased release of these sites could occur if certain triggers are met, such as the lack of a five year supply or delivery below the housing trajectory. This would provide greater flexibility within the plan as the release of these reserve sites would not require the formal plan review process to be undertaken as would be required for the release of safeguarded land sites.

28. It is noted that windfalls make up 1,365 dwellings over the final 15 years of the plan, an average of 91dpa. The 2016 SHLAA bases this figure upon past rates of completions from small sites, below 0.25ha. No allowance is made from larger sites, above 0.25ha. The HBF consider it reasonable to assume continued delivery from small sites and agrees that a large sites windfall allowance is not appropriate.

¹ Paragraph 11.4 Local Plan Expert Group (2016): Report to the Communities Secretary and to the Minister of Housing and Planning

29. Whilst we agree with the principle of a small sites windfall allowance we do query the continuation of the level of delivery at 91dpa. This is because whilst small windfall sites have delivered at this level in the past this was in the context of an aging plan and lack of allocations. The level of delivery from such sources may reduce in the future due to the provision of allocations and the more thorough evidence provided by the 2016 SHLAA.
30. Paragraph 4.111 indicates that the plan will not phase the release of housing allocations. This is supported.

Part 6: Monitoring

31. The HBF supports the recognition that where housing delivery is failing to the plan requirements a partial or full plan review will be considered to allocate safeguarded land sites for housing development. To ensure that the plan is transparent and effective it is recommended that clear triggers for the instigation of a review are included. I also refer the Council to our comments in paragraph 27 above.
32. It is noted that at this stage the Council has not developed a monitoring framework, the policy could be related to specific triggers set out within this section of the plan.

Policy LPA05.1 Strategic Housing Sites

33. The HBF does not wish to comment upon the merits or otherwise of the individual strategic sites. However any site included in the Council's housing trajectory should conform to the deliverability criteria set out in footnote 11 of the NPPF (para 47).

Policy LPA06: Extent of the Green Belt and Safeguarded Land

34. I refer to our comments upon policy LPA02: Spatial Strategy above.

Policy LPC01: Housing Mix

35. The following comments are broken down into the constituent elements of the policy.

Part 1: Type, Tenure and Size

36. The policy refers to the latest available SHMA in order to assist in determining the type, tenure and size of properties on site. The need to take account of the

SHMA in terms of mix, size and type is recognised. This must, however, be within the context of the local area (NPPF paragraph 50) and not a plan wide requirement. The 2016 SHMA does not provide local area evidence, but rather is a district wide assessment. It therefore would not be appropriate to rigidly apply the SHMA type, tenure and size mix to every site. There should also be recognition that market demand will vary significantly from site to site and over time and that this should be considered.

Part 2: Bungalows

37. The policy requires 5% of all properties on greenfield sites above a site size threshold of 25 to be bungalows. The reasoning for this requirement is unclear, whilst the 2016 SHMA identifies that there is typically a demand for bungalows (paragraph 10.29) this assertion is not supported by specific evidence of need.
38. Furthermore the policy applies to all greenfield sites without differentiation in terms of location, the character of the area or reference to the densities set out within Policy LPA05. The provision of bungalows may also impact upon viability. Given these issues, if a need can be demonstrated, it is recommended that the mandatory requirement be amended to a supportive policy stance which encourages rather than requires the provision of bungalows.

Part 3: Lifetime Homes

39. This element of the policy seeks to require all sites to provide 20% of dwellings to the Lifetime Homes standard. This is inappropriate and contrary to national policy. Since the publication of the Written Ministerial Statement dated 25th March 2015, which introduced the Government's Housing Standards and the subsequent amendments to the PPG, Council's should no longer be seeking to require the Lifetime Homes standard.
40. The equivalent optional housing standard is Building Regulation M4(2). However this standard can only be introduced through a local plan subject to specific evidence requirements, including the effect upon viability. The PPG (ID 56-007) identifies the required evidence for the introduction of the optional standard.

Part 6: Viability

41. The HBF supports the inclusion of this element of the policy as it provides flexibility to deal with site specific circumstances. The inclusion of this part of the policy should not, however, be used to justify other unsustainable requirements as noted above.

LPC02: Affordable Housing Provision

42. The HBF supports the delivery of affordable housing and the evidence from the 2016 SHMA indicates a need for 96 affordable units per annum. The delivery of affordable housing must, however, be balanced against economic viability considerations.

43. The policy sets a variable target for housing sites above 10 units. The variable target is clearly set out within table 6.3 of the consultation document. This indicates a zero requirement within zone 1 for all sites and previously developed sites in zones 2 and 3, a 30% target for greenfield sites in zones 2, 3 and 4 and a 10% target for previously developed sites in zone 4. It is noted that this is a departure from the Core Strategy policy which requires a 30% borough wide target. It is understood the change in policy is to reflect the results from early drafts of the Council's *Local Plan Economic Viability Report*. The HBF is supportive of the plan reflecting viability issues across the borough through a variable target. However, without a published viability report, which considers the cumulative impacts of all plan policies and obligations, it is not possible to determine whether the proposed policy would retain viability in the majority of cases. In this regard the HBF will withhold our position upon this issue until more detailed evidence is provided.

Policy LPC13: Renewable and Low Carbon Development

44. The policy, part 2(i), identifies that strategic housing developments should provide 10% above what is required by the most up to date Building Regulations on a "fabric first" approach. This is unjustified and contrary to national policy.

45. The Council will no doubt be aware of the Written Ministerial Statement dated 25th March 2015 which introduced the Government's Housing Standards. In relation to energy efficiency it sought to ensure that the amended Building Regulations were the applicable standards and local planning authorities should not be seeking to require additional standards over and above this requirement.

46. The proposed policy requirement would also have significant viability implications which would need consideration as part of the *Local Plan Economic Viability Report*. The current viability assessments which accompany the SHLAA do not appear to take account of policy requirements.

Policy LPD02: Design and Layout of New Housing

47. The policy provides a number of design and layout criteria against which new developments will be assessed. The majority of these considerations are considered appropriate.

48. The policy also indicates that the Council intends to produce an update to the 2011 New Residential Development SPD. Whilst the HBF have no 'in principal' objection to the update of the SPD the Council will need to ensure that the SPD does not place additional burdens upon the development industry. The purpose of an SPD is to assist developers in making successful planning applications. The NPPF (paragraph 153) clearly indicates that SPDs should;

*"...be used where they can help applicants make successful applications or aid infrastructure delivery, **and should not be used to add unnecessarily to the financial burdens on development**" (our emphasis).*

Information

49. The HBF would be happy to discuss any of the comments made within this response with the Council prior to the next stage of consultation. I would also be pleased to be kept informed of the progress of the plan and any future opportunities to comment or be involved in the preparation of the plan or other planning documents.

Yours sincerely,

MJ Good

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