

Spatial Planning (Westfields)
C/O Municipal Buildings
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SENT BY EMAIL
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Dear Sir / Madam,

CHESHIRE EAST FIRST DRAFT SITE ALLOCATIONS AND DEVELOPMENT POLICIES LOCAL PLAN

Thank you for consulting with the Home Builders Federation on the Cheshire East First Draft Site Allocations and Development Policies Local Plan document.

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.

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

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.

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 have concerns that the collection of evidence required by this policy will be very time-consuming and may require the need to employ different specialists.

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 recommend 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.

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. It is not entirely clear how this policy would be implemented and how it would be used in decision making, this may become more clear once the Council have determined if it is appropriate to adopt additional standards or not.

Part 3 also states that developments that do not demonstrate an appropriate mix on the site will not be permitted. It is not clear if this is only intended to apply to the requirements of part 3 or the whole policy.

Policy HOU 3: Self and custom build dwellings

This policy provides more detail to Policy SC4 'Residential Mix', with a requirement for housing developments of 30 homes or more to provide 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 are, 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.

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.

The HBF support the inclusion of a viability clause, within part 3 of the policy. However, the Council do not appear to have published a whole plan viability assessment as part of this consultation. Therefore, it is not possible to consider whether the requirements of this policy and others are generally considered viable.

Whilst it is useful to have a plan as to what will happen if the self or custom build plots are not sold. The HBF consider that the proposal set out in part 5 is not appropriate. Self-build or custom-build homes are not equivalent to affordable housing and should not be considered as a transferable entity. It is considered that part 5 could have significant implications for developers and the viability of the site and that this should be considered further.

It is not clear how this policy will sit with policy HOU1 which requires developers to consider the demand for self and custom build homes, for example what if no demand is identified.

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.

Policy HOU 6: Optional technical standards

1. Accessibility and wheelchair housing standards

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.

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 recommend that an appropriate transition period is included within the policy.

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; and that policies for wheelchair accessible homes should only be applied to dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.

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.

2. Internal space standards

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.

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:

- **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.
- **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.
- **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'.

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

The HBF consider 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. 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.

3. Water efficiency standards

The HBF agrees with the Council that additional water efficiency standards are not justified in the case of Cheshire East.

Policy HOU 12: Housing density

This policy generally expects development to achieve a net density of at least 30 dwellings per hectare. Whilst the NPPF, paragraph 123, does indicate local authorities should contain policies to optimise the use of land and include a minimum density for city and town centres or other locations that are well served by public transport. The HBF would expect these to be based upon local circumstances and not harm the overall objective of boosting significantly housing supply. The HBF recommends the Council ensure that the appropriate evidence is available to support this policy, particularly in light of other policy requirements within the Local Plan and

the Cheshire East Design Guide. It is considered that in some areas within Cheshire East, lower density developments would be more appropriate, and the policy should be amended further to allow for flexibility and include additional factors such as market aspirations and viability.

Policy HOU 13: Housing delivery

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 consider that this requirement should be removed from the plan. The policy also suggests that the Council will require that planning obligations are signed within defined timescales. The HBF do not consider that this would be appropriate and consider that it would be difficult to monitor or enforce. The HBF consider 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.

Site allocations

The HBF are 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 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.

The HBF also strongly recommends that the plan allocates more sites than required to meet the housing requirement as a 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 recommends as large a contingency as possible (circa at least 20%) to the overall housing land supply to provide sufficient flexibility for unforeseen circumstances and in acknowledgement that the housing requirement is a minimum not a maximum figure. Table A.5 suggests that there is a need for 36,001 dwellings, and a supply of 37,763 dwellings, this is only 1,762 dwellings, this is less than 1 years' worth of housing supply.

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.

The Council's assumptions on sites in relation to delivery and capacity should be realistic based on evidence supported by the parties responsible for housing delivery and sense checked by the Council based on local knowledge and historical empirical data.

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 do have some concerns about the delivery of homes and seek assurance that the housing requirement will be delivered.

Policy GEN 4: The recovery of infrastructure costs and deferred planning obligations

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

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 have 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 also how the Council or the developer will consider this cost as part of the viability of the development.

Again, in relation to deferred planning obligations, the HBF considers that there may be some circumstances where this can be utilised to bring forward the delivery of homes. However, the HBF have significant concerns around the implementation of this policy and how frequently it will be used. Particularly, concerning is part 5 which seems to be suggesting that if a development can not meet policy requirements for viability reasons they will have to sign up to the deferred planning obligations requirements. 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.

Policy ENV 6: Trees, hedgerows and woodland implementation

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.

Policy REC 2: Indoor sport and recreation implementation

This policy requires all major housing development to contribute towards indoor sport and recreation facilities. The HBF would query whether this contribution is clearly necessary to make the development acceptable in planning terms.

Monitoring and Implementation

This document does not contain a new monitoring and implementation framework it relies on the framework that it already set out in the Local Plan Strategy.

The HBF are supportive of the monitoring framework which includes specific monitoring triggers and proposed actions. There are areas where the HBF consider that the proposed actions could be improved upon, and there may be opportunities to further monitor the proposed policies e.g. the delivery of self or custom build homes.

Whole Plan Viability

The Council have not published a whole plan viability assessment as part of this consultation. Therefore, it is not possible to consider whether policy requirements, infrastructure provision requirements and sites specific infrastructure requirements are viable. This suggests that the cumulative impact of the plan on the viability of development did not inform its preparation and the Council cannot say at this point whether or not the plan is deliverable. Paragraph 34 of the NPPF (2018) requires Council to consider the implications on viability of policies in the local plan and should ensure that such policies should not undermine the deliverability of the plan, therefore the HBF consider the viability assessment to be a key supporting document that should have been published as part of this consultation.

Future Engagement

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.

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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