

Bradford Local Plan

Core Strategy Examination Session Day Nine

Matter 7B: Managing Housing Delivery

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Venue: Victoria Hall, Saltaire

Issue 7.5

Policy HO4 – Phasing & Release of Housing Sites

1. Council's Response

What is the justification for the Council's proposed approach to phasing and releasing housing sites?

- 1.1. Taken as a whole, the Council considers that the range of policies within the housing section of the Core Strategy which are aimed at managing housing delivery and housing growth are an essential part of the plan and without them the sustainability of the plan as a whole would be undermined. It is highly significant that the policies for managing housing growth were among those which performed most strongly in the associated Sustainability Appraisal (SD002).
- 1.2. While there is widespread concern over the potential impacts of housing development among local communities there is equally a degree of agreement that the development that does occur should be managed, whether it be in terms of the location of development, the timing of development, its relationship to essential infrastructure improvements or in the design and quality of that development. The Government has made it clear that it wishes to see an approach to planning which results not only in positive support for the housing and economic growth but also one which secures support and buy in for the principle of increased housing delivery. It is difficult to envisage that this goal can be achieved if the policy tools to shape and manage housing growth are absent or lacking in Local Plans.
- 1.3. Moving specifically to phasing and to Policy HO4, the Council believes that there is a clear need for a managed release of land over the Local Plan period if all of the goals of delivering housing growth and securing sustainable patterns of development and successful neighbourhoods are to be achieved. Policy HO4 therefore reflects this need for a managed approach and will help achieve Strategic Objective number 3 of the plan.
- 1.4. The circumstances and challenges facing the new local plan are of an entirely different order to that which faced either of the previous two statutory development plans for the district. The scale of development and growth which needs to be planned for and managed is of a much larger order. The infrastructure required to support it is therefore also more significant. The last Replacement Unitary Development Plan (RUDP) was faced with more modest housing needs and was able to meet that need simply by carrying forward and augmenting the then existing land supply. The last plan needed to make only a handful of minor changes to the green belt to deliver the land supply needed. The new Local Plan needs not only to release green belt on a significant scale but needs to develop whole new housing market areas such as at Canal Road and growth areas where infrastructure needs to be put in place to support major land releases. Utility and service providers such as Network Rail and Yorkshire Water have therefore not unsurprisingly supported a phased approach to land release.
- 1.5. In addition, the sort of phasing policy being advocated in the Core Strategy is very different to the policy approach within the RUDP. In no way is the policy a simplistic brown field first approach. It has a number of criteria placed within it designed to ensure that any decisions on phasing of sites have regards as much to the need to maintain a range of sites, deliverable sites and an ongoing 5 year land supply, as it has regard to the need to promote and prioritise brown field sites and sites in key regeneration areas.

- 1.6. In short the Council considers that Policy HO4 is fully justified in relation to the challenges and circumstances facing the new local plan and is balanced and reasonable.

Is the approach to phasing in line with national guidance (NPPF; 47)?

- 1.7. The promotion of sustainable development is at the heart of the Government's NPPF and in this respect it is difficult to see how a policy which is aimed at managing housing delivery in a sustainable way but with in built safeguards to ensure that both short term delivery (the 5 year land supply) and overall delivery are not compromised could be considered to be in conflict with the NPPF.
- 1.8. The Council suggests that in assessing the extent to which a policy approach accords with the NPPF a number of tests could be undertaken. The first test is to confirm whether there is anything within the NPPF which specifically rules out the suggested policy, in this case phased land release. There is no such indication within the NPPF that phasing policies are inappropriate. Some objectors from the development sector have suggested that the absence of a positive indication in the NPPF that Council's should consider a phased approach to land release indicates that such an approach is therefore contrary to the NPPF. This is contested by the Council. The whole ethos behind the NPPF was to produce stripped back, shortened, simplified guidance that set out the Government's key policies leaving Council's to produce local plans taking account of local circumstances. Nowhere in the NPPF is there any indication that the NPPF is an list of those areas and policies which can be considered for inclusion within a Local Plan and therefore any other policy approaches not listed cannot be considered.
- 1.9. A better way therefore to test a policy approach not specified within the NPPF is to assess whether that approach would assist or accord in a positive way with any of the goals or approaches within it or whether it would harm or undermine any policy elements within the NPPF. In the paragraphs above the Council has indicated that it considers that a managed release of land would help support a sustainable and managed delivery of housing growth. Sustainable development is at the heart of the NPPF. The Council also considers that phasing policy would in no way undermine the ability of the Local plan to meet the key principles within the NPPF of supporting a boost to housing supply, meeting objectively assessed need for new homes and maintaining a 5 year land supply.
- 1.10. Within the matters and questions the compliance of the phased approach with the specific paragraph 47 of the NPPF is raised. The different elements of paragraph 47 are considered below.
- 1.11. Paragraph 47 relates to what Local Planning Authorities should do to significantly boost supply of housing. The Council's Core Strategy is proposing that provision is made for over 42,000 new homes which represents a rate of over 2,400 per year as it includes an allowance for previous unmet need / backlog. It is proposing to release land across the district and facilities growth areas, urban extensions and green belt release to achieve this. The proposed level of annual housing provision at 2,476 per annum represents a 78% increase on the RUDP target of 1390 dwellings per annum and an 208% increase over the average annual net completions of the last 5 years of 805 (2009/10 = 999, 2010/11 = 696, 2011/12 = 733, 2012/13 = 721, 2013/14 = 874). The phasing policy is a land release policy, and it is not proposing a different annual housing target for the first phase. There is therefore nothing in the phasing policy to prevent the realisation of that significant boost to housing supply. In this respect there is no conflict between the phasing policy and the paragraph 47 of the NPPF.

1.12. The first section of paragraph 47 of the NPPF states that local authorities should:

“use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period”;

1.13. The Core Strategy is following this guidance, it has assessed objectively and then provided for housing need in full. The phasing policy has no bearing or effect on the discharging of this requirement. There is therefore no NPPF conflict between this paragraph and Policy HO4.

1.14. The second section of paragraph 47 of the NPPF states that local authorities should:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.”

1.15. There is nothing within the phasing policy which prevents the Council from identifying both the core 5 year land supply on an ongoing basis or the additional supply implied by adding a 20% buffer. There is no conflict with this aspect of the NPPF.

1.16. The third section of paragraph 47 of the NPPF states that local authorities should:

“identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;”

1.17. The Core Strategy is not seeking to allocate sites but is proposing that the relevant elements of the Local Plan allocate sites in full for the 15 year plan period in line with the NPPF. The phasing policy does not prevent or impinge in any way on this.

1.18. The fourth section of paragraph 47 of the NPPF states that local authorities should:

“for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target”

1.19. The Council has produced such a trajectory (see Appendix 6 to the Core Strategy). Again the phasing policy does not impinge or prevent the production of this trajectory or the delivery of housing at the rate required over the plan period to meet need.

Would the phasing approach lead to shortfalls in housing provision, putting at risk 5-year housing land supply?

1.20. The Council does not consider that the phasing policy as drafted would lead to a shortfall in housing provision. This is because of the huge quantity of land which would be available within phase 1 and the stipulations in the policy with regards to the ‘make up’ of sites in that release. Even with a phasing policy, 8 years housing land will be released at day one of the plan with no restrictions on the pace at which that supply is brought forward. There would equally be no restrictions on further supply should

windfall sites come forward. This would allow for development rates way in excess of both what has recently been delivered and in excess of the Core Strategy's annual housing target. The total housing requirement reflects household growth which will occur year on year as the plan period progresses. Clearly the full housing requirement and thus full land supply is not needed on day one of the Plan period.

- 1.21. Just as there is no danger of a shortfall in housing provision by virtue of the size of land released in phase 1, so there is equally no danger that provision would be undermined by the selection of land which is placed within phase 1. Unlike many other phasing policies the Council has placed within Policy HO4 a specific requirement that the 'make up' of sites within the first phase reflects the need to maintain a 5 year land supply of deliverable sites, and maintains a range and choice of sites. There will be no bar on any type of site or any type of location being included in the portfolio of phase 1 sites. And the policy also stipulates that the phasing should have regard to delivering the overall housing requirement within the plan. All sites are and will be subject to appraisal within the Strategic Housing Land Availability Assessment (SHLAA) and thus the phasing of specific sites will have regard to the appraisals within the SHLAA on the deliverability and timing.
- 1.22. The Council accepts that the strategic policies within the Core Strategy and the subsequent site based choices made within the Local Plan must ensure that there is an ongoing 5 year supply of deliverable sites. Policy HO4 would not prevent or undermine this. By incorporating an 8 year initial phase, the policy has been written and designed to ensure that the supply is front loaded, to ensure early delivery, to ensure a 5 year land supply. Under the phasing policy proposed, 8/15 of the land supply to meet 42,100 new homes would be made immediately available – this amounts to capacity for 22,453 homes. This would provide a 23% surplus over and above the 5 year requirement of 18,241 within the SHLAA Update of 2013. This figure included in full, in line with the Sedgefield approach, previous under delivery. It did not however include any allowance for delivery on windfall or small sites which could add still further to this additional flexibility of supply.
- 1.23. Policy HO4 also makes clear the need to ensure that a 5 year land supply is maintained and that there is a range and choice of sites. The supporting text makes it clear that the policy does not prevent any particular type of site being placed within the first phase of land release.
- 1.24. In conclusion there is no reason to suggest that the phasing policy will undermine overall delivery or the maintenance of a 5 year land supply. Clearly the developers and home builders who have made representations are concerned that the sites which they have an interest in may be placed within the second phase. However it should be pointed out that they along with all other interested parties will be able to make representations during the Allocations DPD and Shipley & canal Rd Corridor and Bradford City Centre AAP processes if they consider that sites have been placed in the wrong phase.

Does the proposed approach to phasing properly recognise infrastructure requirements (including cross-boundary infrastructure requirements)?

- 1.25. The phasing policy is justified partly on the basis of the need to take account of infrastructure delivery issues as work on the Local Plan progresses. Neither the policy nor the text specifically refers to cross boundary infrastructure matters. To be clear the policy or text could if necessary be amended or added to via a minor or main modification to ensure that infrastructure is defined as being both that within the district together with any cross boundary infrastructure issues. The Council will of course continue to liaise with and work with adjoining local authorities under its wider duty to

co-operate. The Duty to Cooperate Statement (SD006) sets out the strategic work in support of the core strategy including housing development and strategic /cross boundary infrastructure issues.

Issue 7.6

Policy HO5 – Housing Density

2. Council's Response

Is the approach to housing density in accordance with national policy?

- 2.1. The Council considers that Policy HO5 is fully in accordance with national policy and in particular paragraph 47 which states that local planning authorities should set out their own approach to housing density to reflect local circumstances. Policy HO5 is another key policy aimed at ensuring that housing growth is managed and delivered in a sustainable way. The scale of housing needed and thus releases of land needed and the problems of securing and identifying this land once the wide range of factors which narrow down land supply options has been considered means that it is essential that land is used efficiently. At the same time the policy has taken a balanced approach in simply applying a modest lower benchmark density target – one that will be eminently achievable on most sites – but even there allowing flexibility for lower yields where there are site specific reasons to do so.
- 2.2. The approach of developers and those submitting planning applications for housing schemes varies widely. The Council considers that the best way to ensure that housing designs ensure that land is used efficiently is for the Local Plan to give a clear steer to developers so that this is built in to the site appraisal and scheme design process at the outset. Having undertaken this process, the particular circumstances of the site and the scheme can then be discussed with the Council's Development Management Team either at pre-app or application stage where, if justified, the policy will allow for all parties to agree on a lower density where access, topography, local character or other factors warrant it.

Would the proposed approach adversely affect 5-year housing supply?

- 2.3. There is no reason in the Council's view to suggest that Policy HO5 which encourages efficient use of land will adversely affect 5 year land supply. The application of the policy will in some cases result in better designs and higher yields than would otherwise be the case and in this way 5 year land supply would be enhanced rather than undermined. The density benchmark chosen is modest and achievable and in those instances where for site specific reasons a 30dph target cannot or should not be applied then the policy and supporting text allows for exceptions.

Should the policy introduce more flexibility to address viability and other considerations?

- 2.4. The first thing to state is that the Council considers that there is no evidence to suggest that applying a minimum density of 30dph will on most sites impact on site viability and this is even more the case given that the policy allows for flexibility in the use of this target. The Local Plan Viability Assessment (EB045 & EB046) at paragraph 4.7.1

suggests that the requirement is not onerous and that its impact on economic viability is negligible.

- 2.5. To be fair and balanced the Viability Assessment does go on to give a more cautious appraisal of the application of densities higher than this but even here the report suggests that this may change as market conditions over the plan period change and as demand for higher density accommodation increases.
- 2.6. The Council has in a number of instances in the plan included a reference or qualification that a specific requirement will be subject to consideration of viability. Such a reference could if required be added either to the supporting text or to the Policy although the Council considers that there is no particular reason or need to do so.

Is there sufficient evidence to justify the specific density targets for particular areas?

- 2.7. The only target given within the policy is the benchmark minimum of 30dph. This is set a reasonable and modest level, a level which is likely to be easily achievable in most instances. It is also set at a level such that a mix of densities and therefore types of homes could be provided on a site with some sites on homes at higher and some homes at lower densities on a site. The use of 30dph should therefore encourage good design.
- 2.8. It is appreciated that locally specific density targets will require more detailed analysis of local circumstances and evidence. This will include the character and nature of an area, the nature of the land supply in the area and the need to secure the right type of homes in relation to local need and prevailing demand. Policy HO5 allows for the Allocations DPD and the two Area Action Plans to examine the evidence and put forward locally specific density targets if the evidence supports and warrants it.

Issue 7.7

Policy HO6 – Previously Developed Land

3. Council's Response

Is the Council's approach to prioritising development on Previously Developed Land consistent with the latest national guidance in the NPPF/PPG?

- 3.1. The Council considers that Policy HO6 accords with the guidance within the NPPF and in particular would point to paragraph 111 which states that:

"Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land."

- 3.2. The policy is balanced, reasonable, based on evidence in particular the data within the SHLAA and the targets within the Policy are therefore justified and achievable.
- 3.3. Objections have been received to the use of the phrase 'prioritising the development of previously developed land and buildings' on the basis that the Government within the NPPF uses a slightly different phrase i.e. 'encouraging the development of previously developed land. The Council does not consider that the policy is inconsistent with the

NPPF either in its detail or in terms of the principle underpinning it. It is quite correct to say that the wording used in the NPPF is encouraging the use of PDL. However such encouragement cannot be realised unless the Council and other public agencies take action via their plans, policies or programmes to stimulate such development. This can include prioritising the use of such development opportunities. Taking the Core Strategy's as a whole, the Council has made it clear that the application of its policies such as on phasing and PDL will not be on a simplistic brownfield first basis and must maintain an adequate and varied supply of sites to meet need.

- 3.4. By reference to the NPPF as a whole it is clear that the Government is placing great emphasis on the provision of increased supply of housing to meet local needs but at the same time also wishes to see that development delivered in a sustainable way which includes the re-use of previously developed land. Thus as long as the Council's policies and targets for the use of such land are achievable and justified by evidence - which they are - there is no reason why prioritising development on PDL need be in conflict with the NPPF.

Will the proposed targets stifle development and undermine meeting housing need and supply?

- 3.5. The targets proposed are informed in the main by evidence within the SHLAA. The SHLAA itself has on a site by site basis assessed whether sites are deliverable or developable. Only deliverable and developable sites are included within the SHLAA trajectory and settlement capacity totals – these trajectory totals have in turn informed the proposed previously developed land targets.
- 3.6. In line with the evidence, the targets are in fact lower than either the targets within the current plan, the RUDP, and also lower than the rates which have been achieved in recent years. But the targets are lower because of the evidence of land supply in conjunction with the massive increase in the scale of development required which simply cannot be delivered without a significant green field contribution.
- 3.7. There is simply no evidence to suggest that setting a district wide previously developed land target of 50% will in any way impair overall housing delivery nor will it impact on the maintenance of a 5 year land supply.

Are the proposed targets fully justified with available evidence?

- 3.8. The targets have been informed by the data within the SHLAA Update of 2013. That data is included in Table 1 at the conclusion of this position statement. The table shows the total deliverable and developable supply within each tier of the settlement hierarchy and then expresses that quantum as a percentage of the proposed Core Strategy quantum for that tier of settlements.
- 3.9. Policy HO6 has set the previously developed land targets at a point just above this percentage with the greatest increase or uplift being in the Regional City and Principal Towns where the size of settlements and therefore potential to identify more brown field sites and secure more brown field windfall development is greatest. The slight uplift in proposed targets as compared to the SHLAA data is therefore based on the following assumptions:
- Firstly paragraph 5.3.90 indicates that the targets are for the delivery of housing completions not to land supply allocations. This makes perfect sense – it is the actual outcome of how many homes are and can be delivered on previously developed sites which is most important. There are likely to continue to be limited

contributions to actual delivery from previously developed windfall sites over the plan period which will top up overall delivery.

- Secondly there was expectation that supply, particularly on previously developed sites in the City Centre would be slightly higher than indicated in the second SHLAA once further work was done. This has indeed proved to be the case. Provisional data from the third SHLAA, nearing completion, is that total deliverable and developable capacity in the City Centre has risen from 2,752 to 5,019. Deliverable and developable capacity on previously developed land within the Regional City as a whole has increased from 13,767 to 14,758.

- 3.10. The Council would note that a range of representations have been received from developers and agents suggesting that the previously developed land targets within the Core Strategy are reasonable and justified in relation to the evidence (representees 396, 397, 400,, 402, 447)

Issue 7.8

Policy HO8 – Housing Mix

4. Council's Response

Is the Council's approach on housing mix consistent with the latest national guidance in the NPPF/PPG?

- 4.1 The Council consider that Policy HO8 will deliver a range of housing which meets the needs of the district, including families, older people and people with disabilities in accordance with NPPF paragraph 50.
- 4.2 NPPF paragraph 50 requires planning authorities to plan for a mix of housing. Policy HO8 sets out the strategic housing priorities for the District and requires larger sites to provide an appropriate mix of housing. The policy has been informed by evidence of the need and demand for different types of housing in the Strategic Housing Market Assessment (SHMA) 2010 (EB050) and SHMA Update 2013 (EB052), in accordance with NPPF paragraph 159. The approach to housing mix in Policy HO8 is flexible and requires the mix of housing proposed to be justified based on evidence of housing need and demand in the SHMA and any robust local evidence.
- 4.3 Policy HO8 will be delivered through the development management process. Residential development proposals will be required to demonstrate how the development will contribute to meeting the housing needs and strategic priorities of the District as set out in Policy HO8. Developments will also be expected to have regard and respond to local character and site specific issues in accordance with NPPF paragraph 58. Larger sites will be expected to provide a mix of housing. The housing mix should be justified based evidence within the District's most up to date SHMA together with any other robust local evidence or information.
- 4.4 This approach allows the housing mix to be assessed on a site by site basis in relation to evidence in the SHMA and any other robust evidence of local need and demand, in accordance with NPPF paragraph 50. Specific guidance on a site/area basis may also be set out in the Allocation DPD, Area Action Plans (AAPs) and Neighbourhood Plans.
- 4.5 It is not considered appropriate to set out details of housing mix on an area or site basis in the Core Strategy, as this approach is considered too prescriptive for a

strategic level Development Plan Document. As the housing market is dynamic and likely to change over the plan period it is not considered appropriate to specify the housing mix in the Core Strategy based on current housing market conditions alone. The flexibility in Policy HO8 will help ensure that an appropriate housing mix is delivered on sites over the plan period, and the housing mix on development sites will be informed by the latest evidence of demand and need the District's SHMA and any robust up to date evidence.

Is the approach justified by evidence, in an up-to-date, comprehensive and accurate SHMA?

- 4.6 The Council consider that the approach to housing mix in Policy HO8 is fully justified with robust and up-to-date evidence. Policy HO8 has been informed by the Bradford SHMA 2010 (EB050) and SHMA Update 2013 (EB052), in accordance with NPPF Paragraph 159. A summary of the evidence base informing Policy HO8 is set out in Section 3 of Background Paper 2: Housing Part 2 (SD017).
- 4.7 The SHMA 2010 was prepared in accordance with the *SHMA Practice Guidance Version 2, 2007*. The SHMA was updated in 2013 to ensure an up to date evidence base and to reflect the NPPF requirements. The SHMA methodology is considered to be consistent with the approach to assessing housing need outlined in the latest PPG.
- 4.8 The SHMA provides an analysis of the housing market and the key market drivers in the District. The SHMA update 2013 concludes there is a need to maintain the delivery of a variety of dwelling types and sizes to ensure that a better balance between demand and supply is achieved across the District and recommends that the Council should maintain a flexible approach in the delivery of open market dwellings (EB052, paragraph 6.12).
- 4.9 The approach and strategic priorities set out in Policy HO8 have been informed by evidence in the SHMA as set out in paragraphs 5.3-5.15 in Section 5 of Background Paper 2: Housing Part 2 (SD017).

Are the size thresholds too high or too low?

- 4.10 NPPF paragraph 50 requires planning authorities to plan for a mix of housing. Policy HO8 will promote mixed communities and deliver a wide choice of homes by ensuring that larger housing sites provide a mix of housing. Housing developments of 10 or more dwellings are considered as major applications by the council. A site size threshold of 10 dwellings is considered an appropriate threshold for assessing if a site delivers an appropriate housing mix. The policy is worded to offer flexibility and allows the housing mix to be assessed on a site by site basis and the circumstances of individual sites to be taken into account.

Does the policy consider viability issues and is it policy effective or unduly onerous for developers?

- 4.11 Policy HO8 considers viability issues. A Local Plan Viability Assessment has been produced to review all the policies in the Core Strategy in terms of any potential impact on viability. As Policy HO8 requires the precise mix to be determined according to need and demand on case by case basis (EB046, Table 3.2 p.17) it is not possible to measure the economic impact of this policy at a Local Plan wide level. However, because of the flexibility and the provision of viability test at Policy ID2 it is considered to be justified.

- 4.12 The approach to housing mix in policy HO8 is flexible and requires the mix of housing proposed to be justified based on evidence in the SHMA and robust local evidence. As the Core Strategy is a strategic document, Policy HO8 is not unduly prescriptive and does not specify percentages of different house sizes, types and tenures across the District. This approach allows the housing mix to be assessed on a site by site basis in relation to local evidence of need and demand and allows the circumstances of individual sites to be taken into account. The policy is therefore not considered unduly onerous.
- 4.13 It is considered that Policy HO8 is effective and achieves an appropriate balance between maintaining a flexible approach to the future delivery of dwellings, whilst setting out mechanisms and strategic priorities for delivering an appropriate range of housing types which meet the needs of the District's growing population.

Issue 7.9

Policy HO9 – Housing Quality

5. Council's Response

Is the Council's approach to housing quality consistent with the latest national guidance (NPPF/PPG), particularly with the recent national consultation about how the government intends to deal with many of the code standards through the Building Regulations?

- 5.1 The Council consider the approach in Policy HO9 is justified and consistent with the latest national guidance. The policy aims to ensure housing developments:
- achieve good design in accordance with NPPF paragraph 58
 - support the move to a low carbon future in accordance with NPPF paragraph 95
 - create sustainable, inclusive and mixed communities in accordance with NPPF paragraph 50.
- 5.2 The justification for Policy HO9 is set out in paragraphs 6.2 to 6.39 of Background Paper 2: Housing Part 2 (SD017).
- 5.3 In September 2014 the government published the next stage of the Housing Standards Review with proposed standards on access, water, security, internal space and waste. The document also contained information in respect of energy efficiency standards and the transitional arrangements for the Code for Sustainable Homes.
- 5.4 In terms of implementing the Housing Standards Review the Technical Consultation states that the government intends to issue a statement of policy in early 2015, subject to Parliamentary approval (Housing Standards Review Technical Consultation 2014, paragraph 127). This statement will set out how these housing standards should be applied in Local Plans.
- 5.5 The Council recognise the Government's Housing Standards Review may introduce new national standards for housing. However, the policy statement for this is yet to be published. Therefore to take account of future government decisions on the Housing Standards Review, Policy HO9 refers to any subsequent national standards in relation

to sustainable homes, accessible housing and internal space standards to ensure the policy is flexible. The Council therefore consider Policy HO9 to be sufficiently flexible to accommodate any changes introduced through the Housing Standards Review.

- 5.6 The approach to housing quality in Policy HO9 is considered broadly consistent with approach set out in the Government's Housing Standards Review. However, parts of the policy are not considered to be consistent with some elements of the Housing Standards Review Technical Consultation 2014. These are considered in turn below.

Design

- 5.7 It is considered that the approach to design in Policy HO9 is consistent with latest national guidance. Good design is a key aspect of sustainable development and Policy HO9 sets out the quality of housing development that will be expected for the District, in accordance with NPPF paragraphs 56-58.
- 5.8 The design quality of housing developments will be determined by a Building for Life 12 Assessment. Building for Life 12 is the industry standard for the design of new housing developments and is based on the NPPF in relation to achieving good design.
- 5.9 The Housing Standards Review does not consider general housing design. The approach to design in Policy HO9 is therefore considered fully consistent with latest national policy and guidance.

Sustainable Housing Standards

- 5.10 It is considered that the need to mitigate the impacts of climate change, the District's challenging carbon reduction target and large population growth justify setting a local requirement for sustainable housing in Policy HO9 in accordance to NPPF paragraphs 93-95.
- 5.11 NPPF paragraph 95 requires any local requirement for a building's sustainability, to be consistent with the Government's zero carbon buildings policy and adopt nationally described standards. Criteria B sets out that the minimum acceptable sustainable housing standard will be:
- Code Level 4 from the date of adoption, and
 - Zero Carbon Housing from 1st April 2016
- 5.12 The national PPG on "*What are Government's national standards for a building's sustainability and for zero carbon buildings?*" states that planning authorities will need to take account of Government decisions on the Housing Standards Review. The guidance will be updated as appropriate in the light of those decisions (PPG, Paragraph: 009 Reference ID: 6-009-20140306).
- 5.13 The Housing Standards Review Technical Consultation states that "*as many of the requirements of the Code for Sustainable Homes will be consolidated into the Building Regulations, the Code for Sustainable Homes will be wound down from the time the statement is made. From the date of the statement, therefore, new plan policies should not refer to the Code* (Housing Standards Review Technical Consultation 2014, paragraph 132).
- 5.14 The sustainable housing standards in Criteria B are considered consistent with current national planning policy as set out in the NPPF. The requirement for the Code for Sustainable Homes Level 4 is not consistent with the proposed policy intent set out in

the Housing Standards Review Technical Consultation 2014, although the statement of policy has not yet been made.

- 5.15 Paragraph 137 of the Technical Consultation states “*From the date of the statement, local planning authorities will continue to be able to set and apply policies in their local plan requiring development in their area to comply with energy efficiency standards that exceed the energy requirements of building regulations until the zero carbon home policy has been put in place.*” (Housing Standards Review Technical Consultation 2014).
- 5.16 The Code for Sustainable Homes standard in Criteria B is therefore only considered consistent with the Housing Standards Review in relation to the energy efficiency part of the standard.
- 5.17 To be fully consistent with the Housing Standards Review the policy and/or supporting text would need to be modified to clarify that the requirement for Code for Sustainable Homes Level 4 refers only to the energy efficiency part of the standard. However, the Council considers that setting a local requirement for sustainable housing in Policy HO9 that exceeds current national Building Regulation standards in relation to energy efficiency is still justified as set out in paragraphs 6.8 to 6.10 in Background Paper 2: Housing Part 2 (SD017).

Accessible Housing Standards

- 5.18 The Council considers that the approach in Criteria C of encouraging new development to achieve accessible housing standards and expecting larger sites to include a proportion of accessible homes is justified in relation to future housing need and viability as set out in paragraphs 6.18 to 6.21 in Background Paper 2: Housing Part 2 (SD017) and consistent with NPPF paragraphs 50,173 and 174.
- 5.19 Requiring a proportion of development on larger sites to include accessible homes in Criteria C is considered broadly consistent with the proposed approach to accessible homes in the Housing Standards Review. The supporting text to Policy HO9 (paragraph 5.3.141) refers to any subsequent revised national accessible housing standard in relation to this requirement. The policy is therefore considered sufficiently flexible to be consistent with the approach to accessible homes in the Housing Standards Review.
- 5.20 The Housing Standards Review Technical Consultation 2014 sets out that the proportion of new development which needs to comply with the requirements for category 2 or category 3 accessible dwellings should be set out in the Local Plan and this should be justified in relation to need and viability (Housing Standards Review Technical Consultation 2014, paragraphs 112-114). The Council consider that the need for accessible homes is justified in relation to projected growth in older households and families as indicated in the SHMA Update 2013 (EB052, paragraphs 6.5 and 6.11) and the priorities and objectives in the District’s housing strategy (PS/B001b(vii), p.8, 11 and 12) and housing strategy for the over 50s (PS/B001b(ix), p. 3 and 35). However, the council have yet to produce evidence to justify what the proportion and breakdown of accessible homes should be in accordance with the latest Housing Standards Review Technical Consultation 2014 evidence requirements.

Space Standards

- 5.21 The approach in Criteria E of requiring a minimum space standard for new housing is considered justified in relation to housing need and viability as set out paragraphs 6.26

to 6.31 in Background Paper 2: Housing Part 2 (SD017) and in accordance with NPPF paragraph 50.

- 5.22 The Council considers the inclusion of a minimum space standard for new housing in the Local Plan is consistent with the general approach to internal space standards in the Government's Housing Standards Review. The minimum space standard set out in the supporting text to Policy HO9 (paragraph 5.3.143) is not consistent with the latest nationally described space standard (Nationally Described Space Standard – technical requirements Consultation draft September 2014, Table 1, p.4). However, the supporting text also refers to any subsequent national standard to ensure the policy is flexible.
- 5.23 To adopt a policy on space standards in their Local Plans, the Technical Consultation states that Local Authorities will be required to adopt the nationally described space standard and the policy should be justified in relation to a range of considerations including housing need and viability (Housing Standards Review Technical Consultation 2014, paragraphs 119-120).
- 5.23 To be fully consistent with the Housing Standards Review the policy and/or supporting text would need to be modified to refer to the latest Nationally Described Space Standard. The Council consider that setting a policy on space standards is justified; however the Council have not yet assessed the impact of the nationally described space standard as set out in the Housing Standards Review Technical Consultation 2014.

Does the policy properly consider the viability implications of requirements of specific codes on new developments;

- 5.24 The standards in Policy HO9 have been subject to viability testing in the Viability Assessment 2013 (EB045), and Viability Assessment Update 2014 (EB046), in accordance with NPPF paragraphs 173-174. The Council's approach to balancing viability and deliverability against development standards is highlighted in the Viability Assessment Update 2014 (EB046, paragraphs 5.1.1 to 5.1.4). This reflects the iterative process of developing plan policies in regards to viability as set out in the national PPG in relation to viability and plan making (PPG Paragraph 006 Reference ID: 10-007-20140306).
- 5.25 In terms of design the Viability Assessment Update 2014 considered that it is not realistically feasible to accurately assess the cost impact of the Building for Life 12 design principles and therefore a 10% uplift in build cost has been included as a proxy. Under current market conditions the results show the impact is to reduce the headroom for other planning standards in value areas 1, 2 and 3, and in value areas 4 and 5, the cost uplift further suppresses viability. The results indicate improved viability in the majority of the district under the mid to higher value sensitivities (Viability Assessment Update 2014, HO9 outputs EB046).
- 5.26 In relation to meeting sustainable housing standards, the Viability Assessment Update 2014 indicates that meeting the standard has an impact in terms of uplift in build costs but is likely to be viable under current market conditions in the majority of the District (apart from the lowest value area 5) when assessed independently of other standards. The Viability Assessment Update 2014 notes that the combination of improved market conditions and technological advancements are thought likely to improve the viability of imposing such standards over the medium to long term (EB046, paragraph 4.9.4).

- 5.27 The additional cost of meeting the Lifetime Homes standard has been tested in the Viability Assessment Update 2014 which notes that the impact is modest given the relatively small cost increase in percentage terms (EB046, paragraph 4.10.2). Paragraph 5.3.140 in the supporting text to Policy HO9 clarifies that where feasible and viable the council will encourage new housing to achieve the Lifetime Homes Standard (or any subsequent revised national standard). This is not a requirement; however larger sites of 10 dwellings or more will be expected to include a proportion of accessible homes as part of the overall housing mix.
- 5.28 In considering suitable space standards, the cost implications of achieving space standards on financial viability were tested in the Viability Assessment 2013. The Viability Assessment Update 2014 (EBO46, paragraph 4.14) notes that in view of the limitations of the model in modelling space standards it has not modelled the effect of increased space standards. However the report underlines the possible impact that any such standards could have on viability and deliverability and notes any further work being undertaken by the council in relation to the nationally described space standard will need to be understood in regards to overall plan viability.
- 5.29 Given the viability issues identified in the Viability Assessment Update 2014, particularly in the lowest value areas and the cumulative impact of policy standards, the standards in relation to the Code for Sustainable Homes, Lifetime Homes and internal space standards in Policy HO9 are subject to feasibility and viability to ensure the policy does not impact on delivery in accordance with recommendations in the Viability Assessment (EB046, paragraph 4.18.1).

Is the policy too onerous and detrimental to new developments, (including viability) and would it benefit from some further flexibility.

- 5.30 It is considered that Policy HO9 achieves an appropriate balance of setting local sustainability and design standards for new housing which support good design, climate change mitigation and the Council's carbon reduction targets, while taking into account economic viability and deliverability.
- 5.31 The standards in Policy HO9 are subject to feasibility and viability to ensure the policy does not impact on delivery in accordance with recommendations in the Local Plan Viability Assessment.
- 5.32 The Viability Assessment Update 2014 concludes that the flexibility built into the wording of policies in the Core Strategy is such that they are not considered likely to put development viability at any serious risk across the District (EB046, paragraph 5.1.1). It is therefore considered that the policy is not too onerous and detrimental in terms of viability and is flexible to ensure it will not impact on delivery over the plan period.

Issue 7.10

Policy HO10 – Overcrowding and Empty Homes

6. Council's Response

Is the Council's approach to overcrowding and empty homes, including the policy interventions set out, fully justified with up-to-date and reliable evidence on overcrowding and empty homes, effective, deliverable, soundly based and consistent with the latest national guidance (NPPF/PPG)?

What practical measures will be used to reduce overcrowding and bring vacant homes back into use to ensure that the Policy is deliverable

6.1. The Council considers that Policy HO10 accords with the NPPF in particular paragraph 51 which states:

“Local planning authorities should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers.”

6.2. The policy reflects the evidence on the ground and therefore also aligns with the aims and content expressed within the Council's recently refreshed Housing and Homelessness Strategy 'A Place to Call Home' (PS/B001b(vii)).

6.3. One of the Council's key goals within that strategy is to reduce the number of long term empty homes. Page 6 of the document reports that success in tackling this issue is already being made. Between October 2008 and October 2013 there were 2,752 fewer long-term empty homes across the district, many as a result of the work of Council's Empty Homes team. It also states that the Council has developed a comprehensive Empty Homes Delivery Plan, and committed significant resources to tackling the blight caused by empty homes. Despite this progress considerably more need to be done. The evidence base appendix which supports the Housing and Homelessness Strategy reports that based on Council tax data 2.53% of homes are classed as long term empty (empty for longer than 6 months) and this is still higher than West Yorkshire (1.63%) and England (1.12%).

6.4. The Housing and Homeless Strategy also highlight the problem of overcrowding across parts of the district. Page 8 of the document reports that symptoms of insufficient housing supply are evident across the district: - overcrowding has increased to nearly 10% of households, and homelessness is also increasing. The evidence base to the strategy reports that Census 2011 data suggests that overcrowding has increased from 2001. 9.7% of households are considered to have at least one room too few for their needs, 4,523 more households than in 2001. Severe overcrowding is concentrated around Great Horton Road, Manningham, Barkerend Road and Central Keighley.

6.5. The Council has developed a delivery strategy and action plan for tackling empty homes within the district (PS/B001b(x) and PS/B001b(xi)). Among the measures designed to reduce the number of empty homes are:

- Empty home loans and assistance
- Legal; assistance
- Specialist empty homes advisors
- Used of compulsory purchase orders;
- Enforced.

- 6.6. Core Strategy paragraphs 5.3.152 outline a number of measures which have and will continue to be used to tackle and reduce the problems of overcrowding.
- Making best use of under-occupied socially rented stock using allocations policies and working with registered providers, particularly linking in with measures to address the impacts of welfare reform;
 - Offering a 'housing options' casework approach to overcrowded households;
 - Increased priority awarded to severely overcrowded households in the District's allocations policy.
 - Use of planning policy - In cases where overcrowding has been established through the submission of documented evidence by the applicant and through consultation with the Council's Housing Department, the Council will normally allow a larger than otherwise permitted extension under the Design Principles of the Householder SPD.
- 6.7. Notwithstanding these measures the biggest contribution which can be made is to significantly increase the supply of homes in those urban areas most affected and Policies HO1 and HO3 reflect this goal.

Issue 7.11

Policy HO12 – Sites for Travellers & Travelling Showpeople

7. Council's Response

Is the approach towards making provision for gypsies and travellers, including the level of provision and the criteria for new sites, appropriate, justified, effective, positively prepared, soundly based and consistent with the latest national policy

- 7.1. Policy HO12 is designed to meet the requirements of government policy as set out in 'Planning policy for Traveller Sites' by setting out the scale of need for new pitches and plots for both travellers and travelling showpeople. It also sets out the Council's approach to assessing sites or planning applications, the Council's policy on rural exception sites and on temporary planning permission. In the Council's view the policy is in broad compliance with the national policy.

The Policy seems to be based on the West Yorkshire G&T Accommodation Assessment of 2008, which set out requirements to 2026. The Policy also fails to deal with transit pitches. Is there any more recent evidence or assessment of gypsy and traveller accommodation needs which could be used?

- 7.2. The targets set out within the Core Strategy reflects the assessment of need as assessed within the 2008 study (EB043). The Policy does deal with transit pitches – as can be seen within table HO8, the need for 6 transit pitches is included within the overall pitch requirement of 74. If necessary this could be made clearer via a minor change to the policies wording via a 'main modification'.
- 7.3. The Council have commissioned a new Accommodation Assessment from consultants arc4. This is being carried out in line with government guidance and best practice and involves extensive consultation and survey work. It has also involved engagement with

neighbouring authorities (in addition to the engagement which has already taken place at Leeds City Region level via the various duty to co-operate member and officer groups). It was originally hoped that this new study would be sufficiently advanced by the point of preparing this position statement to give an early indication of the findings. It may still be possible to do this at the EIP itself and in any event consultants arc4 will be present to explain the scale and methodology of the work being undertaken.

Has the GTAA considered cross-boundary issues related to the provision of accommodation for gypsies and travellers, including the needs of neighbouring local authorities in the Leeds City Region?

- 7.4. The new study will be considering any relevant cross boundary issues and involved engagement with neighbouring authorities. This is in addition to the work at Leeds City region level which is documented in the Council's Duty to Co-operate Statement (SD006). There is no evidence of or current request for the Council to meet any unmet need from any adjoining local authority.

Table 1: SHLAA Update (2013) vs Core Strategy Publication Draft Housing Distribution

	Total SHLAA Capacity*	Total PDL Capacity	Core Strategy Publication draft Distribution (Policy HO3)	SHLAA PDL As A % Of Core Strategy Housing Distribution	Policy HO6 PDL Target
REGIONAL CITY	30,338	13,767	28,650	48	55
PRINCIPAL TOWNS	9,219	2,829	6,700	42	50
LOCAL GROWTH CENTRES	7,782	470	3,400	14	15
LOCAL SERVICE CENTRES	6,371	1,106	3,350	33	35
DISTRICT WIDE	53,709	18,172	42,100	43	50

* Deliverable or developable sites, capacity within the 17 year trajectory plus residual

Provisional Updated Figure For the Regional City (SHLAA 3)

	Total SHLAA Capacity*	Total PDL Capacity	Core Strategy Publication draft Distribution (Policy HO3)	SHLAA PDL As A % Of Core Strategy Housing Distribution	Policy HO6 PDL Target
REGIONAL CITY	31,452	14,758	28,650	51.5	55