



# THE HOME BUILDERS FEDERATION

Date: 16<sup>th</sup> February 2015

Consultee ID: 105

Matter: 7B

## **BRADFORD LOCAL PLAN CORE STRATEGY EXAMINATION**

### **MATTER 7B: MANAGING HOUSING DELIVERY**

#### ***Question 7.5: Policy HO4 – Phasing & Release of Housing Sites***

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

1. The supporting text to Policy HO4 makes reference to a focus on the early release of deliverable and sustainable sites which are not dependent on the provision of significant new infrastructure. This is generally supported. The policy and phasing does, however, appear to be largely predicated on meeting targets for previously developed land, regeneration initiatives and infrastructure provision. Whilst the HBF is not averse to such aspirations the proposed arbitrary phasing of sites may simply thwart development in the short-term and ensure the housing needs of the area are not met. The issue of infrastructure provision is recognised, however, the current policy pays little regard to this simply basing the phasing on arbitrary dates. The proposed phasing also does not seek to meet the backlog in housing completions currently accrued in the first five years. This is considered contrary to the PPG.

##### ***b. Is the approach to phasing in line with national guidance (NPPF; ¶ 47)?***

2. The HBF does not consider the phased release of sites to be consistent with the NPPF. The Council has already identified that the proposed allocations are sustainable and therefore their development should not be artificially constrained. The NPPF indicates that development that is sustainable should '*go ahead without delay*' (ministerial foreword, paragraphs 14 and 15).
3. To ensure the Council can begin to deliver against its housing targets it is important that it has a wide portfolio of sites which can be delivered by the market in current conditions. This is particularly important given that the Council is unlikely to be able to demonstrate a five year supply upon adoption (see comments below). The Council may wish to identify likely timescales for delivery through a trajectory but should not seek to stall sustainable and deliverable sites from coming forward, this will simply thwart development and will create difficulties for the Council in achieving its 5 year supply of housing.

4. The HBF points towards the examinations of the South Worcestershire Local Plan and Rotherham Core Strategy where phasing was noted as not being consistent with the NPPF and recommended for removal in both instances.

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

5. Yes, the Council cannot currently demonstrate a 5 year supply (2012 AMR and 2013 SHLAA update (ref: EB049)) due to deliverability issues on a number of sites. Indeed the Council can only demonstrate approximately 2.3 years supply (page 138, EB049). To overcome this significant shortfall the Council should seek to identify viable sites to bolster supply and provide early delivery. Phasing of sites will not achieve such results, particularly as the Council are seeking the phasing requirement to promote sites in regeneration areas and on previously developed land which are likely to have significant economic viability issues.

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

6. The phasing does not appear to pay any significant regard to infrastructure delivery. The HBF is unaware of any analysis which directly relates housing provision with infrastructure provision to justify the proposed two phases. It also does not appear to recognise that much of the infrastructure may be delivered by the viable developments which are proposed to be held back.

***Question 7.6: Policy HO5 – Housing Density***

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

7. Paragraph 47 of the NPPF permits the Council to set out its approach to housing density to reflect local circumstances. However, Bradford is not a homogeneous authority and as such local circumstances vary considerably dependent upon where the site is located and particular site characteristics. The Council has indicated within Part C of the policy it may vary from this policy within the forthcoming DPDs by sub-area. This may assist in overcoming some of our concerns with the current policy. It is recommended further flexibility be included to allow for individual site issues and to ensure that the policy does not conflict with Policy HO8 (which seeks larger homes and accessible homes both of which need larger floor areas and therefore will reduce densities) and Policy DS3 which seeks development to be within the context of its urban character.

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

8. This would be largely dependent upon how flexibly the targets were proposed to be applied. Providing the target is applied flexibly to allow specific developments to respond to their setting, the needs of the area and individual site characteristics this need not affect the 5 year housing supply.

However unrealistic density assumptions upon sites may identify the need for additional sites to be brought forward.

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

9. Yes, the HBF considers that further flexibility to address viability, site characteristics, local and market needs such be included.

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

10. The HBF is unaware of any evidence to substantiate density targets for particular areas.

***Question 7.7: Policy HO6 – Previously Developed Land***

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

11. No, the NPPF (paragraph 111) specifically refers to encouraging rather than prioritising the effective use of previously developed land. The PPG (ID: 10-009-20140306) specifically refers to encouragement through incentives such as lower planning obligations or different funding mechanisms. This further reinforces the Government's desire to encourage the redevelopment of such site rather than prioritise their use.

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

12. The NPPF, paragraph 111, does enable local authorities to set targets for the percentage of development upon previously developed land. This must not be at the expense of ensuring a five year supply of deliverable housing sites, which is a clear requirement of NPPF (paragraph 47). The Council's 2014 *Local Plan Viability Assessment update* (EB046) identifies that within much of the Bradford and Keighley urban areas, which account for the majority of the proposed development within the plan, the redevelopment of previously developed land is currently unviable (Table 4.8). This issue is compounded by the fact that the assessments in table 4.8 do not take account of other policy considerations.

13. The requirement for at least 55% of development within the Bradford urban area and 50% of development across the plan to come from previously developed land is therefore likely to undermine the ability of the Council to meet its housing requirement and achieve a 5 year housing land supply. The situation is further compounded by our contention that the housing requirement identified in the plan is insufficient to meet the objectively assessed needs of the area.

***c. Are the proposed targets fully justified with available evidence?***

14. No, the 2013 SHLAA update (ref: EB049) notes at paragraph 7.4 that '*The District has a potential capacity of over 17,000 units on sites which have been previously developed*'. This confusingly varies from the plan which states at Table HO2 a potential of 18,067. However, whichever figure is

used this is still short of the 50% whole plan requirement identified in Policy HO6. The 50% requirement would need a previously developed land supply of at least 21,044 units, approximately 3,000 more than identified even if all such sites are viable.

***d. Do the proposed targets properly reflect viability considerations, or should the policy provide more flexibility to ensure that it is effective?***

15. No, the proposed targets do not pay adequate regard to the viability considerations, see our response to question 7.3b above. The HBF therefore recommends that a more flexible approach is considered which encourages the re-use of previously developed land and removes any prescriptive targets.

***Question 7.8: Policy HO8 – Housing Mix***

16. The HBF has no further comments at this stage.

***Question 7.9 Policy HO9 – Housing Quality***

***a. 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?***

17. No, the policy and associated text refer to the need to meet aspects of the Code for Sustainable Homes, Lifetime Homes standard and space standards. The Government's Housing Standards Review is seeking to minimise the imposition of local standards upon housing development. The Ministerial Statement by Stephen Williams MP (13<sup>th</sup> March 2014) and the recent September 2014 *Housing Standards Review: Technical Consultation*, indicate that in terms of energy this will solely be dealt with through the Building Regulations. In this regard the Council will be unable to include a policy requiring higher levels of energy efficiency as such Part B of the policy is effectively redundant. The review also signals that the Code for Sustainable Homes will be wound down.
18. In terms of access the Government has signalled that this will be dealt with through optional standards in the Building Regulations. This signals the end of the Lifetime Homes standard. The 'Technical Consultation' identifies a series of principle considerations for Local Authorities seeking to apply the standards through a Local Plan. These are outlined in paragraph 114 of the consultation document. In summary these are;
- the likely future need for housing for older and disabled people;
  - whether particular sizes and types of housing are needed to meet specifically evidenced needs
  - the accessibility and adaptability of its existing housing stock; and
  - the overall impact on viability.
19. It should be noted that the wording within paragraph 114 is not intended to be exhaustive and therefore other considerations may also be included

within the final announcements upon the Housing Standards Review, or indeed by the inspector.

20. In terms of a space standard the Government is advocating a national space standard which can only be implemented through justified local plan policies. The 'Technical Consultation' document notes;

*'...it (the Government) does consider there is a need for a national standard to replace the many different existing space standards used by local authorities. This can be referenced in planning policies, again where justified by need and subject to viability' (paragraph 5).*

A draft of the proposed standard is included within Table 1 of the Government's supporting document *Nationally Described Space Standard – technical requirements*.

21. The Government consultation also anticipates that to implement the space standard a number of criteria should (paragraph 120) be met which must be examined at a local plan examination (paragraph 21). The criteria include;

- **need** – evidence on the size and type of dwellings currently being built in their area to ensure that the impacts of adopting space standards can be properly assessed;
- **viability** – impact of adopting the space standard is likely to form one part of their viability assessment taking into account the impact of potentially larger dwellings on land supply;
- **affordability** – given the need for a mix of housing types local authorities may need to consider and evidence how affordability will be maintained in the local housing market where a space standard is to be adopted; and
- **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.

22. Whilst these tests were recently subject to consultation they do signal a clear statement of intent by the Government that the imposition of the national standards must be evidence based and critically examined. The HBF does not consider that the Council has adequately demonstrated any of the criteria which are likely to be required to implement the new access standards or space standards.

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

23. The policy and supporting text does provide a degree of flexibility as it is noted that viability considerations will be taken into account. The onus of proof would, however, lay with the developer. This is because the plan indicates that the Council will **expect** Lifetime Homes standards on sites of 10 or more and **expect** dwellings to meet the minimum space standards set out within plan paragraph 5.3.143. The Council's own viability statement

indicates that within the inner urban areas viability is already compromised, therefore the additional burdens of these policies are unwarranted and could jeopardise the delivery of the plan requirements. The NPPF, paragraphs 173 to 177, indicate it is incumbent upon the Council to ensure its policies are sustainable in the majority of cases. The requirement for open book style assessments within areas of marginal viability will simply slow the development process and lead to uncertainty.

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

24. The HBF considers that the policy would benefit from additional flexibility. Notwithstanding our comments to question 7.5a, and the need to justify the imposition of any additional standards, it is recommended that the policy is amended to encourage and support such standards rather than require or expect. Such an approach will more appropriately reflect the viability issues across Bradford.

***Question 7.10: Policy HO10 – Overcrowding and Empty Homes***

25. The HBF has no further comments at this stage.

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