

EiP Statement

Wyre Council Local Plan

Our ref 42026/02/MW/BOC
Date 25 April 2018

Subject Matter 5 – Specific Housing Needs and Generic Housing Policies

1.0 Introduction

- 1.1 Lichfields is instructed by Taylor Wimpey UK Limited [TW] to make representations on its behalf to the Wyre Council Local Plan [WCLP].
- 1.2 This statement has been prepared in response to the Matters, Issues and Questions raised by the Inspector for the Matter 5 Examination in Public [EiP] hearing sessions.
- 1.3 Separate representations have been submitted in respect of the following Matters:
- 1 Matter 1 – Legal Compliance, Procedural Requirements and the Duty to Cooperate
 - 2 Matter 2 – Strategy and Strategic Policies
 - 3 Matter 3 – Housing and Employment Objectively Assessed Needs (OAN) and Requirements
 - 4 Matter 4 – Housing Land Supply
 - 5 Matter 8 – Allocations (Garstang, Bowgreave, Catterall and Barton)
 - 6 Matter 9 – Infrastructure and Delivery
- 1.4 These Matter Papers representations should be read in conjunction with previous submissions on the WCLP [Representor ID 363] as well as those made on other Matters listed above.
- 1.5 TW is seeking to bring forward a high quality sustainable and comprehensively masterplanned residential extension on land West of Cockerham Road [Site ref. SA1/16] and land further to the north and west of the draft allocation. This would assist in the delivery of sustainable development within the borough by making a significant contribution towards meeting the identified needs for market and affordable housing.
- 1.6 This statement expands upon TW's previous representations made throughout the Local Plan preparation process in light of the Inspector's specific issues and questions. Where relevant, the comments made are assessed against the tests of soundness established by the National Planning Policy Framework [the Framework] and the National Planning Practice Guidance [Practice Guidance].

2.0 Planning Issues

Issue 1 – Housing Mix (Policy HP2)

Does the requirement for developments to provide for a mix of housing in accordance with the SHMA provide sufficient clarity?

- 2.1 TW acknowledges the importance of delivering a wide choice of high quality homes and the need to widen opportunities for home ownership and create sustainable, inclusive and mixed communities. TW therefore supports the provisions of Part 2 of the Policy which requires new developments to deliver a mix of housing to meet local demand and accords with the most up-to-date Strategic Housing Market Assessment [SHMA].
- 2.2 Whilst TW strongly supports the need to provide new housing in accordance with an up-to-date SHMA, TW considers that the methodology and conclusions set out in the SHMA are flawed and do not provide developers with sufficient clarity and certainty on housing mix and tenure. In particular, the SHMA does not provide sufficient clarity on the mix of affordable housing which should be pursued on developments. The SHMA sets out that *‘over the longer-term, however, a need for affordable housing of all sizes will be generated, and – given the need for evidence-based assumptions within the calculation – it is recommended that the assumptions made in the assessment are tested through ongoing monitoring of supply and current housing need’*. TW considers that vague statements like this do not provide sufficient clarity and certainty for developers when developing scheme proposals.
- 2.3 TW agree that there will be a significant need for the provision of one bed affordable properties but the SHMA does not provide sufficient detail on the percentage required or the percentage of two and three beds which may also be appropriate.
- 2.4 The SHMA does not contain sufficient evidence to justify the Council’s policy requirement for at least 20% of units to meet the needs of an ageing population and people with restricted mobility. The Policy requirement is not overly clear and does not indicate if this 20% requirement applies to affordable houses only or market and affordable housing.
- 2.5 The viability implications associated with the vague nature of the affordable housing policy are not properly considered in the Council’s Viability Study. Without prescriptive policy requirements, it is impossible to properly consider the viability implications associated with a variety of mix of tenures and sizes of properties. As such, the Council’s evidence base is flawed and needs to be revised to be consistent with national policy and provide a sound evidence base on which to base the plan.
- 2.6 TW considers that the Council’s SHMA and subsequent update provides no detail on the appropriate mix which will be deemed acceptable for market housing. As such, the requirement for developments to provide a mix of housing in accordance with the SHMA does not provide sufficient clarity or certainty for developers bringing forward schemes in the Borough.

Is the requirement for developments to provide 20% of housing for older people and with restricted mobility justified?

- 2.7 As set out in the representations submitted to the consultation on the WCLP Publication Draft, TW objects to the need to provide 20% of dwellings in developments of 20 units for older people and people with restricted mobility. There is no evidence presented which appropriately underpins this policy requirement and as such, the requirement is flawed.

- 2.8 Whilst their SHMA recognises an ageing population, sufficient evidence is not provided to demonstrate a need for all new developments of over 20 units to deliver 20% of dwellings which are designed to meet the needs of older people and with people with restricted mobility. Notwithstanding, TW wishes to state that it builds high quality residential properties that are easily adaptable to the needs of all future occupants and, that these are built in accordance with the latest building regulations.
- 2.9 TW's product can be adapted to meet the needs of older people and people with restricted mobility. As such, the provision of 20% of housing for older people and people with restricted mobility is unnecessary and unjustified. Furthermore, the Council has not explicitly stated what upgrades needs to be undertaken to a new property to meet this policy requirement. This adds increased uncertainty when preparing development proposals and throughout the determination process.
- 2.10 In respect of providing dwellings for people with restricted mobility, the SHMA is vague on the need to provide dwellings which cater for people with disabilities. The SHMA recognises that there is no single data source which enables a thorough assessment to be made of the scale of these issues. Whilst the SHMA indicates that there is likely to be an increase of people living with disabilities in Wyre, it does not provide any quantitative figures which makes it difficult to ascertain the impact it will have on the overall housing stock requirement. It is therefore considered that the requirement to provide 20% of dwellings on developments of 20 units or more is unjustified and not based on robust and sound evidence. It is also not clear why the Council have chosen a 20 unit threshold for this requirement when its affordable housing requirement is 10 units. Further clarity is required to justify the threshold.
- 2.11 Finally, it is not clear if the 20% requirement relates to affordable or market properties. TW is concerned that the Council could request the provision of 30% affordable housing on a scheme in conjunction with 20% of the market housing being suitable for older people and people with restricted mobility. The implications of this from a viability perspective are considerable and one that has not been properly considered by the Council. Additionally, the costs of adapting 20% of all housing for older people and people with restricted mobility needs to be considered in the Council's viability assessment.

Does the wording of Policy HP2 allow for sufficient flexibility taking into account viability considerations and differing needs across the District?

- 2.12 As set out in the representations submitted to the consultation on the WCLP Publication Draft, TW considers that the requirement to specifically provide 20% of housing to meet the needs of an ageing population and people with restricted mobility will impose unnecessary restrictions upon sites where the inclusion of such units may not be necessary, appropriate viable or deliverable (i.e. in areas where there is little demand for property from elderly residents). In this regard, TW does not therefore consider that sufficient flexibility has been incorporated into the Policy that takes account of viability considerations and differing needs across the borough. TW also consider that the policy requirement is not consistent with national policy or based on any justifiable evidence. Furthermore, it is not clear if the 20% requirement needs to be delivered on the affordable housing or market housing element, or both, on schemes.
- 2.13 As set out in the answer to the previous question, TW is concerned by the vagueness of this requirement and no certainty is provided on what will be deemed appropriate by the policy. Vague policy requirements do not meet the tests of soundness and can often lead to long delays in the determination of planning applications.

- 2.14 The Practice Guidance¹ provides criterion on what evidence local planning authorities can use to demonstrate a need for specific housing requirements; this includes the overall impact on viability. It is important that the additional costs to deliver these requirements are based on robust and sound evidence and are costed so as not to impact on the viability of development proposals.

Issue 2 – Affordable Housing (Policies HP3 and HP7)

Are the requirements for the levels of affordable housing within Policy HP3 justified?

- 2.15 TW acknowledges the need to provide affordable housing and broadly supports the degree of flexibility that has been taken in Part 1 of the Policy which allows the delivery to be achieved off-site where it has been demonstrated that on-site provision is not appropriate.
- 2.16 The Council needs to provide suitable evidence to demonstrate that the provision of affordable housing on all new developments of 10 or more dwellings is deliverable and will not impact on the viability of schemes when considered in the context of all other contributions which are required on schemes.

Do the requirements of Policy HP3 relating to viability (Section 3) and financial contributions (Section 4) provide sufficient flexibility?

- 2.17 As outlined above, TW supports the degree of flexibility the Council has incorporated into the drafting of the Policy. In relation to Part 3 of the Policy, TW supports the approach the Council has taken which allows the requirement to be varied on a case by case basis and on submission of viability evidence. However, TW notes that the affordable housing requirement should be based on robust and sound evidence which fully considers the viability implications including the implications of the appropriate affordable housing mix and tenure.
- 2.18 TW is concerned that if the Council advocates that the size, type and tenure of affordable housing shall be negotiated on a case by case basis, it may not be confident in the robustness and credibility of its evidence base. Again, this adds uncertainty to the planning process and could result in considerable delays which could slow down the delivery of much needed housing.
- 2.19 Section 3 of Policy HP3 allows the negotiation of affordable housing requirement to be done on a case by case basis by submitting a viability assessment. Although this is often a helpful process on marginally viable schemes, TW is concerned that this requirement has been inserted as the Council are concerned that their affordable housing requirement is set too high and will not be deliverable on the majority of schemes. This approach is not consistent with national policy and the Council should ensure that all sites within their local plan are viable and deliverable when viewed in the context of the necessary planning obligations including affordable housing.
- 2.20 In relation to Part 5 of the Policy, TW supports the ability to make financial contributions towards the provision of affordable housing. However, it is unclear as to where these contributions will be made i.e. whether these contributions will be made in lieu or for off-site provision. In this regard, it is considered that Part 5 of the Policy could be made clearer in order to ascertain the degree of flexibility the Council is proposing to adopt in respect of affordable housing financial contributions.

¹ National Planning Practice Guidance – § 007 Reference ID: 56-007-20150327