

WYRE FOREST LOCAL PLAN EXAMINATION
MATTER 8 – OTHER POLICIES FOR HOUSING

Inspector’s issues and questions in bold type.

This Hearing Statement is made for and on behalf of the HBF, which should be read in conjunction with our representations to the pre submission Local Plan consultation dated 17th December 2018. This representation answers specific questions as set out in the Inspector’s Matters, Issues & Questions document (ED16) published on 19th October 2020.

8.1 (i) Are the Plan’s policies for b) affordable housing, d) self-build and custom-build housing, and e) housing for older people and others with special housing requirements sound?

(ii) Do they allow reasonable flexibility to respond to site-specific circumstances?

Policy 8B - Affordable Housing

The Council’s 2017 Viability Assessment (IFT07) showed that brownfield sites and strategic sites were unviable unless policy requirements were flexed. Subsequently individual Viability Assessments have been undertaken for two strategic sites at Lea Castle Village and Kidderminster Eastern Extension (ED9A, ED9B & ED9C). These strategic sites (comprising 55% of residential allocations measured by dwelling numbers) will only deliver 15% affordable housing provision without grant funding. The 2018 Viability Assessment Update (IFT06) continues to show brownfield sites as unviable on a full policy compliant basis and 25% affordable housing provision as set out in Policy 8B (see Table 10.11 of IFT06). There are 58 sites proposed for allocation for housing of which 38 are brownfield (65.5% of residential site allocations).

The Council’s viability evidence does not support the Council’s District-wide approach for at least 25% affordable housing provision on sites of 10 or more dwellings across the District or on sites of 5 or more dwellings in Designated Rural Areas. The Council’s policy approach should have differentiated between greenfield and brownfield sites. The “at least” prefix is also not justified by the Council’s viability evidence. The policy approach is flexible by allowing for viability re-assessment however viability negotiations at planning application stage should be occasionally rather than routinely undertaken. It is likely that brownfield sites will be subject to viability negotiations on a regular basis, which will delay the processing of planning applications and slowdown housing delivery.

The 2019 NPPF states that “where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the homes to be available for affordable home ownership ...” (para 64). The Council have indicated an affordable housing tenure mix of 65%

rented and 35% affordable home ownership. Therefore only 8.75% of the homes would be available for affordable home ownership, which is inconsistent with the NPPF.

It is noted that the Council is proposing a Main Modification (MM) to Policy 8B Level of Provision – 2nd paragraph as set out in the Table of Modifications for consideration by the Planning Inspector (SD12). This MM is :-

~~MA/8.4 Affordable housing provision of a minimum of 25% on sites of 10 or more homes, or sites of an area of 0.5 hectares or more, major development sites or on sites within identified rural areas comprising more than 5 dwellings will generally be required. Individual site characteristics may mean that this level of provision is not achievable on all development sites and this will need to be evidenced by the applicant through an independently verified financial viability assessment.~~ **Where proposals do not meet this requirement, a Viability Assessment should be submitted to the Council.**

The 2019 NPPF specifies that the lower site threshold for seeking affordable housing provision is only applicable in Designated Rural Areas (para 63). For consistency with national policy, the Council's proposed MM MA/8.4 should refer to Designated Rural Areas rather than identified rural areas. It would also be helpful if the Council could provide further information on the progress of its application for Designated Rural Area status.

Policy 8D - Self-build & custom-build housing

The HBF objected to Policy 8D in pre-submission Local Plan consultation representations. It is noted that the Council is proposing MM to Policy 8D as set out in SD12, which will address most concerns previously raised by the HBF. The MM is as follows :-

~~MA/8.11 To support prospective self builders on sites of 10 or more dwellings, or sites of an area of 0.5 hectares or more, the developer will need to demonstrate how the need of self builders have been taken into consideration. The developer will fulfill this requirement via agreement with the Council, taking into consideration demand on the Self Build Register. Sites of more than 50 dwellings will be considered as most suitable for delivering self build dwellings.~~ **Major development schemes should take into consideration the demand shown in the Self-Build and Custom-Build Register and where possible provide suitable plots. Self-Build and Custom-Build Housing** dwellings within the site will be developed in accordance with an agreed design code. Where plots have been made available and marketed appropriately for at least 12 months

However, the HBF have some remaining concerns relating to the wording "major development", "marketed appropriately" and "at least 12 months".

As at the 1st June 2020, there are 28 households and 1 association who have registered an interest in a self-build or custom build plot in Wyre Forest (ED3 para 7.5). These registrations illustrate a minimal demand for self-build and custom-build housing in the District. It is unduly onerous to expect sites as

small as 10 dwellings to have to consider provision of self-build and custom-build plots. The Council has provided no evidence to justify this site threshold.

The meaning of “marketed appropriately” has not been defined by the Council. There is potential for disagreement about the marketing strategy between the developer and the Council. Further clarification should be provided.

The provision of self-build and custom-build plots on housing developments of 10 or more dwellings adds to the complexity and logistics of developing sites and slower delivery. Undeveloped plots should not be permanently left empty to the detriment of neighbouring properties or the whole development. The setting of a timetable of “at least 12 months” before unsold plots revert to the original builder is considered too long. Too long a time lag will mean uncompleted dwellings next to completed and occupied homes resulting in consumer dissatisfaction. Any delay in developing vacant self-build and custom-build plots also presents practical difficulties in terms of co-ordinating their development with construction activity on the wider site especially if the original housebuilder has completed the development and is forced to return to site to build out plots, which have not been sold and completed by self and custom builders. Furthermore, the financial implications of these logistical problems have not been viability tested.

Policy 8D should be re-considered and amended by further MMs.

Policy 8E - Housing for older people & others with special housing requirements

The 2019 NPPF requires all policies to be “...underpinned by relevant and up to date evidence which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned...” (para 31). Therefore, a policy requirement for M4(2) and M4(3) compliant dwellings must be justified by credible and robust evidence. As stated in the 2019 NPPF, “...planning policies for housing should make use of the Government’s optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties...” (Footnote 46 & para 127). The NPPG sets out the evidence necessary to justify a policy requirement for M4(2) standards (ID 56-005-20150327 to 56-011-20150327), which should include identification of :-

- the likely future need ;
- the size, location, type and quality of dwellings needed ;
- the accessibility and adaptability of the existing stock ;
- variations in needs across different housing tenures : and
- viability.

The Council’s evidence set out in set out in Housing Needs Study (HOU01) does not justify the proposed policy requirements for 20% M4(2) and 1% M4(3) complainat dwellings on sites of 10 or more dwellings. The Council’s evidence is based on national data not locally derived data (see Footnote 27

of HOU01). The population aged 65+ in Wyre Forest is increasing but at a level below the West Midlands and England between 2016 – 2036. It is agreed that the population of Wyre Forest is going to “age” in the future and for older people care needs become more significant. However, an ageing population affects the whole country and is not an issue specific to Wyre Forest. As shown by the Council’s evidence other parts of the UK will be impacted by an ageing population to a greater extent. If the Government had intended that evidence of an ageing population alone justified adoption of optional standards then such standards would have been incorporated as mandatory in the Building Regulations, which is not the case.

The analysis is based on adapting existing dwellings rather than newly constructed dwellings and there is no consideration of new dwellings as a proportion of the total housing stock. The Council’s evidence also confirms that there is no data on the currently available housing stock to meet the needs of wheelchair users. It is agreed that many older people already live in the District, who will not move from their current home but will make adaptations as required to meet their needs, some will choose to move to another dwelling in the existing stock rather than a new build property and some will want to live in specialist older person housing. The existing housing stock (47,067 dwellings in 2019) is considerably larger than the new build sector (only 0.4% annual net addition to existing stock) so adapting the existing stock is likely to form part of the solution. Recent research by Savills “Delivering New Homes Resiliently” published in October 2020 shows that over 60’s households “are less inclined to buy a new home than a second-hand one, with only 7% doing so”.

All new homes are built to M4(1) standards, which include level approach routes, accessible front door thresholds, wider internal doorway and corridor widths, switches and sockets at accessible heights and downstairs toilet facilities usable by wheelchair users. These standards are not usually available in the older existing housing stock and benefit less able-bodied occupants. M4(1) standards are likely to be suitable for most residents.

There is an absence of rationale for the choice of 10 or more dwellings as the threshold for selecting sites to provide M4(2) and M4(3) compliant dwellings. This choice of threshold for qualifying development proposals is unduly onerous. There is also no evidence to justify the 20% and 1% proportion of dwellings.

The Council’s approach fails to take into account site specific factors such as vulnerability to flooding, site topography and other circumstances, which make a site unsuitable for M4(2) and M4(3) compliant dwellings (NPPG ID : 56-008-20150327).

The Council’s requirement for M4(3) should distinguish between a wheelchair adaptable home (which includes features to make a home easy to convert to be fully wheelchair accessible) or a wheelchair accessible home (which includes the most common features required by wheelchair users). The Council is reminded that the requirement for M4(3) should only be required for

dwellings over which the Council has housing nomination rights as set out in the NPPG (ID 56-008).

The Council's viability testing should take full account of additional costs for M4(2) and M4(3) compliant dwellings. The Council's viability testing set out in Viability Assessment Update (IFT06) only included a cost of £22 per square metre for M4(2) compliant dwellings in the Base Appraisal. In the Pre-submission Viability Note (IFT05) costs of £521 for M4(2) and £10,111 for M4(3) compliance were used but only strategic sites rather than a full range of site typologies were tested. The Council's assumptions are below other estimated costs for M4(2) and M4(3) compliant dwellings. The MHCLG consultation "Raising Accessibility Standards for New Homes" dated September 2020 estimates the additional cost per new dwelling is approximately £1,400 for units which would not already meet M4(2). In September 2014, the Government's Housing Standards Review included cost estimates by EC Harris of £15,691 per apartment and £26,816 per house for M4(3), which should be subject to inflationary increases since 2014. Furthermore M4(3) compliant dwellings are bigger therefore larger house sizes should be used. The HBF conclude that the full financial impacts of Policy 8E have not been robustly viability tested by the Council.

In the absence of appropriate, robust, justified evidence of need and viability assessment, the HBF object to Policy 8E, which should be deleted.

If the requirements are retained, MMs to Policy 8E should introduce a more flexible approach including consideration of viability and site-specific circumstances.