

Hearing Statement – Matter 5

Kirklees Local Plan

On behalf of Miller Homes

August 2017



I. Introduction

- I.1. This is a Hearing Statement prepared by Spawforths on behalf of Miller Homes in respect of:
- Matter 5: Other housing requirements
- I.2. Miller Homes has significant land interests in the area and has made representations to earlier stages of the Local Plan process.
- I.3. The Inspector's Issues and Questions are included in **bold** for ease of reference. The following responses should be read in conjunction with Miller Homes' comments upon the submission version of the Kirklees Local Plan, dated December 2016.
- I.4. Miller Homes has also expressed a desire to attend and participate in Matter 5 of the Examination in Public.

2. Matter 5 – Other housing requirements

Issue – Have affordable housing needs, traveller accommodation needs and the housing needs of other groups been satisfactorily assessed and addressed in the Plan, in line with national policy?

Affordable Housing

a) Has the need for affordable housing been adequately assessed in the SHMA?

2.1. Miller Homes has no specific comment in relation to this issue.

b) What is the total net need for affordable housing over the Plan period? Should the Plan contain specific reference to this figure?

2.2. The SHMA identifies a need for around 1,049 affordable homes per year (Table ESI).

c) What is the expected rate of affordable housing delivery over the Plan period? Will there be a shortfall against need? Should an affordable housing trajectory be included in the Plan?

2.3. The Housing Supply Topic Paper (EX30) shows a marked increase in the provision of affordable housing upon adoption of the Local Plan to above 300 dwellings per year. This level of affordable provision has only been achieved once previously in the Year 2013/14. The trajectory shows a provision of broadly 17 per cent affordable completions per year, which is below the 20 per cent sought through Policy PLP1 I. The policy should be amended to reflect this position.

d) Is the proposed rate of 20% affordable housing (on sites of more than 10 units) supported by the Council's viability evidence, in terms of both market housing schemes and developments with self-contained units designed for retirement living and people with specific accommodation needs?

- 2.4. Miller Homes is concerned that the 20% target across the whole of Kirklees is potentially unjustified. Evidence supporting the Community Infrastructure Levy suggests that there could be difficulties with a 20% affordable housing target across the District, particularly in the lower value areas 4 and 5. Page 69 of the Report states:
- 2.5. *"A 20% affordable housing requirement is not viable in all value areas and therefore we believe there is a case for variation with a lower rate in Value Areas 4 and 5, which could also help to incentivise development"*
- 2.6. It is acknowledged that the viability assessment has been updated in the Kirklees Local Plan and Community Infrastructure Levy Addendum 2016. However, the issue of affordable housing is not commented upon further
- 2.7. This is particularly concerning given much of Huddersfield and Dewsbury falls into these areas and a significant amount of growth is envisaged. Therefore, setting levels at 20% may mean that the submissions of viability assessments common practice rather than the exception.

e) What affordable housing percentage rate has been achieved in recent years in schemes across the borough?

- 2.8. The Housing Supply Topic Paper (EX30) shows that the delivery of affordable housing in Kirklees has been an issue and tends to fluctuate. Since the start of the plan period in 2013 Table 9 shows the completion of 655 affordable units in total, which is 21 per cent of all gross housing completions on a delivery rate substantially below the annual housing requirement. Over a longer period of time Kirklees since 2004 has only managed to achieve

13.6 per cent of completions as affordable dwellings. If this were replicated going forward then the delivery of affordable dwellings will be under achieved.

f) Does the Plan provide a clear definition of affordable housing which accords with national policy and reflects the Government’s proposals in relation to Starter Homes? Is the Council’s proposed modification SPMM28 necessary to ensure the Plan is sound?

2.9. Miller Homes would like to highlight that the Government through the forthcoming update to the Framework is likely to modify the definition of affordable housing. This was highlighted in the Housing White Paper. Any changes to the definition of affordable housing will therefore need to be reflected in the Local Plan.

g) Is the approach to rural exception housing in Policy PLP 11 clearly expressed in terms of the scale, type and location of affordable housing sought, and consistent with national policy?

- **Is the application of the policy to ‘small free-standing settlements’ justified? Are the Council’s proposed modifications SPMM15 and SPMM17 necessary to ensure that the policy is sound?**
- **Would provision be limited in scale?**
- **Is the policy sufficiently flexible regarding the type of affordable housing on rural exception schemes?**
- **Does the policy take account of Government proposals in relation to Starter Homes?**

2.10. Miller Homes has no specific comment in relation to this issue.

Housing Mix

n) Is the requirement in Policy PLP 11 to seek a broad mix of housing from all proposals justified and deliverable?

2.11. Miller Homes is supportive of the principle of providing a broad mix of housing; however the Local Plan should not dictate the housing mix across the District. The Local Plan should achieve this through identifying the level of provision and the broad distribution of new housing.

2.12. Although Strategic Housing Market Assessments can consider the broad issues of housing mix, the Local plan should not seek to control the housing mix across the District. It is both unnecessary and inflexible to seek to control the housing mix, since it would mean the housing market would be unable to adjust to market movements. Policy PLP11 and Paragraph 8.30 both state that schemes above 10 dwellings or 0.4ha and above should “specifically reflect the proportions of households that require housing and achieve a mix of housing size and tenure as set out in the latest SHMA”. This aspect of the policy is onerous and prescriptive, particularly as it is seeking to control size of units, mix and tenure. The policy should be amended to encourage or reflect rather than specifically reflect.

o) What conclusions does the SHMA reach in terms of the mix of housing size, type and tenure needed in the borough? Should the evidence in the SHMA be used to determine mix in residential schemes, or is there a need to have regard to other sources of information?

2.13. Miller Homes is supportive of the principle of providing a broad mix of housing; however the Local Plan should not dictate the housing mix across the District. The SHMA provides a useful insight but it cannot respond to the needs and demands over the plan period which will also change over time. The SHMA also cannot and does not incorporate individual or economic aspirations, such as the need to attract specific skills into the area or executives. The SHMA therefore cannot and should not be used as a definitive source of information on

housing mix on sites. It is essential that other sources of information be utilised such as market demand studies and individual site characteristics.

p) Is the second paragraph of Policy PLP 11 seeking to impose optional Building Regulations or additional technical requirements relating to accessibility? If so, what proportion of new dwellings should comply with the standards? Is the approach supported by viability work and local evidence on the need for accessible and adaptable dwellings and wheelchair user dwellings?

2.14. It does appear that the Council through Policy PLP11 is seeking additional accessibility standards. This does not appear to have been accounted for in viability evidence or any other evidence. The PPG specifically states:

2.15. Based on their housing needs assessment and other available datasets it will be for local planning authorities to set out how they intend to approach demonstrating the need for Requirement M4(2) (accessible and adaptable dwellings), and/or M4(3) (wheelchair user dwellings), of the Building Regulations. There is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:

- the likely future need for housing for older and disabled people (including wheelchair user dwellings).
- size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).
- the accessibility and adaptability of existing housing stock.
- how needs vary across different housing tenures.
- the overall impact on viability.

2.16. The PPG then states that the Local Plan should clearly indicate “what proportion of new dwellings should comply with the requirements” taking “into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied.”

2.17. Miller Homes is concerned that the above process and evidence has not been undertaken.

q) Does the Plan make appropriate provision for the housing needs of older people and other groups in the community?

2.18. Miller Homes has no specific comment in relation to this issue.

Proposed Change

2.19. To overcome the objection and address soundness matters, the following changes are proposed:

- Remove the onerous and prescriptive approach to “specifically” dictate the housing mix, size and tenure on sites. The policy should be amended to encourage or reflect rather than specifically reflect.
- Review the approach to affordable housing to ensure all areas and sites are viable.