

PENDLE LOCAL PLAN CORE STRATEGY

MATTER 6: HOUSING NEEDS

STATEMENT BY BARTON WILLMORE

ON BEHALF OF

JUNCTION PROPERTY LTD

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Issue 1: Is the affordable housing target of 40% appropriate housing regard to the evidence of housing need?

1. We do not dispute that the housing need identified by the SHMA would justify an affordable housing target of up to 40% if such a target was realistic and achievable. However, this is not the case for the reasons set out below.

Issue 2: Is the affordable housing target (40%) realistic and deliverable having regard to the doubts over the viability of the % of affordable housing provision that can be delivered and the area based affordable housing targets within Policy LIV4?

2. The NPPF (paragraphs 173 and 174) make clear the Local Plan affordable targets must not only be justified in terms of need but also should not compromise viability when assessed cumulatively with the other obligations and policy burdens, including national standards, which are likely to be sought.
3. The main evidence base document dealing with this matter is the Council's Development Viability Study (DVS). This clearly states that a 40% affordable target is not realistic or deliverable within the Borough. It should not therefore be referred to as a target by the CS.

Issue 3: Are the sized threshold and area based affordable housing targets in Table LIV4a justified and deliverable? Should affordable housing contributions be

sought on a greater range of housing developments e.g. greenfield sites in the M65 Corridor?

4. JPL accepts that most of the affordable housing targets set out in Table LIV4a are potentially deliverable. However, the Council should explain how it has derived some of the targets for the West Craven Towns and Rural Pendle which differ from the recommendation of the DVS (paragraph 6.16). We are not aware of any alternative evidence.
5. JPL accepts that viability does vary over the M65 Corridor, and in principle greenfield sites are likely to be more viable than contaminated brownfield sites. However, any target must be evidence-based and there is no evidence to set any separate targets for different types of site within the M65 Corridor.
6. JPL must raise its concern at this point about how Policy LIV4 deals with development proposals which meet or exceed the targets set out in Table LIV4a. This matter is not dealt with by the Inspector's questions but we raised it in our original representations.
7. According to the policy as currently drafted, such proposals would still need to be accompanied by a full viability assessment justifying the level of provision made, and the Council may still seek additional affordable housing above the levels shown in Table LIV4a (see CS paragraph 10.117). This is entirely inappropriate and frustrates the purpose of a policy target which is to give an element of certainty about the expectations of the Local Planning Authority. Moreover, the production of a Viability Assessment to accompany an application is a lengthy and expensive exercise. It should not be required unless the developer is proposing not to meet the independently-tested CS policy target (which should take full account of normal viability expectations). The financial burden is compounded by the fact that the Council currently asks Applicants to pay for an independent appraisal of their own viability assessment, adding further costs to the developer.
8. Proposed Modification MM009 says that the targets set out in Table LIV4a may be updated by the Annual Monitoring Report. This is entirely inappropriate. The NPPF makes clear that any such targets should be part of the Local Plan where they can be independently tested. It follows similarly that any review of these targets should be subject to development plan procedures.

Issue 4: How are different mechanisms expected to contribute to the target?

9. This is a question initially for the Council to answer.

Issue 5: Is the requirement to retest viability if development does not start in 2 years within Policy LIV4 justified?

10. This proposed policy requirement has no basis in national policy or guidance. It is also not justified by anything within the evidence base for the CS. It introduces a potentially significant financial burden upon developers and landowners and should be deleted.

11. Failure to commence development after the grant of planning permission is normally a sign of lack of viability rather than greater viability.

Issue 6: Is the tenure split proposed by Policy LIV4 justified? Should "open market discounted housing" be considered as an option.

12. The DVS shows that there is a major problem in the deliverability of affordable housing. This problem will be compounded by the tenure split proposed by Policy LIV4 which is 30% social rented, 30% affordable rented and 40% intermediate. We understand that the HBF will give detailed evidence on this matter.

Issue 7: Is the guide to the property types and sizes within Tables LIV5a and LIV5b justified by the existing supply of small terraced housing, the requirement for lower density in some areas and the objective of higher value/aspirational housing?

13. JPL supports the general guidelines set out in Tables LIV5a and LIV5b. However, it does not consider that these guidelines fully address the issue raised by the SHMA which is that Pendle and Burnley Councils should be "*planning for a mix of housing which encourages the retention of residents of an economically active age or encourages younger economically active people to move into the two local authority areas.*" It says that greater provision of this type of housing would have a "*significant impact*" on the labour market and for economic growth of the two Boroughs.

14. JPL recognises that Table LIV5a does distinguish between detached, semi-detached and terraced houses. However, it fails to highlight the importance of qualitative issues, and in particular the need identified by the SHMA to provide the quality of housing sought by the more aspirational segments of the population.
15. To address this failure, JPL considers that the first sentence of the second part of Policy LIV5 should be re-worded as follows: -

The types and sizes of new dwellings should help to diversify the existing housing stock and achieve a better, more balanced mix of dwellings in the Borough, including the provision of higher value housing.