

Gladman Developments Ltd

**Cheshire East Local Plan Site Allocations and Development Policies
Document**

Matter 3 Hearing Statement



September 2021

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Matter 3: Housing

1.1 Is Policy HOU 2 positively prepared and justified in requiring all forms of specialist housing for older people to provide affordable housing in line with Policy SC5 of the LPS, based on the evidence in the Viability Assessment Update and given that some types of specialist housing for older people do not include an element of independent living?

1.1.1 No. Whilst Gladman are supportive of the Council including a policy in relation to specialist housing provision, as currently worded Policy HOU 2 is not positively prepared or justified as it requires the provision of affordable housing for all specialist housing regardless of its use class, nature and operation.

1.1.2 The previous iteration of the Cheshire East Local Plan Site Allocations and Development Plan Document (SADPD) stated "*affordable housing provision will be required in line with the thresholds set out in the Cheshire East Local Plan Strategy (LPS) Policy SC 5 'Affordable homes' for elements of a proposal for supported and specialist housing that would create use class C3 self-contained dwellings*" (emphasis added). This is the correct approach and as such, Policy HOU 2 should be modified to reflect the previous wording.

Self and Custom Build Dwellings (Policy HOU 3)

1.2 Is Policy HOU 3 justified and consistent with national policy in seeking serviced plots for self and custom-build housing on housing developments of 30 or more homes? In particular:

a) Given the current excess in the number of serviced plots permitted over and above the number of self-build and custom-build applicants on the register in Cheshire East, as evidenced in the 2019/20 Annual Monitoring Report, is criterion 2 of the policy justified?

1.2.1 Criterion 2 requires all housing developments of 30 or more homes to provide a proportion of serviced plots of land in the form of self and custom build dwellings. Gladman do not consider this criterion to be justified given the limited number of applicants in recent years on the Council's Self Build Register as evidenced in the 2019/20 Annual Monitoring Report.

1.2.2 Gladman consider that Criterion 2 should be deleted. Instead, the policy requires to be modified so that it allows a flexible approach to the delivery of self-build/custom-build

homes and that this should be at the discretion of the developer as opposed to a rigid policy requirement which is not based upon evidence of need and demand.

- 1.2.3 Notwithstanding the above, if this policy is to be retained then Gladman submit that a viability clause and a period of marketing is reinstated into the draft policy which allows departure from the requirement to deliver a proportion of serviced plots and that should any plots remain unsold, they are able to revert back to market housing after a period of time (e.g. 12 months).

b) What is the evidence to support the site size threshold of 30 dwellings?

- 1.2.4 No evidence has been prepared to justify the site size threshold of 30 dwellings. As such, this is not in accordance with the requirements of national policy or the online Planning Practice Guidance (PPG) which requires policies to be justified. Accordingly, Gladman recommend that the site size threshold is deleted.

c) What is considered to be an ‘acceptable proportion’ of serviced plots?

- 1.2.5 The Council is best placed to respond to the above question. However, as currently written, this element of the policy is inconsistent with paragraph 16(d) of the NPPF which requires policies to be clearly written and unambiguous, so it is clear how a decision maker should respond to a development proposal. Gladman reserve the right to make any additional comments at the examination in public on this element of the policy.

Housing development standards & requirements (Policies HOU 6-14)

1.3 Are the targets for M4(2) Accessible and Adaptable dwellings and M4(3) Wheelchair user dwellings for all major housing developments and specialist housing for older people set out in Policy HOU 6 justified on the basis of proportionate evidence, deliverable and consistent with national policy?

- 1.3.1 No. The policy as currently proposed requires major development to provide at least 30% of housing at M4(2) standards and 6% at M4(3) standards. It also requires provision for all specialist housing for older people to meet M4(2) standards and at least 25% at M4(3) standards.
- 1.3.2 Whilst Gladman are generally supportive of providing homes which are suitable to meet the needs of older people and disabled people, such a policy requirement must be based on appropriate evidence to justify the approach in seeking to adopt the higher optional

standards for accessible, adaptable and wheelchair homes in accordance with the PPG. In this regard, the PPG states:

“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.¹**
- **How needs vary across different housing tenures.**
- **The overall impact on viability...”**

1.3.3 In order for the policy to be considered sound, the Council will need to provide evidence of the above, setting out a specific case for the need for Optional Technical Standards in Cheshire East. Limited evidence with regard to the above, particularly in relation to size, accessibility and adaptability of existing housing stock, location and quality of dwellings needed to meet identified needs has not been undertaken.

1.3.4 Accordingly, it is not clear what the requirements are or if indeed there is a case for M4(2)/M4(3) homes. As such, Gladman recommend that this policy is deleted from the SADPD.

1.4 Does the Nationally Described Space Standards (NDSS) Justification paper provide clear evidence of a local need to justify the application of the NDSS in Cheshire East?

1.4.1 The Nationally Described Space Standards (NDSS) as introduced by Government, are intended to be optional and can only be introduced if there is clear evidence of need and

¹ PPG Reference ID: 56-007-20150327

viability. Similarly to accessibility standards, if it had been the Government's intention that all properties were built to these standards, then NDSS would have been made mandatory rather than optional.

- 1.4.2 The NDSS Justification Paper (2019) considers 135 applications equating to 1,136 homes over the period 2015 and 2019. However, it is not evident from the information provided what the actual need for properties to be built to NDSS actually is and there is no evidence that smaller properties below the NDSS are not selling or that house buyers are not satisfied with the end product. It is therefore not considered that the case for NDSS has been justified.

1.5 Does the viability evidence demonstrate that the targets for accessible and wheelchair standard housing and the NDSS could be viably supported by residential development and specialist housing for older people alongside all other policy requirements?

- 1.5.1 As highlighted above, the evidence considered to justify the policy requirement relating to optional accessible and wheelchair standards and NDSS does not meet the requirements set out by the PPG and as such the policy has not been appropriately justified, nor has it accounted for the fact that existing homes can be modified to meet the needs of older and disabled people in the case of accessible and wheelchair standards or that smaller homes below the NDSS are not selling or lack customer satisfaction are failing to meet people's needs both now and in later life.
- 1.5.2 The outcomes of viability testing is also unclear with no clear conclusions reached on whether these standards will have an impact on development viability either individually or cumulatively with regard to the plan objectives as a whole.