

# **CHESHIRE WEST AND CHESTER**

## **CONSULTATION ON TOPICS TO BE INCLUDED IN INTERIM HOUSING PLANNING POLICY STATEMENT**

## **1.0 Introduction**

1.1 Cheshire West and Chester continues to progress its new Local Plan in line with the geography of the unitary authority. This is a major and important task, given that it will shape the future of the borough for the next two decades. The Plan will set out a spatial vision for the area and how this is to be achieved and identify broad locations for change, growth and protection.

1.2 The consultation on the Preferred Options document will open on 31 August and run through to 12 November. This incorporates the results from consultations on issues and options for spatial development, which have been conducted over more than two years. It will, subject to refinement based upon consultation responses and further evidence, form the basis for policies within the new Local Plan. The final draft of the plan is expected to be submitted for examination in winter 2013, with a view to formal adoption in late 2014.

1.3 In the intervening period, there is a pressing need to consider how best to ensure a continuing supply of housing land across Cheshire West and Chester, and in a way that is consistent with the principles of sustainable development and the authority's vision and aspiration for all of its communities. Policies inherited from the predecessor authorities are increasingly out of date and in recent years housing completions (an average of 740 over the last 6 years) have sat significantly below the assessment of housing need.

1.4 Cheshire West and Chester Council wants to move away from a position where developers and it, are utilising increasingly scarce resources contesting sites through the planning process, when instead this could be better deployed on delivering housing. Therefore, the intention is to establish an Interim Housing Planning Policy Statement (IHPPS), which provides a common basis to enable all parties to work constructively to increase the supply of new housing. This document outlines the consultation topics that will form the basis of the IHPPS.

1.5 The Local Plan will provide long term clarity on the future shape of communities and the specifics of where the full range of development can best be located. However, in the interim it is important that steps are taken to help deliver additional housing, and the purpose of the IHPPS is to set out how a 5 year supply, plus buffer, assessed against a new housing target, can be developed and maintained for the period until the new Local Plan is adopted. The approach is based on the following principles:

- Consistency with the emerging preferred direction for the Local Plan and in particular allocations of housing land which are common across all the development options discussed;
- Consistency with wider policies on economic growth, infrastructure and sustainability;

- Consistency with policies set out in the National Planning Policy Framework and the presumption in favour of sustainable development.

1.6 Feedback on the topics that will form the basis of the policy is welcomed and you can provide your comments by 12 October 2012.

1.7 All comments submitted will be considered in developing the IHPPS, should the Executive decide to proceed with implementation of the policy, once consultation responses have been received. This decision will be taken at the Executive meeting on 7 November 2012.

## 2.0 National Planning Context

2.1 The National Planning Policy Framework (NPPF) published in March 2012 states that the purpose of the planning system is to contribute to the achievement of sustainable development. It identifies three dimensions to sustainable development which are:

- Building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places;
- Supporting strong, vibrant and healthy communities, for example by providing the supply of housing required to meet the needs of present and future generations;
- Protecting and enhancing the natural, built and historic environment.

2.2 At the heart of the NPPF is a '**presumption in favour of sustainable development**'. In dealing with planning applications this means that planning applications for development that accord with the Development Plan should be approved without delay. Where the plan is either out-of-date, silent or absent, planning permission should be granted, unless adverse impacts significantly outweigh the benefits or specific policies in the NPPF indicate otherwise.

2.3 NPPF paragraph 49 states that planning applications for housing development should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing land in Local Plans should not be considered to be up-to-date if the Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites.

2.4 Consequently, if the Local Authority cannot demonstrate that it has a deliverable five years supply (together with the additional buffer of 5% to ensure choice and competition in the market for land and an additional 20% in areas where there has been a persistent record of under delivery), it should give favourable consideration to planning applications for housing development on sites anywhere in its area, providing developers can demonstrate that they meet all the requirements of the NPPF and that the proposed development is sustainable.

### **3.0 Consultation Topic 1 - The Annual Housing Requirement**

3.1 The current annual housing requirement for Cheshire West and Chester is 1,317 net additional homes per annum, as defined by the Regional Spatial Strategy. The Localism Act 2011 provides for the revocation of Regional Spatial Strategies, however the Orders to complete this process have still to be laid before Parliament. Therefore, the RSS housing figures are still in operation.

3.2 In considering the RSS target it is important to recognise that it has only been achieved once in the past decade, with performance over the past 6 years averaging 740 completions per annum. Current market conditions are clearly impacting on delivery, but cannot wholly account for this, as the target was not being achieved at the point that the housing market was at its most buoyant.

3.3 Comparison with near neighbours with similar populations and economic aspirations identify differing levels of RSS target figures, with one area lower by several hundred units per annum, and another with a target of less than half of the Cheshire West and Chester figure. This would suggest that there is legitimacy in reviewing the figure and identifying a suitable alternative, providing that this is evidence based and consulted upon.

3.4 The Preferred Policy Direction – PD02 Development within the Preferred Options is to provide **not less** than 21,000 new homes during the period from 2010 to 2030, which equates to 1,050 net completions per annum. This figure is not a ceiling but a target that should be at least achieved and at best exceeded.

3.5 The IHPSS seeks to provide a framework for increased housing delivery, having regard to the emerging target of achieving **at least** 1,050 units per annum.

**Consultation Question 1 – Do you believe that the new proposed evidence based target should be introduced post-RSS revocation?**

### **Consultation Topic 2 - Housing Supply Position**

4.1 The Council's Housing Land Supply (HLS) position is established by comparing the housing target requirements, less completions over the relevant period, against an assessment of deliverable sites. This information is captured on a regular basis through Housing Monitoring Reports. Cheshire West and Chester provided the latest update of its supply position in the Interim Housing Monitoring Report released in May 2012. This was produced using previously agreed methodology, and assessing performance against the 1,317 RSS completions target. The latest position on supply is that the Council has 2.9 years, a slightly improved position from the previous year's 2.3 years.

4.2. The SHLAA is, ideally, updated at least once a year to provide a "rolling" assessment of housing land availability. Therefore, Cheshire West and Chester commissioned an independent targeted review of the SHLAA and the assumptions and methodologies used in producing this, to ascertain whether there was scope to

improve its accuracy. A Housing Partnership Group, comprising housing developers, their agents and registered providers, has been involved in this process to ensure objective rigour.

4.3 The independent targeted review of the SHLAA has now been completed, with the outcomes from this subject to a parallel consultation exercise, which will open on 3 September and close on 12 October 2012. This invites comments on the methodology and findings of the SHLAA review, with a view to gaining consensus about the approach to be adopted in assessing housing land availability.

### **5.0 Consultation Topic No.3 – Location of New Housing**

5.1 The Council is committed to increasing its housing supply in the short term in a way that is fully compatible with the emerging principles in the Preferred Policy Directions paper, and in a way that will achieve high quality and sustainable developments contributing to wider strategic objectives and preserving the unique nature and heritage of Cheshire West and Chester.

5.2 The broad principles of the Council's approach to growth will continue to be to direct most new homes and jobs to the four main urban areas of Chester, Northwich, Ellesmere Port and Winsford with lower levels of managed growth in rural centres.

5.3 This approach continues the general policy thrust outlined in the development plan, but reflects an increased expectation regarding the level of development necessary to keep pace with housing need, and to ensure that an adequate 5 year supply can be demonstrated on an ongoing basis.

5.4 In line with the emerging Local Plan, it is proposed that new housing development is directed as follows:-

- a) The bulk of new housing to the urban areas of Chester, Ellesmere Port, Winsford, and Northwich; and
- b) Smaller scale development to the 9 key rural service centres identified in the emerging Core Strategy (Farndon, Frodsham, Helsby, Kelsall, Malpas, Neston and Parkgate, Tarvin, Tattenhall and Tarporley).
- c) Small scale developments outside of the key service centres delivered through small infill and windfall sites, and rural exception sites.

**Consultation Question 2 – Do you agree with the proposals on how development should be directed?**

**Consultation Question 3 – What mechanisms could be used to ensure that the bulk of housing development comes forward in the urban areas?**

**Consultation Question 4 – What mechanisms could be used to ensure 'managed growth' within the rural areas?**

**Consultation Question 5 – What should be classed as ‘small scale’ developments in areas outside of the key service centres.**

**Consultation Question 6 – What approaches should be used to ensure that communities feel fully engaged in development proposals pre-application?**

5.5 It is further proposed that each area plays the following role in contributing to housing delivery:-

- a) ***Chester*** will continue to be supported as a sub-regional city, with housing growth reflective of its employment, retail, and tourism role.
- b) ***Ellesmere Port*** has significant brownfield potential for redevelopment alongside its continued growth as an employment centre attracting environmental and other industries;
- c) ***Northwich*** has scope to grow to take account of brownfield land potential and planned major town centre improvements with improved local facilities;
- d) ***Winsford*** has scope to grow to support regeneration, especially of the town centre;
- e) ***Rural Areas*** – including the market towns and rural areas will have some scope for managed growth, especially within or on the edge of the smaller towns and villages that are identified as Key Service Centres serving the rural area. Small scale developments outside of the key service centres could be delivered through small infill and windfall sites, and rural exception sites.

**Consultation Question 7 – Do you agree with the proposed role for each area?**

5.6 The IHPPS will not operate to enable development in the Green Belt where such development is not currently permitted under development plan policy or the Framework. It is considered that it is only appropriate to enable changes to Green Belt boundaries or policy in relation to the type of development permitted in the Green Belt through the Local Plan processes, unless very special circumstances can be demonstrated.

**Consultation Question 8 – What could constitute ‘very special circumstances’ to warrant development in the Green Belt.**

## **6.0 Consultation Topic No.4 – Delivery of Dwellings within Anticipated Timescales**

6.1 There is increasing concern about the current low levels of net new completions being delivered each year (which fall significantly below both the RSS and the new target proposed within the Preferred Policy Directions paper) compared to the number of dwelling units granted permission.

6.2 Concern exists about the possibility of permissions being ‘banked’ but not implemented to enable housing completions to be brought forward quickly to enhance housing supply at the earliest opportunity. Therefore, there is considered a need to take steps to ensure that where a material determining factor in the grant of planning permissions is the contribution the development will make towards a 5 year housing land supply shortfall, dwellings will be completed within the envisaged time scale.

6.3 It is proposed that:

- a) Pre-application discussions take place with developers to create a shared understanding of how the proposal fits within the developer’s programme of activity for Cheshire West and Chester, and to ensure that there is potential for the development to be delivered out alongside existing planning permissions.
- b) On non-allocated sites where the justification is an early contribution to early supply of housing, developers will be expected to provide realistic evidence to support the case that a certain amount of development will take place within an identified timescale.
- c) Section 106s will be drafted to provide for a periodic review of viability, with contributions staged to encourage development.
- d) In extremis, for non allocated sites application of section 94 of the 1990 Act will be considered.

**Consultation Question 9 – Are there other mechanisms that could be used to encourage developments to be built out more quickly?**

## **7.0 Consultation Topic No.5 – Proposed Land Release Policies**

7.01 It is proposed that the following guidelines be consulted upon, including inviting views on how aspects of the policies should be defined. The intention would be that the policies are read as a whole.

- a) Housing development will be permitted within existing policy boundaries defined around Northwich, Winsford, Chester and Ellesmere Port.

- b) Housing development will be permitted within allocated employment sites within the policy boundary of Northwich, Winsford, Chester and Ellesmere Port where this positively enables the remainder of the site to be developed for employment uses.
- c) On the edge of Northwich and Winsford, small scale housing developments on sustainable sites will be approved provided that it is demonstrated that they will not undermine the development of urban brownfield sites.
- d) In order to encourage the re-use of brownfield sites that support regeneration within the four main urban areas, the Council will be flexible in its approach towards securing developer contributions where it is demonstrated that the development of such sites would otherwise be unviable. The Council will work proactively with the prospective developers of such sites to address planning obstacles which are preventing these sites from being developed.
- e) Housing development on sustainable sites less than 0.5 hectares in size will be permitted in key service centres as identified in the Local Plan Preferred Policy Directions paper (Farndon, Frodsham, Helsby, Kelsall, Malpas, Neston and Parkgate, Tarvin, Tattenhall and Tarporley). Small scale developments outside of the key service centres could be delivered through small infill and windfall sites, and rural exception sites.
- f) Planning permission will not be granted for housing development in the Green Belt, unless there are very special circumstances.
- g) Applicants will be required to demonstrate that proposals will come forward in the short-term to contribute in a substantive way towards the Borough's 5 year supply of deliverable housing land.
- h) Sites must be sustainably located and be acceptable in terms of site-specific planning impacts, including all aspects of infrastructure capacity, in accordance with development plan policies and national planning policy. Other development plan and national policy will also continue to be applied as appropriate. The Interim Policy does not over-ride such policies.

**Consultation Question 10 – Do you agree with the proposed land release policies?**