ROtherham core strategy examination – examination documents suggested amendments

Further to the discussions at the examination hearing sessions the HBF would like to make the following comments upon the examination documents.

Matter 1: Requirements, Vision, Strategy, Objectives and sustainability

ED 22: Objective 1 & Objective 4 by Walker Morris

The HBF supports the proposed modifications to objective 4 which read;

‘Objective 4 – By the end of the plan period, the Local Plan will have met the objectively assessed need for market and affordable housing in the Housing Market Area in order to significantly boost the supply of housing. The quality of the housing offer in Rotherham will have improved’.

Reason
It is considered that the proposed alterations are more closely aligned with the requirements of the National Planning Policy Framework (NPPF) and in particular paragraphs 17, 47 and 159.

ED 23: Inspector’s Suggested Wording

The HBF supports the proposed alterations to paragraphs 5.2.11 and 5.2.41 of the Rotherham Core Strategy.

Reason
The alterations provide greater consistency.

ED 24: Policy CS4 Amendments by Barton Willmore

The HBF supports the proposed changes to Policy CS4. These changes should be read in conjunction with the suggested changes made by the HBF (ED 25).
Reason
It is considered that the combination of suggested changes to Policy CS4 identified in ED24 and ED25 will provide greater flexibility early within the plan period. This is particularly important as without such flexibility the Council will be unable to provide a 5 year housing land supply until adoption of the Sites and Policies document scheduled for July 2015 at the earliest.

Under paragraph 49 of the NPPF failure to provide a 5 year housing land supply will render policies out of date. Without these amendments the Council will therefore have a situation where its policies are out of date on the date of their adoption.

ED 26: Inspector’s Suggested Redraft Policy CS3
The HBF supports the proposed redraft of Policy CS3

Reason
The redraft provides greater clarity and is more closely aligned with the NPPF.

MATTER 2: AFFORDABLE HOUSING AND OTHER NEEDS

ED 38: Fordham SHMA Comments

Whilst the comments made upon the SHMA within ED38 are noted the HBF still contends that the SHMA is not fit for purpose. The reasons for this are summarised below;

- The SHMA is based upon primary data collected in 2006. This is now over 7 years out of date and was collected under a different economic and planning context;
- The SHMA does not cover the whole of the market area, concentrating solely on Rotherham and therefore has no regard to the issues of under-delivery within Sheffield, this is a clear requirement of NPPF paragraph 159;
- The SHMA does not clearly set out the full housing needs of the area. As discussed during the hearing sessions the figure of 1,555 net annual requirement for affordable housing was considered by the Council to be an input figure only and not the actual need. The Fordham document (ED 38) provides no greater clarity upon this issue. In addition the need for market housing is still not addressed. It is therefore contended that the SHMA is contrary to paragraphs 47 and 158 of the NPPF.

The Fordham paper does not adequately answer the questions raised at the examination or address the issue of methodological concern against the draft NPPG or more critically the requirements of the NPPF (paragraphs 47 and 158). Rather the paper unhelpfully criticises the wording within the draft NPPG.
In addition the HBF takes issue with paragraph 3.4 of ED38 as this is an inaccurate portrayal of the comments submitted by the HBF. At no point through the representation has the HBF indicated support for 25% affordable housing within Rotherham. Indeed the HBF has consistently questioned the validity of such a requirement based upon the outcomes from the various viability studies undertaken on behalf of the Council (LEB/12a-d, KSD/7, LEB/33).

ED 48: SHMA Practice Guidance Compliance
The SHMA is not considered fit for purpose due to the issues raised above in comments against ED 38.

ED 53: Rotherham Council’s proposed amendments to Policy CS7 and supporting text
The proposed amendments to the policy are considered to be an improvement to the previous draft policy in so much as it provides greater certainty of costs, undertaking viability assessments and takes account of market needs.

Concern is still, however, raised regarding the overall level of affordable housing proposed and the impact this may have upon plan delivery.

Reason
I refer to previous submissions upon this matter and would highlight the May 2012 study ‘Housing Viability Study: Affordable Housing Requirements on Large Sites’ (LEB/12) which concludes that brownfield sites, upon which the strategy places significant reliance, are unviable at a level of 25% affordable housing (page viii). The Council has not adequately addressed this issue within the policy.

The percentage requirement for affordable housing is not borne out by recent history. The vast majority of affordable housing provided within Rotherham since 2007 has been through HCA funded schemes as illustrated by ED 47. Whilst the Council should be applauded in its efforts in achieving significant success in gaining such funding this does mask the overall delivery issues inherent with the 25% required within policy CS7. The amount of affordable housing delivered through section 106 agreements has been significantly less accounting for only 10 to 15% on sites which currently qualify for contributions (Whole Plan Viability Study KSD/5 Appendix 2). This it is noted is due to issues of viability (KSD/5 Table 4.3, page 51).

The viability work undertaken as part of the Council’s work upon the Community Infrastructure Levy (CIL) (LEB/33) is also noted. This document should however be treated with care as it does not appear to account for the issues associated with brownfield sites noted in LEB/12. The study also does not include any uplift in costs associated with the Government’s push for zero carbon identifying it as cost neutral (paragraph 5.67). This is contrary to the Harmon guidance (Local Housing Delivery Group: Viability Testing Local Plans) which recommends that consideration of changes to the Building Regulations arising from the Government’s zero carbon agenda are considered in the viability assessment.
The failure of the study to consider these important issues provide reason for concern.

Whilst the Council’s identification of that it will consider in determining the economic viability of individual sites whilst negotiating upon affordable housing is welcomed this should not be the default position to remedy an unsustainable policy as this will incur additional costs to the developer and slow development. It is therefore recommended that a lower level of affordable housing be considered particularly in the more economically challenging areas of the borough.

**MATTER 3: HOUSING**

**ED31: Policy CS6 Inspector’s Suggested Wording**

The HBF generally supports the suggested wording of Policy CS6 but would recommend the following amendments;

‘…The Council will therefore take all reasonable steps, including partnership arrangements, early release of Green Belt sites in accordance with Policy CS4*, and compulsory acquisition if need be, to promote……’

(* as amended by ED 24 and ED 25)

The HBF does not support the Liverpool method of addressing the backlog over the whole plan period. It is therefore recommended that the proposed last paragraph be amended to reflect the Sedgefield approach of accommodating the backlog in the first five years. This would accord with the draft National Planning Practice Guidance (NPPG) and a number of recent appeal decisions.

**Reason**

The proposed changes together with the recommendations suggested above would provide the greatest opportunity for the Council to achieve its development requirements in the short-term and remedy its lack of a five year supply.

It would also remove the phasing criteria which would stifle development, particularly in the short-term.

The Inspector correctly identifies that the requirement figures within the proposed policy may change. The HBF would respectfully request that these changes consider the outputs from ED 32 and the comments provided below. As a minimum it is recommended that the figures provided within the proposed changes to Policy CS6 in ED 33 be used.

**ED 32: Chelmer Projection Updates by Mr Bolton, DLP Planning Consultants**
The HBF considers that the modelling work undertaken by DLP provides a robust basis upon which the Council can assess its housing requirement. The HBF would particularly point to scenarios ‘SNPP 2011 SCC mig’ and ‘SNPP 2011 SCC mig 2’ which are the only scenarios modelled which would lead to an increase in the labour force. These two scenarios together with the needs alluded to within the 2010 SHMA and under-delivery within Sheffield identify a requirement in excess of the 850 proposed by the Council.

Reason
The two identified scenarios take account of the likely levels of migration from Sheffield to Rotherham. This is due to the current under-supply of housing in Sheffield an issue which is unlikely to be resolved in the short-term. The strong links with Sheffield are discussed in the SHMA as well as the outputs from ED39 which indicates that of those households moving into Rotherham over 34% (question 6b) moved from Sheffield.

The Council identifies in paragraph 5.4.15 that it has an ambition to increase jobs within the district by 12,000 to 15,000 over the plan period. The scenarios SNPP 2011 SCC mig and SNPP 2011 SCC mig 2 modelled by DLP Planning would provide for an increase in the labour force by 12,478 and 7,110 respectively. These scenarios also take accounted of continued migration from Sheffield to Rotherham.

I look forward to reading the Inspectors report upon the examination in due course.

Yours sincerely,

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