

Home Builders Federation

Matter 6

KINGS LYNN AND WEST NORFOLK LOCAL PLAN EXAMINATION

Matter 6 – Housing

Issue 6: Has the Plan been positively prepared and is it justified, effective consistent with national policy in meeting the housing needs of all groups in the Borough over the plan period?

Housing Land Supply

331. The Housing Trajectory lists a number of housing sites with planning permission, which were granted three or more years ago, but are still counted as part of the available housing land supply. What is the evidence to demonstrate those permissions remain extant? Should a discount be applied to the supply to account for lapsed planning permissions? If so, what would be an appropriate amount?

The Council will need to provide evidence that sites with extant permissions will come forward as expected, especially if these are included in the first five years of the plan.

332. Is the allowance of 299 dpa for windfall sites from 2025/26 to the end of the Plan period justified as a reliable source of housing land supply, in addition to allocations, on the basis of compelling evidence? Does the windfall allowance take account of the effect that an increased housing supply from allocated sites may have on the availability of, and market demand, for windfall sites?

The level of windfall that is expected to come forward over the plan period is based on the average annual delivery on both large and small windfall sites from 2001/02 with a 25% reduction in recognition that this source of supply is finite. Firstly, the Council need to clearly set out its evidence base on this issue. The windfall schedule published with the Housing Delivery Test Action Plan for example sets out that average annual delivery with a 25% reduction as being 228 dpa yet the Housing Trajectory Schedule 2019-2020 suggests it is 311 dpa. As such it is unclear as to what evidence the Council are basing their assumptions of 299 dpa.

The windfall supply also assumes large windfall sites will continue to come forward at the same rate as they have since 2001/02. What is notable about supply from these sources over that period is that supply on these sites over the ten year period 2010/11



and 2019/20 have been significantly lower than in the preceding nine years – an average of 121 dpa compared to 226 dpa. This suggests that on average large scale windfalls are likely to be much lower than expected each year. The level of windfall from such sites will also be reduced as such sites are allocated through the local plan. As such the HBF does not consider there to be compelling evidence to support the level of windfall being proposed.

333. Does the evidence demonstrate that there is likely to be a 5-year supply of deliverable housing sites in the Borough on the adoption of the Plan and a rolling 5-year supply from then until the end of the Plan period?

The evidence on supply presented by the Council would suggest the Council will have 6.01 year land supply on adoption. However, as stated above this will be reduced as we do not consider the large sites allowance in windfall to be justified. There is a reasonable buffer between annual supply and housing needs across the plan period.

334. Given the reliance of the future housing supply on a small number of strategic sites, is there sufficient contingency within the projected supply for annual housing needs to be met in the event that the strategic sites stall or do not deliver at the rates expected?

No comment

Affordable Housing (Policy LP28)

335. Are the percentages of affordable housing sought in Criterion 7 of Policy LP28 justified, based on proportionate evidence of affordable housing need?

No comment

336. Would the mix of brownfield and greenfield residential development allocated in the Plan be viably able to support the proposed affordable housing percentages, in the light of the results of the Local Plan Review Viability Update published in April 2021?

The Council's policy sets two rates for affordable housing provision. Whilst the need for a differential rate is clearly evident within Kings Lynn and West Norfolk the HBF considers the areas and rates set do not reflect the evidence presented in the Council's Viability Review Update (D1). It is clear from table 12.8 for example that development on brownfield land across all the lower value areas are made unviable by the policies in the local plan. This is noted in paragraph 12.74 which states "... whilst brownfield sites are coming forward, they are generally shown as being unviable ...". It is also notable that in the Wisbech Fringe development on greenfield sites are at the margins of viability and that any additional infrastructure required through policy LP05 would lead to sites in this area becoming unviable.

In considering this policy it is important to recognise that the Government is seeking to reduce the number of schemes where it is necessary to negotiate the level of affordable

housing to be delivered. As set out in paragraph 58 of the NPPF decision makers should be able to assume that a development that meets all the policies in type local plan area viable. At present this is not the case in Kings Lynn and West Norfolk. The evidence would suggest that there should be no requirement to deliver affordable housing on brownfield land in lower values areas and that a reduced threshold is required at Wisbech.

337. Is the supporting text to Policy LP28 justified, effective and consistent with national policy in requiring a sequential approach to assess the suitability of sites as Exception Sites?

No comment

338. Is Criterion 16 of Policy LP28 justified, effective and consistent with national policy in requiring Exception Sites to adjoin 'sustainable' settlements defined in the settlement hierarchy in Policy LP02, when Policy LP02 does not specify which settlements in the hierarchy are 'sustainable'?

No comment

339. Would the Council's suggested Main Modification to Criterion 16(c) of Policy LP28 to extend the management of Exception Sites to 'Registered Providers or other arrangements for the effective management of affordable housing' ensure the Plan is positively prepared and effective in this regard?

No comment

340. For clarity and effectiveness, should Criterion 2, which applies to the size, type and tenure of market and affordable housing, and criteria 17-20, which apply to Gypsy, Traveller and Travelling Showpeople's accommodation, be contained in separate policies, rather than one dealing with affordable housing?

Whilst the HBF did not comment on this issue it would improve the clarity of the plan to set out its policy on meeting the accommodation needs of Gypsies, Travellers and Travelling Showpeople in a separate policy.

341. Is Criterion 10 justified in requiring a commuted sum of £60,000 per dwelling where provision for affordable housing is made on site?

The Council will need to provide further justification for this policy and why a payment is required where affordable housing is provided on site. It is stated in the policy that this is based on a recommendation in the Viability Assessment, but we could not find such a recommendation in this evidence document. This may be an error in the wording given that commuted sums are often used in lieu of on site provision and clarity on the Council's position is required.

342. Is Criterion 15 justified in seeking to ensure the policy requirement for affordable housing is not avoided by the sub-division of larger sites, based on the Council's judgement as well as the objective evidence specified in Criteria a, b and c?

No comment.

343. Is the Council's suggested Main Modification to paragraph 7.1.3 of the supporting text to explain the parts of the Borough which are designated as rural areas under the 1985 Housing Act necessary for soundness, and if so, is it consistent with Policy LP04 in defining the rural areas of the Borough?

No comment

Self-Build and Custom Housebuilding

344. Given that the 2020 HNA for King's Lynn and West Norfolk identifies a need for 30-35 self-build and custom housebuilding (SBCH) plots per year over the next 15 years and that national policy expects local planning policies to reflect the housing needed by different groups, including people wishing to build their own home, is the Plan positively prepared and consistent with national policy, without a policy providing for SBCH plots?

The HBF has not made any comments on this issue, but we note that the Council does state in LP31 that decision making on residential schemes that are reasonably related to existing settlements. This is a positive measure that will support self and custom house builders to identify sites and build homes in the Borough.

Housing for the Elderly and Specialist Care (Policy LP29)

345. Is Policy LP29 positively prepared and will it be effective in providing for specialist housing for older people and others with care needs, to meet the needs for this type of accommodation in the Borough over the Plan period, identified in the supporting evidence base?

National policy and guidance do not oblige the Council to set out in policy the number specialist homes required to meet the accommodation needs of older people. However, it is necessary for the local plan and the policies within it to be effective in ensuring that development needs can be met across the plan period. Given that the Housing Needs Assessment (D3) concludes at paragraph 6.63 that there is a need for over 3,000 such homes across the plan period the HBF is of the opinion that if the need for older person's housing is not clearly established in policy, or indeed the supporting text, then decisions on such development will be less likely to take account of overall need and whether there is an unmet need for such homes with the result that the needs of older people will not be addressed. It is therefore important that this policy sets out how many specialist homes for older people are required in KL&WN and a commitment is made to monitoring supply against this level of need across the plan period. In addition, the HBF would also recommend that a presumption in favour of

development be applied if the supply of land for such development falls below identified needs.

346. Should further specific sites be allocated in the Plan to meet the needs for specialist housing? Should Policy LP29 require strategic sites to include provision for specialist housing needs?

If sites are available and in sustainable locations, then the Council should be looking to allocate sites to meet the needs of older people rather than rely on windfall development.

347. Is Criterion 3b justified in not permitting supported housing development outside of the Development Boundaries of Rural Villages, where proposals are able to meet an identified need and demonstrate access to local shops and services?

Where there are sufficient services in such settlements to meet the needs of older people that such development should not be prevented from coming forward.

348. Should the requirement for specialist housing development to provide affordable housing in line with Policy LP28 be contained within the policy rather than supporting text? Is the guidance in the supporting text on the type of specialist housing developments which would be expected to provide affordable housing consistent with the results of the local Plan Review Viability Update in respect of the types of specialist housing scheme that could viably support affordable housing?

If such development is to be required to provide affordable housing this should be set out in policy. However, in line with our comments on LP28 we are concerned as to the ability of residential development, including specialist homes for older people, in some areas to deliver any affordable housing. Rather than rely on negotiation at the development management stage we would suggest that requirements are reduced to reflect the viability concerns presented in the Council's evidence.

349. Is Criterion 6 consistent with national policy, regarding the impacts of development on the Norfolk Coast AONB and its setting? Does it serve a clear purpose and avoid unnecessary duplication with Policy LP16 and the NPPF, which define the policy to be applied to all development proposals within or affecting the setting of the AONB?

No comment

Adaptable and Accessible Homes (Policy LP30)

350. Are the following requirements in Policy LP30 justified by the housing needs evidence submitted with the Plan:

a) 50% of all new homes to be built to meet the M4(2) optional requirement for accessible and adaptable dwellings in Part M of the Building Regulations?

b) 5% of affordable dwellings on major housing developments to be built to the M4(3) optional requirement for wheelchair adaptable dwellings in Part M of the Building Regulations? If so, what and where is the evidence to justify these proportions?

No comment

351. Does the Viability Update demonstrate that future housing development in the Borough would be viably able to support the additional construction costs of the M4(2) and M4(3) requirements? If so, where is the evidence to support this conclusion? If not, does Policy LP30 allow sufficient scope for the requirements to be waived or reduced on viability grounds?

No comment

352. Is the requirement in Policy LP30, that residential proposals should be accompanied by a document setting out how they would accord with the standards detailed in the Building Regulations, consistent with national policy, given that the PPG expects such policies not to impose any additional information requirements or seek to determine compliance with the Building Regulation requirements, which is the role of the Building Control Body?

This reference should be removed it is unnecessary. Whilst the requirement is set out in the local plan its compliance is delivered and monitoring through building regulations and as such it is unnecessary to require such documentation as part of the application.

353. For clarity and effectiveness, should the reference to wheelchair accessible dwellings in the final sentence of Policy LP30 be modified given that the policy only specifies requirements for wheelchair adaptable dwellings?

Yes. PPG makes a clear distinction between such dwellings and allows Council's to specify wheelchair accessible homes where the person living there is nominated by the Council.

Mark Behrendt MRTPI
Planning Manager – Local Plans SE and E