

5th December 2019

Our Ref: C04235

Your Ref: LA03-DPS-0041

Development Plan Team
Planning Department
Mossley Mill
Carnmoney Road North
Newtownabbey
BT36 5QA

Dear Sir/Madam,

Re: Counter Representation made in respect of representations made to the Antrim and Newtownabbey District Council Draft Plan Strategy (DPS) – Lands located at Glenavy Road, Crumlin

This letter is submitted on behalf of our client, Eastwood Estate Agents, and provides a rebuttal to representations made by others in respect of Antrim and Newtownabbey Borough Council Draft Plan Strategy (DPS). It highlights how the comments made in these representations are not sound.

STRATEGIC POLICY 4

Representations have been made by both Dunadry Housing Association and RSPB which challenge the housing allocation figure (9,750) set out in strategic Policy 4 of the Draft Plan Strategy. The comments are set out below:

LA03-DPS-0015 Dunadry Housing Association

Page 135 Housing Growth Allocation

Our initial thoughts on the allocated figure of 10 for Dunadry was positive. However, with a total indicated on the table of 9750 and the statement in SP 4.2 "...Council will seek to facilitate the delivery of **at least** 9750 new homes..." it is clear the allocated figures for each area are a minimum, with no indication of a cap or maximum. This sheds a different light on the matter and offers no reassurance or comfort. Antrim Area Plan 1984 – 2001, Alteration No.1 1991, Limits of Development for Hamlets told us *"The development limit incorporates some 5 hectares of potential development land which is likely to accommodate some 30 dwellings"* In the period to 2010 there was approval of 229 dwellings, an increase of some 760% of what was foreseen in the plan. This demonstrates the frailty of such nominal figures being included in this table. Perhaps some thought should be given to including figures for 'target' and 'maximum'.

LA03-DPS-0103 – Royal Society for the Protection of Birds (RSPB)

While it is recognised that that the HGI is not an upper limit or threshold, the potential housing yield of the Borough across the settlement hierarchy including the countryside nevertheless needs to be more closely aligned with the Plan's stated HGI figure of 9,750 in order to be more effective in complying with the principles of furthering sustainable development as contained within the RDS, and SPPS. This is compounded by the fact that the dPS seeks to retain all existing residential zonings (Paragraph 7.14), and will only seek to apply the RDS requirement of 60% of new homes (in settlements over 5,000 units¹¹) on brownfield sites to any new housing allocations (Paragraph 7.17). This will be discussed further below.

Draft Plan Strategy Objective 4 relates to Homes. SP 4.2 states that *"To provide for a sustainable level of housing growth and an adequate choice of housing the Council will seek to facilitate the delivery of at least 9,750 new homes across the Borough over the Plan period 2015 to 2030"*

We **disagree** with the comments made in the above representations which proposes that the 9,750-housing allocation figure should be set as a maximum. It is noted that this strategic proposal sets out a notional allocation figure for settlements, however, these figures represent a significant reduction to that proposed within the Preferred Options Paper.

It must be noted that the HGI figures referred to in the RDS are not targets, they are instead "produced as a guide for those preparing development plans" and are "an estimate of the new dwelling requirement" (page 100, RDS 2035). This is echoed in paragraph 6.139 of the SPPS which states that Housing allocations in LDPs should be informed by RDS HGIs. This terminology does not prevent Councils from calculating their own HGIs on which to base the LDP housing allocations, with (of course) a sound evidential base for doing so.

Sections 8(5)(a) and 9(6)(a) of the Planning Act (Northern Ireland) 2011 require Council's to "take account" of the RDS in the preparation of the Plan Strategy and Local Policies Plan. There is no legislative requirement to slavishly adhere to the HGIs in the RDS or to prevent Council from determining its own housing projection figures upon which to base their LDP housing allocation (having taken into account the RDS figures) over the period 2015 -2030.

We consider that the housing allocation should in fact be increased to maintain greater flexibility. Our suggested revised housing growth figure (11,220 units) was set out within our representation, we also believe the growth allocation between settlements should be amended to focus on growing local towns and selected villages for the district over the plan period, as per Option 3 within the Preferred Options Paper.

This additional allocation is necessary due to the ambitious economic growth plans of the neighbouring council area of Belfast which seeks to add a further 46,000 jobs to the economy over the period 2020-2035 in line with the city's objective to enable it to compete with similar cities elsewhere in the UK in terms of attracting investment, creating jobs and driving the regional economy (Policy GR1, Belfast City Council Preferred Options Paper, January 2017, p19-22).

Many settlements within the Antrim and Newtownabbey Council area act as commuter towns for Belfast and considering the physical restrictions on growing the Greater Belfast area, it is inevitable that there will be knock-on effects upon Antrim and Newtownabbey settlements due to the ambitious growth plans of Belfast. It is therefore necessary to increase the number of dwellings allocated over the plan period for the Antrim and Newtownabbey Council Area to account for Belfast's planned economic growth. The 14,960-figure allocation (inclusive of 5-year land supply) would allow an addition 1,960 dwellings (an increase of 15%) and this should therefore be the reflective figure.

Soundness Test

- Strategic Policy 4 (SP 4) is not sound as it is not reasonably flexible to enable it to deal with changing circumstances i.e. unexpected growth (Test CE4) and it is not based on a robust evidence base (Test CE2). The projected housing growth of 9,750 underestimates the housing need for the district over the plan period.

Remedy

- Revise SP 4 to update the housing growth figure to provide 11,220 new homes within the district by 2030.

POLICY DM17 HOMES IN SETTLEMENTS - DM 17.1 criterion d (Lifetime Homes)

LA03-DPS-0008 Northern Ireland Housing Executive

While we acknowledge that Policies SP 4 and DM 17 aim to "meet the evolving needs of residents over their lifetimes" and "ensure that new developments are accessible to all", we would like to see the introduction of Lifetime Homes for all new developments, as opposed to only a proportion of developments of 20 units or more, and that a proportion of wheelchair standard units are required. Lifetime Homes support the changing needs of individuals and families at different stages of life, through the incorporation of 16 design criteria that can be universally applied to new homes at minimal cost.

Policy DM 17.1(d) appears to confuse the provision of Lifetime Homes with wheelchair units, we would like the policy to clearly refer to the provision of both Lifetime Homes and wheelchair standard units. Paragraph 7.39 states "To help meet the full range of housing needs advocated in the SPPS, the Council will also encourage the "Lifetime Homes" approach, as well as delivery of wheelchair accessible housing." We believe that this would be more robust if "encourage" was replaced with "adopt".

We **disagree** with the above comments in relation to lifetime homes. We do not think it is reasonable or realistic to require lifetime homes standards within all developments.

The draft plan policy states that for proposals of 20 units or more, a minimum of 20% must comply with the 'Lifetime Homes' approach. Although, we support the Lifetime Homes approach, we do not think it should be a planning requirement. In England for example, the Lifetime Homes Standard was once a planning requirement, however, it has since been abolished and built into updated Building Regulations (Requirement M4(2) and/or M4(3)). We believe the same approach should be taken here within Northern Ireland. Lifetime Homes would also create yet another design challenge at planning application stage which may not be achievable on all sites, specifically those which are constrained in terms of size.

Soundness Test

- Policy DM17 (criterion d) is not sound as it is not based on a robust evidence base (Test CE2) and at planning stage mechanisms for monitoring of building to the lifetime homes standard is not clear (Test CE3)

Remedy

- Revise DM17 to remove lifetime homes as a planning requirement and ensure it is brought forward under the authority of Building Regulations.

POLICY DM17 HOMES IN SETTLEMENTS - DM 17.3

LA03-DPS-0054 Clanmil Housing Association

- 4.10 Within the policy amplification, we welcome the comments at paragraph 7.38 regarding the use of Section 76 to secure affordable housing and Council's intention to bring forward supplementary planning guidance. The guidance should explain in greater detail how the provisions of the policy will be implemented and the approach to be taken to off site provision; which should only be considered in exceptional circumstances.

We **disagree** with the above comment that section 76 planning agreements are the appropriate means to secure affordable housing provision. Section 76 agreements are unduly onerous and time consuming to put in place and therefore increases the timelines involved in the delivery of affordable housing. A planning condition is a more appropriate and efficient means of securing the delivery of affordable housing on sites.

LA03-DPS-0008 Northern Ireland Housing Executive

However, the Housing Executive believes the proposed affordable housing policy is limited, estimated to provide only 13 units a year, leading to a shortfall in excess of 1,000 units to meet affordable housing need in the Council area over the next 15 years. Therefore, we believe that our Housing Needs Assessment was not given due weight in the housing allocation, as required by regional planning policy. As the evidence within the HNA does not seem to have informed the affordable housing policies, we would like further information on how this policy has been devised, and the evidence base to support it.

Whilst we agree that further information should be provided in terms of how the policy has been devised and that the Housing Needs Assessment needs to be considered within the policy, we **disagree** that the affordable housing policy is limited and consider that the proposed threshold is too low for affordable housing. The trigger should be introduced once the proposals meet or exceed the 'major residential development' threshold comprising 50 residential units or more. Setting the provision of affordable housing threshold to major developments is also an approach which has been widely used in England.

In addition, similar to the approach used in the Northern Area Plan 2016, we believe that there should be a second test in that proposals should be required to contribute to meeting the needs of the wider community, only where there is an established need for social or specialist housing, as established by a Housing Needs Assessment. Where the Housing Needs Assessment establishes there is a need in an identified settlement or within a locality for social or specialist housing, affordable housing should be provided subject to the level of need identified and in agreement with the Northern Ireland Housing Executive.

Given that the proposed thresholds are low, we believe the provision of social housing dwellings on small-scale development sites will render many unviable; resulting in a significant decline in small scale housing developments.

Soundness Test

- Policy DM17.3 is not sound as it is not reasonably flexible to enable it to deal with changing circumstances (Test CE4) and it is not based on a robust evidence base (Test CE2).

Remedy

- Revise DM17.3 so that affordable homes provision is only required on 'major residential development' that comprises 50 units or more and/or where there is an identified level of need in agreement with NIHE.

CONCLUSION

In summary, it is clear that Strategic Policy 4 and DM17 is not sound in its current form and, if retained, will not deliver the required housing over the plan period.

Strategic Policy 4 (SP 4) is contrary to soundness test CE2 and CE4 as it is not reasonably flexible to enable it to deal with changing circumstances i.e. unexpected growth and it is not based on a robust evidence base. The projected housing growth of 9,750 underestimates the housing need for the district over the plan period. The proposed housing allocation should be revised to provide 11,220 new homes within the district by 2030.

Policy DM17.1 (d) which relates to lifetime homes is contrary to soundness test CE2 as it is not based on a robust evidence base. It is also contrary to soundness test CE3 as at planning stage mechanisms for monitoring of building to the lifetime homes standard is not clear. Policy DM17 17.1 should be revised to remove lifetime homes as a planning requirement and ensure it is brought forward under the authority of Building Regulations.

Policy DM17.3 relating to affordable homes is also contrary to soundness test CE2 as it is not reasonable or appropriate to require 10% for Affordable Housing on sites of 40 units or greater and the thresholds are not based on a robust evidence base. Furthermore, it is also contrary to soundness test CE3 in that there is no suitable mechanism for implementation i.e. Section 76 Agreements are not suitable means to deliver the affordable housing provision within a scheme.

DM 17.3 should be revised so that affordable homes provision is only required on 'major residential development' that comprises 50 units or more and/or where there is an identified level of need in agreement with NIHE. It should also be updated to allow for alternatives such as the payment of a fixed commuted sum by developers.

Yours sincerely,



Lisa Shannon

Gravis Planning