

Sent by EMAIL ONLY to planningpolicy.enc@northnorthants.gov.uk

21/4/2023

Dear Sir/ Madam

Response by the Home Builders Federation to the East Northamptonshire Part 2 Local Plan Main Modifications Consultation, March 2023.

1. Please find below the Home Builders Federation (HBF) response to the East Northamptonshire Part 2 Local Plan Main Modifications Consultation. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.
2. The HBF have identified some errors and potential points of confusion in the wording of the Modifications that would benefit from clarification. The suggested clarifications also lead to the need for consequential changes in other parts of the Plan. Where possible the HBF has suggested possible changes to the Modifications that could address the concerns raised.

Main Modification MM27

Policy EN13: Design of Buildings/ Extensions

3. Although the HBF does not support the inclusion of Nationally Described Space Standards (NDSS) space standards in Local Plan policy, if they are to be referred to then they should be referred to correctly.
4. In the HBF's view an inflexible policy approach imposing NDSS removes the most affordable homes and denies lower income households from being able to afford homeownership. The introduction of the NDSS for all dwellings may mean customers purchasing larger homes in floorspace but with bedrooms less suited to their housing needs with the unintended consequences of potentially increasing overcrowding and reducing the quality of their living environment. The HBF continues to believe that Council should focus on good design and usable space to ensure that dwellings are fit for purpose rather than focusing on NDSS. The HBF considers that if the Government had expected all properties to be built to NDSS that they would have made these standards mandatory not optional.

5. The proposed Modification MM27 refers to National Space Standards. The HBF assumes this should in fact refer to the optional Nationally Described Space Standards (NDSS). Therefore, the policy should be amended to either say:

g) For all other developments, ~~meets the~~ provide sufficient internal space in line with **Nationally Described Space Standards (NDSS)** as referred to in Criterion (b) of Policy 30 of the Joint Core Strategy; and

or, ideally:

g) For all other developments, ~~meets the~~ provide sufficient internal space in line with **optional Nationally Described Space Standards (NDSS)** as referred to in Criterion (b) of Policy 30 of the Joint Core Strategy; and

Main Modification MM59

Policy EN29: Delivering wheelchair accessible housing

6. The proposed Modification aims to differentiate between wheelchair adaptable housing and wheelchair accessible housing. However, the Modification as currently drafted leaves room for confusion, and consequential changes in other parts of the Local Plan to reflect this clarification are still needed.
7. The proposed Modification MM59 aims to differentiate between Part a) and part b) of M4(3) technical standards. M43a sets out standards for wheelchair adaptable housing, where M43b relates to wheelchair accessible housing. M43b can only be required on affordable housing where the Council has nomination rights.
8. Although the Council has added has explanation within the policy that wheelchair accessible housing will only be required for dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling, the wording of policy EN29 as amended by MM59 still leaves room for confusion as accessible and adaptable housing are still referred to together as Category 3 housing. It is therefore still not clear from the policy when M43a or M43b housing will be required.
9. The HBF would suggest a clearer form of a wording is needed along the lines of:

To help meet current and future needs for housing for people with disabilities, all new housing developments of 20 or more dwellings should include a target minimum of 5% **Category 3a (wheelchair adaptable) or Category 3b (wheelchair accessible) housing**. Wheelchair accessible housing will only be required for dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling.

10. Changes are also needed to the supporting text at paragraph 8.48 to properly explain that Category 3a housing is wheelchair adaptable and Category 3b is wheelchair accessible. Para 8.48 should say:

The Joint Core Strategy (Policy 30) sets out the strategic approach to providing for a mix of dwelling sizes and tenures in order to meet the needs of the wider community. The policy sets out targets for affordable housing provision and highlights the need to provide for specialist forms of housing,

particularly those relevant to older persons. It builds on the requirements set out in the NPPF that support strong, vibrant and healthy communities by providing a sufficient number and range of houses to meet the needs of both present and future generations, as well as requiring new development to meet national space and accessibility standards (Category 2 as a minimum). Policy 30 also provides for LPAs to set the proportion of **Category 3a (wheelchair adaptable) or Category 3b (wheelchair accessible)** housing based on evidence of local needs, with Policy EN29 below setting a District-wide standard.

11. Table 29 (page 9 of 16) in Section 11, Monitoring and implementation will also need amending to reflect this clarification. It should say:

EN29	Delivery of an appropriate quantum of Category 3a (wheelchair accessible) or 3b wheelchair adaptable housing to meet local needs	Number of Category 3a (wheelchair accessible) or 3b (wheelchair adaptable) units delivered	Delivery of 5% of units as Category 3 housing on sites of 50 dwellings or more To increase the delivery of Category 3a and 3b housing	<u>Delivery of 5% of units as Category 3a or 3b housing on sites of 20 dwellings or more</u>
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Main Modification MM62

Policy EN31: Older People's housing provision

12. The proposed Modification aims to introduce flexibility to the requirement for development in villages to provide 20% housing for older people. However, the proposed modification says:
- As opportunities for development in the villages are limited, and sites are often small scale in nature, all developments of 5 or more dwellings will be expected to deliver **a minimum of 20%** of housing for older people, **unless evidence justifies a departure.**
13. The word 'departure' has a specific meaning in planning, particularly in relation to development management where departure from the plan require specific advertising.
14. As set out in PPG <https://www.gov.uk/guidance/determining-a-planning-application>

Can the local planning authority decide not to follow the policies in the development plan?

The local planning authority may depart from development plan policy where material considerations indicate that the plan should not be followed, subject to any conditions prescribed by direction by the Secretary of State. This power to depart from development plan policy is confirmed in article 32 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

In cases where the local planning authority intends to depart from development plan policy, article 15(3) of the Development Management Procedure Order sets out the publicity requirements which must be followed before the decision is taken.

Paragraph: 013 Reference ID: 21b-013-20150327

15. The HBF therefore suggests alternative wording is needed if it is not the Council's intention that all developments in villages of 5 or more dwellings that deliver less than 20% housing for older people are treated as a departure. The HBF would suggest the following wording may be more appropriate:

- As opportunities for development in the villages are limited, and sites are often small scale in nature, all developments of 5 or more dwellings will be expected to deliver a minimum of 20% of housing for older people, unless evidence **justifies a different approach.**

or

- As opportunities for development in the villages are limited, and sites are often small scale in nature, all developments of 5 or more dwellings will be expected to deliver a minimum of 20% of housing for older people, unless evidence **justifies a different percentage.,.**

This second option would then require it to be clarified in the supporting text that the percentage could be 0%.

Main Modifications MM63

Policy EN32 Self and Custom Build Housing

16. Although the HBF does not support the principle of requiring self-build or custom-build plots on sites of 50 dwellings or more, if this is to remain a requirement of the Local Plan, the HBF supports the reduction of the time period for marketing a custom-build house from 12 to 6 months.
17. The HBF consider it is unlikely that the provision of self and custom build plots on new housing developments can be co-ordinated with the development of the wider site. At any one time, there are often multiple contractors and large machinery operating on-site from both a practical and health and safety perspective, it is difficult to envisage the development of single plots by individuals operating alongside this construction activity.
18. If Policy EN32 for custom-build housing is to be retained then the wording of the policy should allow for any unsold plots will revert to the original developer, and how and when this will happen. It is important that plots should not be left empty to the detriment of neighbouring properties or the whole development. The timescale for reversion of these plots to the original housebuilder should be as short as possible from the commencement of development because the consequential delay in developing those plots presents further practical difficulties in terms of co-ordinating their development with construction activity on the wider site. There are even greater

logistical problems created if the original housebuilder has completed the development and is forced to return to site to build out plots which have not been sold to self and custom builders. The HBF would therefore also suggest that the Council should further consider this issue in relation to self-build plots. Section a) of policy EN32 for build housing should also address what would happen if any self-build plots are not sold or built out, as this issue is not addressed by Modification EN32.

Future Engagement

19. I trust that the Council will find these comments useful. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry if that would be helpful.

20. The HBF would like to be kept informed of the progress of the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours faithfully

A handwritten signature in blue ink that reads "R. H. Danemann". The signature is written in a cursive, slightly informal style.

Rachel Danemann MRTPI CIHCM AssocRICS

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