

Planning Team
Yorkshire Dales National Park

SENT BY EMAIL
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5/2/2025

Dear Planning Policy Team,

YORKSHIRE DALES NATIONAL PARK LOCAL PLAN: PUBLICATION STAGE (REGULATION 19)

1. Thank you for consulting with the Home Builders Federation (HBF) on the Yorkshire Dales National Park Publication Stage (Regulation 19) consultation.
2. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.
3. This response is provided in order to assist the Yorkshire Dales National Park Authority (YDNPA) in the preparation of the emerging local plan. The HBF is keen to ensure that the YDNPA produces a sound local plan which provides for the housing needs of the area.
4. The HBF supports that YDNPA in identifying that the Yorkshire Dales faces a significant population challenge, and acknowledging that without further house building the population will go into decline. The HBF supports the YDNPA is seeking to allocate housing land in order to deliver the housing requirements and including policy that will allow for windfall development.

General

5. As a very general point the HBF would recommend that the YDNPA seek to number the paragraphs and sub points within their policies. This would make the policies easier to read and to refer to.

CP3 – Spatial Strategy and Housing Target

Policy CP3 is not considered to be sound as it is not positively prepared, not justified, not effective and not consistent with national policy for the following reasons:

6. The housing supply will be expanded by an average target of 50 new dwellings per year (750 dwellings between 2025 and 2040).

7. In terms of the scale of housing provision the HBF is mindful of the status of the area as a National Park and therefore does not consider unrestricted housing growth should occur. It is, however, important that the National Park retains its vitality and places due weight upon its duty to; *'seek to foster the economic and social wellbeing of local communities'*.
8. PPG (ID 2a-014) states that where the data is not available such as in National Parks an alternative approach (to the Standard Method) will have to be used. It goes on to state that such authorities may continue to identify a housing need figure using a method determined locally, but in doing so will need to consider the best available information on the amount of existing housing stock within their planning authority boundary, local house prices, earnings and housing affordability.
9. The SHMA identifies that across YDNP there are an estimated 13,094 dwellings and 10,270 households and around 21.6% of dwellings are not permanently occupied and are either second homes, holiday lets and vacant properties. If the YDNP were to follow the standard method, 0.8% would set a baseline value of 105dpa. The SHMA provides data on the median and lower quartile house prices in 2023 at £365,000 and £262,500. It also identified relative affordability in Figure 3.2. The PPG¹ goes on to state that in the absence of other robust affordability data, authorities should consider the implications of using the median workplace-based affordability ratio for the relevant wider local authority area(s). The median workplace based affordability ratios averaged over the last five years for North Yorkshire (8.59), Westmorland and Furness (6.96) and Lancaster (5.96). Even if the lowest of the affordability ratios is used, this would give a local housing need of 124dpa.
10. The YDNPA Strategic Housing Market Assessment (SHMA) 2024 Update (July 2024) recommends a 'policy-on dwelling-led annual housing requirement' of 50 dwelling per annum (dpa) across the YDNPA over the plan period 2025 to 2040. It goes on to identify an ongoing need for 30 affordable homes each year, it suggests that these are split 20 social / affordable rent and 10 affordable home ownership.
11. Over the period 2001 to 2021, the total number of dwellings and households has increased but population reduced slightly. The age profile has become skewed towards older people, with a 50% increase in people aged 65 or over living in the YDNP and a 14.4% decrease in the under 65 population. Edge Analytics' SNPP-2018 (HH-14) projection estimates a population in 2025 of 23,901 and this is projected to remain virtually unchanged to 23,907 by 2040, with a particular increase in the proportion of people aged 75 and over.
12. The HBF notes that a housing requirement of 50dpa would be in line with the SHMA recommendation and that the YDNPA considers that this figure would be sufficient to halt population decline. The HBF considers that this should be further evidenced to ensure that the Plan seeks to foster the economic and social wellbeing of local communities, particularly, as it is not seeking to meet the standard method identified local housing needs.

¹ PPG ID: 2a-014-20241212

13. The HBF considers that it is appropriate for the YDNPA to provide an appropriate settlement hierarchy which provides a logical hierarchy and allows for a suitable and sustainable spatial distribution of sites, provides an appropriate development pattern and supports sustainable development within all areas.
14. The HBF considers that the YDNPA should ensure that they have a housing land supply that includes a mix of short and long-term allocations for residential development. Whilst the HBF is mindful of the national park status it will still be important that housing delivery options are optimised, this can be done by ensuring that a mix of sites is provided, including a range of sites by both size and location.
15. The HBF does not wish to comment on individual sites, but would expect the YDNPA to ensure that the sites identified will be deliverable or developable and will come forward within the Plan period. The HBF would expect the YDNPA to ensure that they have appropriate evidence available to demonstrate the deliverability of these sites, and an appropriate monitoring framework to ensure that actions can be taken if sites are not being delivered as expected.

CP6 – Design

Policy CP6 is not considered to be sound as it is not justified, not effective and not consistent with national policy for the following reasons:

16. This policy states that detailed proposals should conform with the Yorkshire Dales National Park Design Guide. The HBF does not consider it is appropriate to require development proposals to be in conformity with a design guide that is not being tested to the same standards as the Local Plan policies, as this potentially gives the document the elevated status to that of the Development Plan. The HBF considers that it would be appropriate to refer to the Design Guide as a consideration in the determination of applications in line with the NPPF².

CP7 – Energy requirements

Policy CP7 is not considered to be sound as it is not justified, not effective and not consistent with national policy for the following reasons:

17. Proposals for development should demonstrate use of decentralised sources of renewable energy, including on-site generation. The HBF considers that support for decentralised sources of renewable energy may be appropriate, but it should not be a requirement. As the national grid moves towards more sustainable sources of energy it may no longer be appropriate or the most sustainable option to be requiring decentralised renewable energy in each development.

CP9 – Biodiversity Net Gain

Policy CP9 is not considered to be sound as it is not justified, not effective and not consistent with national policy for the following reasons:

² Paragraphs 134 and 138 of the NPPF 2024

18. Development proposals will be required to contribute towards nature recovery by enhancing Biodiversity by at least 10% compared to the pre-development situation.
19. The HBF notes the introduction of Biodiversity Net Gain (BNG) which came in for large sites on February 12th, 2024, and for small sites from 2nd April 2024. It is therefore important for this policy to fully reflect all the new legislation, national policy and MHCLG and DEFRA guidance.
20. The HBF has been involved in a significant amount of work, being led by the Future Homes Hub, on BNG preparedness for some time, including feeding into the BNG Planning Practice Guidance and the DEFRA BNG Guidance. The HBF notes that this represents a lot of new information that the YDNPA will need work though and consider the implications of, in order to ensure that any policy on Biodiversity Net Gain policy complies with the latest policy and guidance now it has been published. It should also be noted that the PPG³ is clear that there is no need for individual Local Plans to repeat national BNG guidance.
21. It is the HBF's opinion that the YDNPA should not deviate from the Government's requirement for 10% biodiversity net gain as set out in the Environment Act. Therefore, the HBF considers it may provide certainty for developers and others if the justification text or the BNG policy is clear that therefore the requirement is a fixed 10% figure. The HBF considers that it is also important to note that for complex sites where the development is phased, the guidance is clear that the 10% must be delivered at the end of the development, and this may not result in 10% BNG on each phase. Additional advice on phased development has been provided in the BNG PPG⁴.
22. The policy provides its own take on the Biodiversity Gain Hierarchy, the HBF considers that this is not appropriate and instead links to the original source would be more appropriate. The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024 defines the biodiversity gain hierarchy, the Council should not be seeking to define their own hierarchy. The Regulations states that "*biodiversity gain hierarchy*" means the following actions in the following order of priority—
 - (a) *in relation to onsite habitat with a habitat distinctiveness score, applied in the biodiversity metric, equal to or higher than four—*
 - (i) *avoiding adverse effects of the development, or*
 - (ii) *insofar as those adverse effects cannot be avoided, mitigating those effects;*
 - (b) *in relation to any onsite habitat which is adversely affected by the development, compensating for that adverse effect by—*
 - (i) *habitat enhancement of onsite habitat;*
 - (ii) *insofar as there cannot be that enhancement, creation of onsite habitat;*
 - (iii) *insofar as there cannot be that creation, the availability of registered offsite biodiversity gain for allocation to the development;*

³ ID: 74-006-20240214

⁴ ID: 74-054-20240214 & ID: 74-056-20240214

(iv) insofar as registered offsite biodiversity gain cannot be allocated to the development, the purchase of biodiversity credits.'

The HBF considers that the use of the metric should be sufficient, there is not need for the Council to set a further order of preference. The calculations in the metric already reflect the hierarchy and reward schemes that retain on-site BNG features and penalise those that don't.

23. The HBF considers that there are significant additional costs associated with biodiversity net gain, which should be fully accounted for in the YDNPA's viability assessment, some of which remain unknown at this time. It is important that BNG does not prevent, delay or reduce housing delivery. The costs relate both the financial costs and also land take, which will impact on densities achievable if BNG is provided on site.
24. As this is still a new policy area and the market for off-site provision is not yet known, any figure used for BNG costs will need to be kept under review as BNG implementation progresses and a greater understanding of actual costs become available. The Viability Assessment must clearly set out how it considered the implications of mandatory BNG and how it was arrived at using the most up to date BNG costs information available.
25. As the Local Nature Recovery Strategy(ies) (LNRS) for the area emerges it will be important for this Local Plan to be kept under review and further public consultation on the interaction between the two documents and/or changes to Local Plan policy and/or its implementation, to reflect the LNRS may be needed. The Government recently⁵ published additional Guidance⁶ on how Local Nature Recovery Strategies should be integrated with/feed into Local Plan Making. We would encourage the YDNPA to review the new guidance and fully consider its implications for this Plan.
26. The HBF recommends that YDNPA work closely with the HBF, PAS, DEFRA and others with expertise in BNG to ensure that the policy is amended appropriately to reflect the latest position.

CP10 – Major Development

Policy CP10 is not considered to be sound as it is not positively prepared, not justified, not effective and not consistent with national policy for the following reasons:

27. This policy states that planning permission for major development will only be granted in exceptional circumstances and where it can be demonstrated to be in the public interest. It includes a list of elements that will be considered in the assessment of the proposal these include the need for the development, and the generation of carbon emissions and how these will be minimised.

⁵ 19/02/2025

⁶ See <https://www.gov.uk/guidance/plan-making> and <https://www.gov.uk/guidance/natural-environment#local-nature-recovery-strategies>

28. The HBF considers that it will be important that any policy in relation to major development is workable and ensure that housing delivery will not be compromised or stalled due to overly prescriptive requirements or requires the applicant to provide significant amounts of additional evidence. The HBF notes that the justification text suggests that certain types of development would not be considered 'major development' by the YDNPA including allocated housing sites at a scale need to meet the Local Plan housing objectives. The HBF considers that this should be made more explicit within the policy itself, to clarify that it is not using 'major development' in the same way as is it defined in the NPPF, or alternatively for the YDNPA to consider using different terminology to avoid confusion. The HBF also considers that the YDNPA should consider other housing developments, if the rare opportunity arise for a non-allocated site for 10 or more dwellings to be delivered, positively in this policy.

AC1 – Infrastructure needed to support development

Policy AC1 is not considered to be sound as it is not justified, not effective and not consistent with national policy for the following reasons:

29. New development will be permitted where adequate infrastructure already exists or where specific, appropriate and proportionate new infrastructure will be provided to service the scheme.
30. Development can only be required to mitigate its own impact and cannot be required to address existing deficiencies in infrastructure or services. It is therefore essential for the Infrastructure Development Plan (IDP) to clearly show the existing and known deficiencies in the current infrastructure, before reaching any conclusion on the cumulative effects of new development, and any contribution that is needed from new development to mitigate any additional individual and/or cumulative impacts.
31. All proposed dwellings located on allocated housing sites on the Policies Map will be required to connect to gigabit-capable broadband prior to occupancy.
32. The HBF generally considers that digital infrastructure is an important part of integrated development within an area. However, the inclusion of digital infrastructure such as gigabit-capable broadband is not within the direct control of the development industry, and as such it is considered that this policy could create deliverability issues for development and developers. Service providers are the only ones who can confirm access to infrastructure. Whilst the NPPF⁷ establishes that local planning authorities should seek support the expansion of electronic communications networks it does not seek to prevent development that does not have access to such networks. The house building industry is fully aware of the benefits of having their homes connected to super-fast broadband and what their customers will demand. The HBF considers that in seeking to provide broadband and fibre to homes the Council should work proactively with telecommunications providers to extend provision and not rely on the development industry to provide for such infrastructure.

⁷ NPPF 2024 paragraph 119

33. As the Council are no doubt aware part R of the Building Regulations: Physical Infrastructure and network connections to new dwellings require all new build dwellings to be installed with the gigabit-ready physical infrastructure connections subject to a cost cap of £2,000 per dwelling. These requirements mean that there is no need for the inclusion of the final sentence of this policy. Therefore, the HBF recommends that this part of the policy is deleted from the local plan.

C1 – Housing in Towns and large Villages

Policy C1 is not considered to be sound as it is not justified, not effective and not consistent with national policy for the following reasons:

34. This policy identifies new housing sites to contribute towards the Local Plan target of 750 dwellings, the sites are allocated on the Policies Map and set out in Appendix 4.
35. The HBF has no comments on the proposed individual housing allocations in Policy C1 / Appendix 4 and these representations are submitted without prejudice to any comments made by other parties. The HBF considers that the Council will need to consider an appropriate balance of development, to ensure that all of their housing needs are met in terms of types and tenures; locations and markets, and to ensure that the Plan can deliver against its housing requirements. Although the HBF does not comment on individual sites or allocations, we believe that the Plan should provide for a range of deliverable and developable sites across the National Park in order to provide competition and choice to ensure that housing needs are met, whilst also ensuring the conservation and enhancement of the natural beauty, wildlife and cultural heritage of the area.
36. The policy also requires all housing sites to meet a minimum density of 35 dwellings per hectare, unless the Authority considers that a lower density is necessary to provide a safe access or conform with highway capacity or fit into the landscape or conserve the character of the settlement or fit the physical characteristics of the site.
37. The HBF considers that 35dph may be a suitable density requirement in some locations to ensure efficient and effective use of land. The HBF also appreciates the additional considerations into circumstances where a lower density might be appropriate, however, the HBF considers that this should not be viewed as a limited list and it may be beneficial if the YDNPA added flexibility into the policy to allow for any unlisted circumstances.
38. The policy looks for housing to conform with the size, type and tenure recommended in the Strategic Housing Market Assessment (SHMA) or other more recent evidence of overall need.
39. Table 6.1 of the SHMA Update 2024 sets the following mix. The HBF is concerned that this is very restrictive, and it is not clear how it would be applied to each individual application. The HBF recommends that this element of the policy is amended to increase flexibility in the policy.

Table 6.1 Summary of overall dwelling mix by tenure

Number of bedrooms	Unrestricted Market	Affordable Rented	Affordable home ownership	Overall range
1	2	4	1	7
2	6	9	4	19
3	8	5	4	17
4	4	2	1	7
Annual need	20	20	10	50
Of which: overall need for level-access dwellings	4	6	2	12

40. All sites of more than 5 units must constitute at least 45% one or two bedroom dwellings, to meet the needs of elderly and other smaller households.
41. The HBF considers that any policy in relation to housing mix will need to be flexible and will likely need to reflect the small numbers of dwellings that are likely to be provided on each site. The policy may need to consider not just the SHMA recommended mix but the needs and aspirations of the market at the time of the proposed development, other available evidence, the local character of the area, and the viability of the development. The HBF is concerned about the demand for one or two bedroom homes, and considers that whilst these might be what is needed it may not be what is in demand, in terms of the market's aspirations, and may lead to inappropriate homes being delivered.
42. The policy states that new homes will need to comply with the nationally described space standards (NDSS). The NDSS as introduced by Government, are intended to be optional and can only be introduced where there is a clear need and they retain development viability. As such they were introduced on a 'need to have' rather than a 'nice to have' basis. PPG⁸ identifies the type of evidence required to introduce such a policy. It states that 'where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas: Need, Viability and Timing. The YDNPA will need robust justifiable evidence to introduce the NDSS, based on the criteria set out above. 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.
43. The HBF considers that standards can, in some instances, have a negative impact upon viability, increase affordability issues and reduce customer choice. In terms of choice some developers will provide entry level two, three and four-bedroom properties which may not meet the optional nationally described space standards but are required to ensure that those on lower incomes can afford a property which has their required number of bedrooms. The industry

⁸ PPG ID:56-020-20150327

knows its customers and what they want, our members would not sell homes below the enhanced standard size if they did not appeal to the market.

44. The HBF would also encourage the Council to consider the implications of the NDSS on the density of development and the land required to meet the housing requirement.
45. The policy proposes that affordable homes must be delivered on site as part of all housing schemes of more than one dwelling, it sets out the proportions ranging from 20% to 50%. The HBF supports the need to address the affordable housing requirements of the National Park. The NPPF⁹ is, however, clear that the derivation of affordable housing policies must not only take account of need but also viability and deliverability. The YDNPA should be mindful that it is unrealistic to negotiate every site on a one-by-one basis because the base-line aspiration of a policy or combination of policies is set too high as this will jeopardise future housing delivery.
46. The Viability Assessment Addendum (January 2025) assesses the affordable housing policy, however, it is noted that the typologies used are at the top of each of the dwelling ranges identified for example for the 40% affordable housing requirement for 2-5 dwellings in the South East area, the typology tested is for 5 dwellings, and for the 50% affordable housing requirement the lowest housing number tested is 10 dwellings but the requirement kicks in from 6 dwellings. The HBF considers that this is not giving an accurate assessment of the policy. The HBF considers that the policy requirements are likely to have a much more significant impact at the lower ends of the housing ranges. The HBF also notes that even allowing for these assumptions that there are viability issues with brownfield typologies. The HBF also notes that the assumptions used in the viability assessment assume that 100% of the area is developed in all site typologies up to the 60 dwellings typology, given the BNG requirements and the YDNPA preference for onsite delivery, this seems inappropriate.
47. This policy also proposes that all new build dwellings must be constructed to M4(2) accessible and adaptability standards. The HBF is generally supportive of providing homes that are suitable to meet the needs of older people and disabled people. However, if the Council wishes to adopt the higher optional standards for accessible, adaptable and wheelchair homes the Council should only do so by applying the criteria set out in the PPG.
48. The PPG¹⁰ identifies the type of evidence required to introduce such a policy, including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability. It is incumbent on the YDNPA to provide a local assessment evidencing the specific case for the Yorkshire Dales National Park Authority which justifies the inclusion of optional higher standards for accessible and adaptable homes in its Local Plan policy. If the YDNPA can provide the appropriate evidence and this policy is to be included, then the HBF recommends that an appropriate transition period is included within the policy.

⁹ NPPF December 2023 Paragraph 35 / NPPF Dec 2023 Paragraph 34

¹⁰ PPG ID: 56-007-20150327

49. The PPG also identifies other requirements for the policy including the need to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, these elements should also be included in the policy.
50. The YDNPA should also note that the Government response to the Raising accessibility standards for new homes¹¹ states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. M4(3) would continue to apply as now where there is a local planning policy in place and where a need has been identified and evidenced.

C2 – Housing in Small Settlements

Policy C2 is not considered to be sound as it is not positively prepared, not justified, not effective and not consistent with national policy for the following reasons:

51. The policy proposes to restrict Single plot permissions to local occupancy with developments of more than one dwelling subject to a permanent residency condition. The HBF seek assurances from the Council that the need for dwellings to be either a principal residence, or in the case of single plots, local occupancy, will not be an impediment to the effective delivery of homes. The HBF have concerns in relation to these restrictions and the potential implications they could have on the delivery of homes, including the potential to deliver infrastructure and other policy requirements set out in the plan. The HBF also have concerns in relation to the principal residence requirements and the impacts this could have on future financing and the rights of occupants.

NE2 - Protecting irreplaceable habitat, trees, hedgerows and walls

Policy NE2 is not considered to be sound as it is not positively prepared, not justified, not effective and not consistent with national policy for the following reasons:

52. This policy states that where the felling of a protected tree is permitted, three replacement trees will be required. The HBF is concerned by the potential tree ratio provided, this could have significant potential implications in terms of viability of the development, not only due to the tree costs but also in terms of efficient land use, site layout and highways considerations. The HBF considers that it will be important for the Council to gather appropriate evidence in relation to this policy that considers its practical implementation, and how it sits alongside other plan requirements.

Future Engagement

¹¹ <https://www.gov.uk/government/consultations/raising-accessibility-standards-for-new-homes/outcome/raising-accessibility-standards-for-new-homes-summary-of-consultation-responses-and-government-response#government-response>

53. I trust that the YDNPA will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.
54. The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.
55. At present the HBF does not consider that the Plan is sound, as measured against the tests of soundness set out in the NPPF, and as set out in our representations above. The HBF would therefore like to participate in any hearing sessions associated with the examination of the Yorkshire Dales National Park Local Plan and related to our representations, as this will allow the HBF to represent the industry and to address any relevant points raised at the examination. The HBF would like to be kept informed of the submission and examination of the Local Plan.

Yours sincerely,



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