

Planning Policy Team
Proposed Submission Local Plan
South Northamptonshire Council
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Dear Sir / Madam

SOUTH NORTHAMPTONSHIRE LOCAL PLAN PART 2 PRE-SUBMISSION CONSULTATION

Introduction

Thank you for consulting with the Home Builders Federation (HBF) on the above-mentioned consultation. 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. We would like to submit the following representations and in due course appear at the Local Plan Part 2 (LPP2) Examination Hearing Sessions to discuss these matters in greater detail.

Spatial distribution & Housing Land Supply (HLS)

For the plan period 2011 – 2029 the adopted West Northamptonshire Joint Core Strategy (WNJCS) sets out in Policy S3 for South Northamptonshire an Objectively Assessed Housing Need (OAHN) of 6,318 dwellings and a housing requirement of 7,173 dwellings (excluding Sustainable Urban Extensions (SUE) in the Northampton Related Development Area (NRDA)). The adopted WNJCS confirms that in South Northamptonshire housing delivery will be measured and reported against both the OAHN and the housing requirement. For the purpose of calculating the 5 year housing land supply (YHLS) the OAHN will be used but for the avoidance of doubt appropriate numbers of planning permissions will be granted to meet the housing requirement figure in Policy S3 (see WNJCS para 5.42). In South Northamptonshire the adopted WNJCS spatial strategy directs strategic growth to Brackley & Towcester and modest growth to meet local needs to the rural area. The housing requirement is disaggregated as 2,160 dwellings to Brackley, 2,650 dwellings to Towcester and 2,360 dwellings to the rural area. The LPP2 will establish a local strategy for the settlements



and countryside across South Northamptonshire in accordance with the WNJCS.

Currently South Northamptonshire's overall HLS is 7,024 dwellings comprising of 3,098 completions between 2011 – 2018 and existing commitments for 3,926 dwellings for the remaining plan period 2018 – 2029. Although there is a resultant deficiency of 146 dwellings between the adopted housing requirement and the overall HLS no housing site allocations are proposed in the LPP2. The Council is reminded that a HLS to meet the adopted housing requirement as set out in the WNJCS should be provided especially given that these figures are minimums rather than maximums. The Council's overall HLS should also have some headroom / contingency to provide flexibility to adapt to change as well as choice and competition in the land market. Furthermore it is noted that housing delivery in the NRDA has been weak resulting in significant housing shortfalls and no 5 YHLS in Northampton Borough Council but there are no proposed compensatory housing allocations in the South Northamptonshire LPP2 (paras 3.1.5 – 3.1.10).

It is also noted that in South Northamptonshire there has been a trend of significant under-delivery of affordable housing against targets identified in the adopted WNJCS. The cumulative deficit is circa 668 dwellings. The absence of any housing site allocations from the LPP2 will only worsen this situation because even if full policy compliant provision is assumed on committed sites there is insufficient supply to make up the cumulative deficit. The LPP2 should have allocated housing sites to boost delivery of affordable housing.

As the LPP2 does not allocate housing sites its defined purpose is limited to (para 1.1.8) :-

- Revising the settlement hierarchy ;
- Reviewing settlement confines and ;
- Setting out exception policies for self build (Policy LH5), starter homes (Policy LH2) , low cost, affordable and entry level housing (Policy LH3).

Policy R1 of the WNJCS set out a settlement hierarchy of Market Towns, Primary & Secondary Service Villages and Other Villages. The South Northamptonshire LPP2 proposes a revised settlement hierarchy in **Policy SS1 : The Settlement Hierarchy** comprising of Market Towns, Primary Service Villages, Secondary Service Villages (A & B), Small Villages and Open Countryside. The LPP2 also establishes settlement confines or boundaries for all settlements in the top four tiers of the settlement hierarchy. New development is permissible within the established confines of each settlement as set out in **Policy LH1 : Development within Town & Village Confines**. Development outside of town and village confines will also be considered acceptable if it is a "made" Neighbourhood Plan allocation, starter homes (under **Policy LH2**), meets the exception test of **Policy LH3**, a single dwelling (under **Policy LH4**), self or custom build (under **Policy LH5**), specialist housing (under **Policy LH6**) or a proposal for residential/nursing care (under **Policy LH9**).

It is important that the Council recognises the affordability difficulties faced by rural communities. The median house price to median earnings affordability ratio in South Northamptonshire has more than doubled in the last 20 years from 4.92 in 1997 to 10.30 in 2017. It is noted that 72% of the population live in the rural areas and 23% of the population live in Brackley & Towcester yet the WNJCS spatial strategy directs strategic growth of 4,810 dwellings (67% of the overall HLS) to Brackley & Towcester and only modest growth of 2,360 dwellings (33% of the overall HLS) to meet local needs to the rural area. The proposed distribution of housing should meet the housing needs of both urban and rural communities. The 2018 NPPF confirms that *“in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs”* (para 77) and concludes that *“to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services”* (para 78).

Housing Policies

Policy LH10 : Housing Mix & Type

Policy LH10 proposes on sites of 10 or more dwellings delivery of at least 5% bungalows and 50% accessible / adaptable dwellings for market housing split 45% M4(2) and 5% M4(3) dwellings and for affordable housing split 40% M4(2) and 5% M4(3) dwellings. The latter figure may be a typographical error which the Council should correct the HBF assumes that the Council means 10% M4(3) dwellings for affordable housing. On sites of less than 10 dwellings delivery of accessible and adaptable dwellings will be sought subject to site specific circumstances.

The Written Ministerial Statement (WMS) dated 25th March 2015 stated that *“the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG”*. If the Council wishes to adopt the higher optional standards for accessible & adaptable dwellings then the Council should only do so by applying the criteria set out in the NPPG (ID 56-005 to 56-011). All new homes are built to Building Regulation Part M standards. If the Government had intended that evidence of an ageing population alone justified adoption of the higher optional standards then such standards would have been incorporated as mandatory in the Building Regulations which the Government has not done. It is incumbent on the Council to provide a local assessment evidencing the specific case for South Northamptonshire which justifies the inclusion of M4(2) and M4(3) optional higher standards and the quantum thereof in **Policy LH10**. The Council is also reminded that the requirement for M4(3) should only be required for dwellings over which the Council has housing nomination rights as set out in the NPPG (ID 56-008). Any requirement for accessible and adaptable homes especially M4(3) should be thoroughly viability tested. In September

2014 during the Government's Housing Standards Review EC Harris estimated the cost impact of M4(3) per dwelling as £15,691 for apartments and £26,816 for houses. Without appropriate evidence on need and viability testing to justify **Policy LH10** requirements for M4(2) and M4(3) **Bullet Points (2a) and (2b)** should be deleted.

Other Policies

Policy SS2 : General Development Principles

Policy SS2 sets out 18 criteria that proposed development must satisfy to be granted planning permission and the contravention of any one of the criteria will result in refusal unless overridden by other material considerations. It is noted that many of these criteria are repeated in other LPP2 Policies. **Policy SS2 Bullet Points (c), (d), (e), (f), (g), (j) & (k)** are repeated by **Policy SDP1 : Design Principles Bullet Points 1(a), (b), (c), (d), (e), 2(a) & (b)**. **Policy SS2 Bullet Point (i)** is repeated in **Policy SDP3 : Health Facilities & Wellbeing Bullet Point (4)**. There is a danger from unnecessary repetition and duplication that inconsistencies occur leading to small but critical differences between respective Policies causing difficulties in interpretation. It is recommended that such repetitions are removed.

It is also noted that **Bullet Point (l)** specifies the servicing of development with high speed broadband the provision of which is not necessarily within the control of developers.

Policy SDP1 : Design Principles

As stated above this Policy repeats many of the criteria set out in **Policy SS2** which should be consolidated into one Policy to avoid any confusion in interpretation.

It is noted that **Bullet Point 1(e)** requires an appropriate degree of functionality in terms of internal space. The Council should clarify that **Bullet Point 1(e)** is not introducing the Nationally Described Space Standards (NDDS) by the "back door". Any introduction of the NDSS should be in accordance with the WMS dated 25th March 2015 and the NPPG (ID 56-020). It is recommended that reference to internal space is deleted from **Policy SDP1**.

It is also noted that **Bullet Point (3)** refers to consistency with South Northamptonshire's Design Guide (and any successor document). This reference to a Supplementary Planning Document (SPD) is not compliant with the Regulations by conferring development plan status to a document which does not have statutory force and which has not been subject to the same process of preparation, consultation and examination. The Council is referred to the recent High Court Judgement between William Davis Ltd, Bloor Homes Ltd, Jelson Homes Ltd, Davidson Homes Ltd & Barwood Homes Ltd and Charnwood Borough Council Neutral Citation Number : [2017] EWHC 3006

(Admin) Case No. CO/2920/2017. It is recommended that **Bullet Point (3)** is deleted from **Policy SDP1**.

Policy SDP3 : Health Facilities & Wellbeing

As stated above **Bullet Point (4)** of this policy repeats **Policy SS2 Bullet Point (i)** which should be consolidated into one Policy to avoid any confusion in interpretation.

Policy INF4 : Electric Vehicle Charging Points

Policy INF4 requires under **Bullet Point (1)** that all dwellings with a garage or driveway will require AC Level 2 equipment or equivalent for charging electric vehicles and under **Bullet Point (2)** residential developments of 10 or more dwellings with communal parking areas will require two parking bays marked out for use by electric vehicles only together with AC Level 2 equipment or equivalent per every 10 dwellings.

These requirements should be fully justified by the Council including confirmation of engagement with the main energy suppliers to determine network capacity to accommodate any adverse impacts if such a proportion of dwellings have a re-charge facility. If re-charging demand became excessive there may be constraints to increasing the electric loading in an area because of the limited size and capacity of existing cables and new sub-station infrastructure may be necessary. As such costs have not been viability tested by the Council there may be an adverse impact on housing delivery. If electric vehicles are to be encouraged then a national standardised approach implemented through the Building Regulations would be more appropriate. The Council should be wary of developing its own policy and await the outcome of the Government's proposed future consultation to be undertaken by the Department of Transport later this year. It is recommended that **Policy IF4 Bullet Points (1) & (2)** are deleted.

Conclusion

For the South Northamptonshire LPP2 to be found sound under the four tests of soundness as defined by the 2018 NPPF (para 35) the Plan should be positively prepared, justified, effective and consistent with national policy. The Local Plan is unsound (not positively prepared, unjustified, ineffective and inconsistent with national policy) because of :-

- no housing site allocations despite an overall HLS that is less than the adopted WNJCS housing requirement and an under delivery of affordable housing ;
- unjustified requirements for M4(2) and M4(3) dwellings (**Policy LH10**), high speed broadband (**Policy SS2**), internal space (**Policy SDP1**) and electric vehicle charging points (**Policy INF4**) ;
- repetitious Policy requirements (**Policies SS2, SDP1 and SDP2**) ;
- inappropriate reference to an SPD (**Policy SDP1**).

It is hoped that the Council will consider these representations and amend the LPP2 before submission for examination. In the meantime if any further assistance or information is required please contact the undersigned.

Yours faithfully
for and on behalf of **HBF**



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