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Dear Sir / Madam

NORTHAMPTON LOCAL PLAN PART 2 (LPP2) 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 to the Northampton LPP2 pre-submission consultation and in due course appear at the Examination Hearing Sessions to discuss these matters in greater detail.

Strategic Context of the LPP2

The Northampton LPP2 covers the entire Borough of Northampton. The Council states that the LPP2 will be in conformity with the adopted West Northamptonshire Joint Core Strategy (WNJCS). The LPP2 will include Development Management Policies for housing delivery and housing site allocations.

As set out in the 2019 National Planning Policy Framework (NPPF) the Northampton LPP2 should be positively prepared and provide a strategy which as a minimum seeks to meet its own local housing needs in full and is informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated (para 35a). The meeting of unmet needs should be set out in a Statement of Common Ground (SoCG) signed by all respective authorities in accordance with the 2019 NPPF (paras 24, 26 & 27). The LPP2 should be based on effective joint working on cross boundary strategic matters that have been dealt with rather than deferred as evidenced by a SoCG (para 35c). One key outcome from co-operation between authorities should be the meeting of housing needs in full. A key element of Local Plan Examination is



ensuring that there is certainty through formal agreements that an effective strategy is in place to deal with strategic matters such as unmet housing needs when Local Plans are adopted.

The Northampton LPP2 makes inadequate reference to its strategic context. The adopted WNJCS established an objectively assessed housing need (OAHN) of 25,758 dwellings for Northampton. For the plan period 2011 – 2029 the adopted WNJCS sets out in Policy S3 a housing requirement of about 18,870 dwellings for Northampton. As set out in Policy 4 of the adopted WNJCS the remainder of Northampton's housing need is met by Sustainable Urban Extensions (SUE) in the Northampton Related Development Area (NRDA) in Daventry of 5,750 dwellings and in South Northamptonshire of 3,850 dwellings. The housing requirement set out in the adopted WNJCS is not a maximum. Since 2011 the NRDA SUEs have not delivered as expected. A large proportion of housing land supply (HLS) in the Borough of Northampton is also located on five SUEs namely N5, N6, N7, N9 and N9A which have not come forward as expected contributing only 80 completions between 2011 – 2018.

The WNJCS was found sound on the basis that a review should be undertaken and adopted by 2020. It is proposed that the adopted WNJCS will be replaced by West Northamptonshire Strategic Plan (WNSP) and the recently published Joint Local Development Scheme (LDS) programmes a Regulation 18 consultation in April 2019, a Regulation 19 consultation in December 2020, submission for examination in April 2021, examination from September 2021 onwards and adoption by January 2022. It is noted that the Regulation 18 consultation has been delayed and it is likely to conclude in October 2019 so already there is some slippage in the preparation of the WNSP. By December 2019 (5 years after adoption) the OAHN / housing requirement in the adopted WNJCS should be considered out of date. The housing numbers in the WNSP will be based on Local Housing Needs (LHN) calculated using the standard methodology. There is potentially a gap of at least 2 years before adoption of the WNSP whilst the adopted WNJCS is out of date. Under the 2019 NPPF (para 73) the Council should have a 5 YHLS against either a housing requirement set out in an adopted Plan or an LHN where strategic policies are more than 5 years old.

As of 2021, Northampton Borough Council will become part of a WN unitary authority together with Daventry District Council and South Northampton District Council. The future LHN figure and 5 YHLS will be calculated singularly for the unitary authority rather than separately and individually for each authority. It is estimated that the LHN figure will be circa 25% higher than the currently adopted WNJCS figure. The latest WNJCS joint monitoring framework demonstrates no 5 YHLS in the NRDA. The recent planning appeal decision (APP/Z2830/W/18/32063346) for land south of Kislingbury Road in Rothersthorpe also shows no 5 YHLS in South Northamptonshire if the NRDA is included. All three authorities in WN should be making maximum effort to allocate more housing land.

The LPP2 deals only with housing shortfalls in Northampton Borough. It is noted that shortfalls in meeting Northampton's housing needs in the NRDA in Daventry or South Northampton are not dealt with by any of the WN LPP2s. It is contended that dealing with shortfalls in meeting the housing needs of Northampton is within the remit of the scope and purpose of LPP2s in WN. The WNJCS Inspector's Final Report sets out that each individual Council is responsible for its own HLS measured against the housing trajectory of the WNJCS and other sites may be part of the response to under-delivery on SUEs (see paras 198 – 200). The Council acknowledges that housing delivery from SUEs has been weak resulting in significant housing shortfalls. The Northampton LPP2 proposes additional housing land allocations for shortfalls from SUEs in the Borough but there are no proposed compensatory housing allocations for other shortfalls across the NRDA in any of the WN LPP2s. In this context the LPP2s are not complementary to the adopted WNJCS. The LPP2s are not doing enough to meet housing needs and significantly boost housing supply. The LPP2 is not a positive policy response to assisting delivery of the WNJCS and national policy.

The deferral of meeting housing needs to the new WNSP as a review of the adopted WNJCS is unacceptable when LPP2s are capable of meeting this identified housing need within the plan period to 2029. The WNJCS review provides no solution to the immediate and pressing need for housing. The LPP2s cannot abandon their function of delivering the WNJCS to a future review for which the timescale is uncertain. The meeting of shortfalls in delivery of identified housing needs for Northampton should be achieved through the LPP2s by the allocation of housing sites in and / or adjacent to the NRDA and / or in sustainable settlements within close proximity of the NRDA. The LPP2 should be based on effect joint working to deal with unmet needs rather than postponing resolution to a review of the WNJCS. The LPP2 is inconsistent with national policy by failing to meet the minimum housing need set out in the adopted WNJCS.

The LPP2 should also recognise that Northamptonshire is now included within the Oxford – Milton Keynes – Cambridge Growth Arc. There is a significant uplift envisaged in delivery of new homes in WN by 2050. There should be recognition of both the jobs created in the construction industry itself and the wider economic benefits of such growth.

Housing Land Supply (HLS)

As set out in the 2019 NPPF the strategic policies of the LPP2 should provide a clear strategy to bring sufficient land forward and at a sufficient rate to address housing needs over the plan period by planning for and allocating sufficient sites to deliver strategic priorities (para 23). The policies of the LPP2 should identify a supply of specific deliverable sites for years 1 – 5 of the plan period and specific developable sites or broad locations for growth for years 6 – 10 and where possible years 11 – 15 (para 67). The identification of deliverable and developable sites should accord with the definitions set out in the 2019 NPPF Glossary.

As set out in the Council's Housing Technical Paper dated March 2019, 7,073 dwellings (37%) of Northampton's housing requirement of 18,870 dwellings are located on five SUEs. The delivery of these SUEs has been slow and it is no longer expected that all dwellings on SUEs will be completed before the end of plan period in 2029. It is now anticipated that completions from SUEs will total only 6,168 dwellings.

The LPP2 allocates 81 housing sites for circa 4,538 dwellings as set out in **Policies 12 & 33**. This includes a wide range of sites by both size and market locations which should provide access to suitable land for small local, medium regional and large national housebuilding companies as a consequence a wide range of products should provide all households with access to different types of dwellings to meet their housing needs. Housing delivery is maximised where a wide mix of sites provides choice for consumers, allows places to grow in sustainable ways and creates opportunities to diversify the construction sector.

The HBF would not wish to comment on the merits or otherwise of individual sites selected for allocation but it is critical that the Council's assumptions on lapse rates, non-implementation allowances, lead in times and delivery rates contained within its overall HLS, 5 YHLS and housing trajectory are correct and realistic. These assumptions should be supported by parties responsible for delivery of housing and sense checked by the Council using historical empirical data and local knowledge. The Council has provided limited information on a site by site analysis of site capacity / density or potential constraints such as highways.

It is noted that the Plan Viability Study by Aspinall Verdi dated April 2019 identifies that brownfield sites in the lower value zone are on the margins of viability, all apartment developments on brownfield sites and specialist housing developments for the over 55's are unviable on a full policy compliant basis. It is understood that HLS is evenly split between brown and green field sites (para 5.23) and housing allocations for 1,100 dwellings are located in the lower value zone (para 5.2) so 50% of sites in the lower value zone are brownfield (Tables 5-1 & 5-3) which means circa 550 dwellings are on the margins of viability. This could impact on the timely delivery of housing if viability negotiations are required.

The Council's overall proposed HLS is 21,824 dwellings comprising 5,138 completions, existing commitments for 3,580 dwellings, a windfall allowance of 2,400 dwellings, 6,168 dwellings delivered on SUEs and LPP2 housing allocations for 4,538 dwellings (see Table 6). There is a proposed surplus of 2,951 dwellings (15.6%) between the overall HLS and the housing requirement.

The Council's overall HLS should provide some flexibility to respond to changing circumstances, to treat the housing requirement as a minimum rather than a maximum and to provide choice and competition in the land market. There can be no numerical formula to determine the appropriate quantum for a flexibility contingency but the Council's high dependency on five SUEs means

that greater numerical flexibility is necessary than in cases where HLS is more diversified. There are also other contextual matters to consider including the imminent out datedness of the adopted WNJCS, the lack of progress with the WNJCS review, poor housing delivery against Northampton's housing requirement in both the Borough and the NRDA and worsening housing affordability. The HBF always suggests as large a contingency as possible (at least 20%) because as any surplus becomes smaller so any built-in flexibility reduces. If during the LPP2 Examination any of the Council's assumptions on lapse rates, windfall allowances and delivery rates are adjusted or any proposed housing site allocations found unsound then the surplus also reduces.

By 1st April 2018, 5,138 dwellings had been delivered against 6,613 dwellings in the housing trajectory of the adopted WNJCS resulting in shortfall of 1,475 dwellings (see Table 1). The Council cannot demonstrate a 5 YHLS (calculated as only 2.62 years) against the housing trajectory set out in Appendix 3 of the adopted WNJCS, a 20% buffer for persistent under-delivery and a Sedgefield approach to recouping shortfalls.

The Housing Delivery Test (HDT) shows a pass result for the Council and a suggested 5% buffer. The Council should not be complacent in using a 5% buffer because the HDT is measured against the lowest denominator of either household projections or housing requirement. On adoption of LPP2 the 5 YHLS calculation using a 5% buffer and Sedgefield is estimated as 4.5 years.

As the Council cannot demonstrate a 5 YHLS a different housing trajectory (see Appendix A) to that set out in the adopted WNJCS is proposed. The Council proposes using Liverpool rather than Sedgefield combined with a stepped trajectory. As set out in Table 7 the stepped trajectory uses actual completions for 2011/12 – 2018/19, an estimated completions figure for 2018/19 then a baseline of 1,082 dwellings between 2019/20 – 2023/24 (including 200 completions in 2019/20 of unknown status i.e. if already under construction) and 1,550 dwellings between 2024/25 – 2028/29. This stepped trajectory backloads the meeting of housing needs. A Liverpool approach without any stepping is 1,248 dwellings per annum. This proposed change of housing trajectory irrespective of the Council's legal opinion is inconsistent with the adopted WNJCS. The use of a Liverpool approach and a stepped housing trajectory represents a double deferral to the delivery of housing needs. This is not just a theoretical mathematical numbers exercise but households in need of homes, it is unacceptable to expect them to be continuously waiting until later in the plan period before their current housing needs are addressed. If the Council cannot demonstrate a 5 YHLS on adoption of the LPP2 and maintain a 5 YHLS throughout the remainder of the plan period then the LPP2 is unsound.

Housing Policies

Policy 13 : Type & Mix of Housing sets out an overly prescriptive type and mix for both market and affordable housing.

All households should have access to different types of dwellings to meet their housing needs. Market signals are important in determining the size and type of homes needed. When planning for an acceptable mix of dwellings types to meet people's housing needs the Council should focus on ensuring that there are appropriate sites allocated to meet the needs of specifically identified groups of households without seeking overly prescriptive housing mixes on individual sites. The LPP2 should ensure that suitable sites are available for a wide range of different types of development across a wide choice of appropriate locations.

Policy 13 also states that an appropriate proportion of residential development must be designed to meet the requirements of M4(2) or its successor standard. 4% of all new market dwellings and 8% of affordable dwellings should be constructed to M4(3) standards, or their successor, to enable wheelchair accessibility.

All new homes are built to Building Regulation Part M Category 1 (M4(1)) standards which include level approach routes, accessible front door thresholds, wider internal doorway and corridor widths, switches and sockets at accessible heights and downstairs toilet facilities usable by wheelchair users. These standards are not usually available in the older existing housing stock and benefit less able-bodied occupants. These standards are likely to be suitable for most residents.

If the Council wishes to adopt the higher optional standards for M4(2) and M4(3) then this should only be done in accordance with national policy (2019 NPPF para 127f & Footnote 46), the Written Ministerial Statement (WMS) dated 25th March 2015 and the National Planning Practice Guidance (NPPG). National policy states *"that planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing where this would address an identified need for such properties"*. The WMS 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"*.

All policies should be underpinned by relevant and up to date evidence which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned. The Council should gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in the LPP2. The 2019 NPPF (para 16) also states that policies should be clearly written and unambiguous as written this policy is inconsistent with national policy. It is noted that the Council acknowledges that further work needs to be carried out to establish the proportion of M4(2) dwellings that would be most appropriate (para 134 of LPP2) and the Housing & Support Older People in Northamptonshire Report confirms that adopting M4(2) requires evidence of need (para 4.15). The optional higher M4(2) and M4(3) standards should only be introduced on a "need to have" rather than a "nice to have" basis. Need is generally defined as

“requiring something because it is essential or very important rather than just desirable”.

The NPPG sets out the evidence necessary to justify a policy requirement for accessible and adaptable homes. The Council should apply the criteria set out in the NPPG (ID 56-005 to 56-011) to ensure that an appropriate evidence base is available to support its proposed policy requirements. This evidence includes identification of :-

- the likely future need ;
- the size, location, type and quality of dwellings needed ;
- the accessibility and adaptability of the existing stock ;
- variations in needs across different housing tenures : and
- viability.

In determining the quantum of M4(2) and M4(3) homes the Council should focus on the ageing population living in the Borough compared to national / regional figures and the proportion of households living in newly built homes. If the Government had intended that evidence of an ageing population alone justified adoption of the higher M4(2) and M4(3) optional standards then such standards would have been incorporated as mandatory in the Building Regulations which is not the case. Not all existing older residents will move home and those that do move may not choose to live in a new dwelling. It is noted that Office for National Statistics (ONS) Overview of the UK Population dated November 2018 estimated that 18.2% of the UK population were aged 65 years or over in 2017 compared with only 15% in Northampton. The West Northamptonshire Housing Market - Northampton Summary and the Study of Housing & Supporting Needs of Older People across Northamptonshire 2017 do not provide an evidential basis to justify the Council's proposed policy requirement. Detailed information on the accessibility and adaptability of the existing housing stock, the size, location, type and quality of dwellings needed and variations in needs across different housing tenures in the Borough is absent from the Council's supporting evidence.

Any requirement for higher optional standards 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. The Council's Plan Viability Study only includes a cost of £521 per dwellings for M4(2) on a baseline assessment of 10% provision and £10,307 per dwelling for M4(3).

As set out in the NPPG (ID 56-008) the requirement for M4(3) should only be required for dwellings over which the Council has housing nomination rights.

The Council should delete the requirements for M4(2) and M4(3) from this policy.

Policy 13 also proposes that on sites of more than 100 dwellings provision should be made for a proportion of serviced plots of land to contribute towards

meeting the evidenced demand for self and custom build housing. There are 17 site allocations for circa 4,184 dwellings (and presumably the SUEs too) potentially impacted by this policy requirement.

Under the Self Build & Custom Housebuilding Act 2015 the Council has a duty to keep a Register of people seeking to acquire self / custom build plots and to grant enough suitable development permissions to meet identified demand. The NPPG (ID: 57-025-201760728) sets out ways in which the Council should consider supporting self / custom build. These are :-

- developing policies in the Plan for self / custom build ;
- using Council owned land if available and suitable for self / custom build and marketing such opportunities to entrants on the Register ;
- engaging with landowners who own housing sites and encouraging them to consider self / custom build and where the landowner is interested facilitating access to entrants on the Register ; and
- working with custom build developers to maximise opportunities for self / custom housebuilding.

A policy requirement for a proportion of self / custom build plots on residential development sites of more than 100 dwellings should not be sought. The 2019 NPPF (para 16) states that policies should be clearly written and unambiguous as written this policy is inconsistent with national policy. The Council is seeking to place the burden for delivery of self / custom build plots on developers contrary to national guidance which outlines that the Council should engage with landowners and encourage them to consider self / custom build. The Council should not move beyond encouraging provision of self / custom build plots on residential development sites of more than 100 dwellings.

All policies should be underpinned by relevant and up to date evidence which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned. The Council's Self & Custom Build Register alone is not a sound basis for setting a specific policy requirement. As set out in the NPPG the Council should provide a robust assessment of demand including an assessment and review of data held on the Council's Register (ID 2a-017-20192020) which should be supported by additional data from secondary sources to understand and consider future need for this type of housing (ID 57-0011-20160401). The number of entries on the Council's Register is not known. The Council should analyse the preferences of entries as often only individual plots in rural locations are sought as opposed to plots on housing sites of 100 or more dwellings. It is also possible for individuals and organisations to register with more than one Council so there is a possibility of some double counting. The Register may indicate a level of expression of interest in self / custom build but it cannot be reliably translated into actual demand should such plots be made available.

The Council's policy approach should be realistic to ensure that where self / custom build plots are provided they are delivered and do not remain unsold. It is unlikely that the allocation of self / custom build plots on housing sites of more

than 100 dwellings 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 a housing site from both a practical and health & safety perspective it is difficult to envisage the development of single plots by individuals operating alongside this construction activity. If demand for plots is not realised there is a risk of undeveloped plots remaining permanently vacant effectively removing these undeveloped plots from the Council's HLS. Where plots are not sold it is important that the Council's policy is clear as to when these revert to the original developer. 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. 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 after the marketing period has finished to build out plots which have not been sold to self / custom builders.

As well as on-site practicalities any adverse impacts on viability should be tested. It is the Council's responsibility to robustly viability test the LPP2 in order that the cumulative burden of policy requirements are set so that most development is deliverable without further viability assessment negotiations and the deliverability of the LPP2 is not undermined. The Council's Plan Viability Study does not consider any financial impacts of self / custom build. The Council has not considered the loss of Community Infrastructure Levy (CIL) contributions as self / custom build properties are exempt. The inclusion of self / custom build plots on sites of more than 100 dwellings may also have a detrimental impact upon the level of affordable housing provision achieved on such sites. The Council may wish to adopt an aspirational approach to delivering self / custom build but this should not be pursued at the expense of delivering affordable housing.

Policy 13 supports serviced plots of land for self / custom build housing on other allocated sites or permitted windfall sites provided this would not result in an over-provision of this type of housebuilding when compared to the Council's supply / demand balance. The Council also supports proposals for self / custom build housing which include the creation of low cost and affordable housing. The requirement for a proportion of serviced plots of land on sites of 100 or more dwellings is not necessary which should be deleted.

Other Policies

Policy 1 : Presumption in favour of sustainable development sets out the presumption in favour of sustainable development. The 2019 NPPF confirms that Local Plans should avoid unnecessary duplication including repetition of policies in the NPPF itself (para 16f). The presumption in favour of sustainable development is clearly set out in the 2019 NPPF (para 11). In attempting to repeat national policy there is a danger that some inconsistencies creep in and lead to small but critical differences between national and local policy causing

difficulties in interpretation and relative weighting. This policy is unnecessary therefore it should be deleted.

Policy 4 : Amenity & Layout requires the creation and protection of a high standard of amenity for buildings and external open space in particular new development should ensure provision of at least the minimum internal space standards and storage areas as described nationally.

The adoption of the Nationally Described Space Standards (NDSS) should be in accordance with national policy (2019 NPPF para 127f & Footnote 46), the WMS dated 25th March 2015 and the NPPG. The WMS 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”*. The latest national policy states that *“policies may also make use of the NDSS where the need for an internal space standard can be justified”*. All policies should be underpinned by relevant and up to date evidence which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned. The Council should gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in the LPP2 in accordance with the NPPG. It is incumbent on the Council to provide a local assessment evidencing the specific case for Northampton which justifies the inclusion of optional higher standards which should only be introduced on a “need to have” rather than a “nice to have” basis. Need is generally defined as *“requiring something because it is essential or very important rather than just desirable”*. The NPPG sets out that *“Where a need for internal space standards is identified, Local Planning Authorities (LPA) should provide justification for requiring internal space policies. LPA should take account of the following areas need, viability and timing”* (ID: 56-020). The Council should consider the impacts on need, viability and timing before introducing the NDSS.

The identification of the need for the NDSS must be more than simply stating that in the past some dwellings have not met the standard. The Council should identify the harm caused or may be caused in the future and identify if there is a systemic problem to resolve. The Council has not demonstrated via its desktop research (para 84) any evidence of need for the NDSS. The HBF is not aware of any evidence that market dwellings not meeting the NDSS have not sold or that those living in these dwellings consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison with other dwellings. The HBF in partnership with National House Building Council (NHBC) undertake an annual independently verified National New Homes Customer Satisfaction Survey. The 2018 Survey demonstrates that 90% of new home buyers would purchase a new build home again and 87% would recommend their housebuilder to a friend. The results also conclude that 93% of respondents were happy with the internal design of their new home which does not suggest that significant numbers of new home buyers are looking for different layouts or house sizes to that currently built.

It is the Council's responsibility to robustly viability test the LPP2 in order that the cumulative burden of policy requirements are set so that most development is deliverable without further viability assessment negotiations and the deliverability of the LPP2 is not undermined. There is a direct relationship between unit size, cost per square metre, selling price per metre and affordability. The Council's Plan Viability Study by Aspinall Verdi has not properly tested the impacts of introducing the NDSS. The house sizes tested are not NDSS compliant (see Figure 5.3 of Plan Viability Study).

Where NDSS is to be adopted the impact on affordability should also be assessed including the potential impact on meeting demand for starter homes and first-time buyers because the impact of the NDSS is greatest on smaller 1, 2 and 3 bed dwellings. It should be recognised that customers have different budgets and aspirations. An inflexible policy requirement for adoption of the NDSS may reduce choice and effect affordability. The Council cannot simply expect home buyers to absorb extra costs. The ONS data shows that affordability in the Borough has worsened. In Northampton in 1997 the median affordability ratio was 3.1. This median affordability ratio has increased to 7.6 in 2018. In the past 20 years the median affordability ratio has more than doubled. Non NDSS compliant dwellings are required to ensure that those on lower incomes can afford a property which has their required number of bedrooms. The introduction of the NDSS could lead to people purchasing larger homes in floorspace but with fewer bedrooms potentially increasing overcrowding and reducing the quality of their living environment. There may also be a negative effect on site delivery rates which are predicated on market affordability at relevant price points of dwellings and maximising absorption rates. Any adverse impact on the affordability of starter home / first time buyer products may translate into reduced or slower delivery rates.

The requirement for NDSS also reduces the number of dwellings per site therefore the amount of land needed to achieve the same number of dwellings must be increased. The efficient use of land is less because development densities have been decreased. At the same time infrastructure and other regulatory burdens fall on fewer dwellings per site which further challenges viability so that delivery of affordable housing is threatened. It is possible that additional families who can no longer afford to buy a NDSS compliant home are pushed into affordable housing need at the same time as the Council undermines delivery of affordable housing.

The requirement for NDSS should be deleted. If the NDSS is adopted then the Council should put forward appropriate proposals for transitional arrangements.

Policy 5 : Sustainable Construction states that residential development proposals should demonstrate that dwellings meet the Building Regulation optional higher water efficiency standard of 110 litres per person per day, as set out in Building Regulations Part G2.

All new dwellings achieve a mandatory level of water efficiency of 125 litres per day per person under Building Regulations which is higher than that achieved by much of the existing housing stock. The WMS dated 25th March 2015 confirmed 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 standard for water efficiency of 110 litres per person per day then the Council should justify doing so by applying the criteria set out in the NPPG (ID 56-013 to 56-017). The NPPG refers to *“helping to use natural resources prudently ... to adopt proactive strategies to ... take full account of water supply and demand considerations ... whether a tighter water efficiency requirement for new homes is justified to help manage demand”* however the Housing Standards Review was explicit that reduced water consumption was solely applicable to water stressed areas. The Anglian Water company area may have been considered an area of water stress but this area is wider than Northampton, the Council has provided no evidence that the Borough itself is a water stressed area. The requirement for the higher water efficiency standard should be deleted. This requirement is unsound because it is unjustified and inconsistent with national policy.

Policy 31 : Parking Standards states that planning permission will be granted for proposals that meet the County Council’s parking standards and any replacement standards formulated over the plan period.

The County Council’s parking standards and guidance have not been subject to examination and therefore cannot form part of the LPP2 and have the weight conferred on the Plan by S38(6) of the Act. The policy should refer to having regard to such standards and guidance only.

Policy 31 also states that new residential developments will be required to cater for the provision and use of electric and hybrid vehicles.

The 2019 NPPF (para 16) states that policies should be clearly written and unambiguous. The requirement to cater for electric and hybrid vehicles is ambiguous therefore the policy will be ineffective. The type of provision required is unclear. The Council should specify the type of provision envisaged if AC Level 1 Electric Vehicle Charging Points (EVCP) (slow or trickle which plug into a standard outlet) or AC Level 2 EVCP (delivering more power to the vehicle to charge it faster in only a few hours) or other alternatives are proposed. The requirement is not supported by evidence demonstrating technical feasibility. There may be practical difficulties associated with provision to apartment developments or housing developments with communal shared parking rather than houses with individual on plot parking. Any requirement 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 all or a proportion of dwellings have EVCPs. 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.

The requirement is not supported by evidence demonstrating financial viability. The Council's viability evidence set out in Plan Viability Study by Aspinall Verdi dated April 2019 includes a cost allowance of £7,500 however as the policy requirement is ambiguous the basis and sufficiency of this allowance cannot be assessed.

If electric and hybrid vehicles are to be encouraged, a national standardised approach implemented through the Building Regulations is more appropriate and supported by the HBF. The Council should be wary of developing its own policy and await the outcomes of any future Government consultation. This policy requirement should be deleted.

Conclusions

For the Northampton LPP2 to be found sound under the four tests of soundness as defined by the 2019 NPPF (para 35) the Plan should be positively prepared, justified, effective and consistent with national policy. In summary the Local Plan is unsound (not positively prepared, unjustified, ineffective and inconsistent with national policy) because of :-

- inconsistency with the adopted WNJCS by not meeting housing needs and changing the housing trajectory ;
- potentially no 5 YHLS on adoption ;
- the unnecessary repetition of the presumption in favour of sustainable development under **Policy 1** ;
- unjustified policy requirements for accessible / adaptable housing standards (**Policy 13**), self / custom build serviced plots (**Policy 13**), higher water efficiency standards (**Policy 5**) and electric vehicle charging points (**Policy 31**).

It is hoped that the Council will consider these representations and undertake modifications to the Local Plan before submission for examination. If any further assistance or information is required please contact the undersigned.

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



Susan E Green MRTPI
Planning Manager – Local Plans