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Dear Sir / Madam

SOUTH SOMERSET LOCAL PLAN REVIEW (LPR) – PREFERRED OPTIONS 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 responses to the above-mentioned consultation.

Duty to Co-operate

To fully meet the legal requirements of the Duty to Co-operate South Somerset District Council should engage on a constructive, active and on-going basis with its neighbouring authorities to maximise the effectiveness of plan making. The South Somerset LPR should be prepared through joint working on cross boundary issues. 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 when Local Plans are adopted. As set out in the 2019 National Planning Policy Framework (NPPF) (paras 24, 26 & 27) the Council should provide a signed Statement of Common Ground (SoCG) between itself and Dorset Council, Wiltshire Council, Mendip District Council, Sedgemoor District Council, Somerset West & Taunton Council, and East Devon Council. The LPR 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).

Local Housing Need (LHN) & Housing Requirement

As set out in the 2019 NPPF the determination of the minimum number of homes needed should be informed by an LHN assessment using the Government's standard methodology unless exceptional circumstances justify an alternative approach (para 60). The standard methodology is set out in the



updated National Planning Practice Guidance (NPPG). The LHN for South Somerset is calculated as 14,322 dwellings (716 dwellings per annum) between 2016 – 2036. This calculation is based on 2014 Sub National Household Projections (SNHP) and 2018 affordability ratio of 8.19. As set out in the NPPG (ID 2a-008-20190220) the LHN figure is calculated at the start of the plan-making process however this number should be kept under review and revised where appropriate. The LHN figure may change as inputs are variable and this should be taken into consideration.

Policy SS2 : Delivering Housing Growth proposes a housing requirement of at least 14,322 dwellings (716 dwellings per annum) between 2016 – 2036 which is the same as the Council's LHN assessment. It should be remembered that the LHN figure is only the minimum starting point. Any ambitions to support economic growth, to deliver affordable housing and to meet unmet housing needs from elsewhere are additional to the LHN figure. The Government's objective of significantly boosting the supply of homes remains (para 59). It is noted that the LHN figure is slightly less than the previously adopted housing requirement of 725 dwellings per annum. It is important that housing needs are not under-estimated.

It is also noted that the Council's assessment of affordable housing need is somewhat dated which should be re-assessed (also see HBF comments under Policy HG2 below). The NPPG states that total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments. An increase in the total housing figure may be considered where it could help deliver affordable housing (ID : 2a-024-20190220). If the Council's updated re-assessment identifies a significant affordable housing need then the Council should consider a housing requirement figure above LHN.

As set out in the 2019 NPPF the strategic policies of the LPR should determine the housing requirement for designated Neighbourhood Areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations (para 65). The standard methodology establishes the LHN for South Somerset but it does not disaggregate LHN across the District. There is no standard methodology for disaggregation. In the absence of a standard methodology for disaggregation the Council should provide an explanation of the methodology used to establish Neighbourhood Plan figures and the proposed distribution of housing set out in the hierarchy of settlements of **Policy SS1 : Settlement Strategy**. It is noted that the proposed distribution is more dispersed than the adopted Local Plan as set out in Figure 5.3. The Council should consider market capacity and deliverability when determining the distribution of growth.

Housing Land Supply (HLS)

As set out in the 2019 NPPF the strategic policies of the LPR 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 LPR 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. The LPR should also include a trajectory illustrating the expected rate of housing delivery over the plan period as yet the Council has not set out a proposed housing trajectory.

There should be a supply of deliverable and developable land to meet the housing requirement of South Somerset, to maintain a 5 Years Housing Land Supply (YHLS) and to achieve Housing Delivery Test (HDT) performance measurements. As set out in the 2019 NPPF a minimum 5 years supply of specific deliverable sites including a buffer should be maintained (paras 73 & 74). The Council's latest Monitoring Report identifies significant shortfalls in housing delivery. The Council's 5 YHLS with a 20% buffer is only 4 years.

In **Policy SS2 : Delivering Housing Growth** the Council's proposed overall HLS is 15,538 dwellings representing an over-provision of +1,216 dwellings (8.5%) against a proposed housing requirement of at least 14,322 dwellings. The HBF is supportive of the inclusion of a HLS contingency to provide maximum flexibility. There can be no numerical formula to determine the appropriate quantum for a contingency but where a Local Plan is highly dependent upon one or relatively few large strategic sites and / or a specific settlement / locality greater numerical flexibility is necessary than in cases where HLS is more diversified. The HBF always suggests as large a contingency as possible (at least 20%) because as any proposed contingency becomes smaller so any built-in flexibility reduces. The HBF is also supportive of the identification of reserved sites subject to the LPR setting out the circumstances for the release of such sites including triggers for under performance against planned housing delivery.

The Council's HLS should include a short and long-term supply of sites by the identification of strategic and non-strategic allocations for residential development situated in the most sustainable locations. As set out in the 2019 NPPF at least 10% of the housing requirement should be accommodated on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target (para 68a). The Council should confirm that this national policy requirement will be achieved. The widest possible range of sites by both size and market locations should be chosen to provide suitable land for small local, medium regional and large national housebuilding companies. A diversified portfolio of housing sites offers the widest possible range of products to households to access 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, creates opportunities to diversify the construction sector, responds to changing circumstances, treats the housing requirement as a minimum rather than a maximum and provides choice and competition in the land market.

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. If during the LPR Examination any lapse rates, windfall allowances and delivery rates assumptions are revised or any proposed housing site allocations are found unsound then the Council's contingency will also be reduced. It is noted that the residual housing requirement in Figure 5.5 assumes 100% delivery from existing commitments comprising of existing consents and adopted Local Plan allocations which is an unsound assumption.

It is also noted that the Council's proposed housing provision includes residential mobile homes. Caravans and mobile homes do not constitute dwellings, which by definition are buildings. This inappropriate reference should be removed from **Policy SS2**. If the Council persists with the inclusion, there should be evidence that such mobile homes are permanent and in year-round residential use in order to be considered as providing a permanent home for a household.

As set out in the 2019 NPPF the LPR should make a clear distinction between strategic and non-strategic policies (para 21 & Footnote 13). The strategic policies of the LPR should address the Council's identified strategic priorities for the development and use of land in the plan area (para 17). These strategic policies should set out an overall strategy for the pattern, scale and quality of development (para 20). The strategic policies should not include detailed matters (para 21) which should be set out in non-strategic policies (para 28). The NPPG confirms that strategic policies should be explicitly stated (ID 41-075-20190509) setting out an overarching objective, standard or other requirement that is essential to achieving the wider vision and aspirations of the LPR (ID 41-076-20190509). It is noted that allocations in **Policies YV5, CH3, CR4, AC1, AC2 & BT2** are highlighted as non-strategic policies whilst all other allocation are strategic policies. The Council should clarify this distinction.

As the LPR process progresses the HBF may submit further representations on the Council's HLS during later LPR consultations.

Housing Policies

Policy HG2 : Provision of Affordable Housing proposes 29% affordable housing provision on sites of 10 or more dwellings.

The 2019 NPPF sets out that housing needs for different groups should be assessed to justify any policies on the size, type and tenure of housing including a need for affordable housing (paras 61 & 62). 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 (para 31). The 2016 SHMA is somewhat out of date (also see HBF comments under LHN above). The recently published Planning Inspectorate Guidance for Local Plan Examination sets out that evidence base documents, especially those relating to development needs and land availability, that date from two or more years before the submission date may be at risk of having been overtaken by events, particularly as they may rely on data that is even older. As a minimum, any such documents should be updated as necessary to incorporate the most recent available information (para 1.11). The Council should re-assess its affordable housing need.

As set out in the 2019 NPPF on residential developments of 10 or more dwellings at least 10% of dwellings should be available as affordable home ownership (para 64). The definition of affordable housing is set out in the Annex 2 – Glossary of the 2019 NPPF. As proposed by the Council 20% of 29% (see para 9.22) will not comply with 2019 NPPF requirement for 10% affordable homeownership. The Council should rectify this non-compliance with national policy or justify not meeting this requirement.

It is noted that current delivery of affordable housing is only 14%, which is below the proposed provision set out in **Policy HG2**. The HBF encourages the Council to have more ambitious plans for housing growth in order to support affordable housing delivery. The NPPG states that total affordable housing need should be considered in the context of its likely delivery as a proportion of mixed market and affordable housing developments. An increase in the total housing figures may be considered where it could help deliver affordable housing (ID : 2a-024-20190220). Moreover, the Council would incur no penalty for a more ambitious housing requirement as the HDT is measured against the lowest denominator.

The LPR should set out the contributions expected from development including the level and types of affordable housing provision required and other infrastructure for education, health, transport, flood & water management, open space, digital communication, etc. As set out in the 2019 NPPF such policy requirements should not undermine the deliverability of the LPR (para 34). It is important that the Council understands and tests the influence of all inputs on viability as this determines if land is released for development. Viability assessment is highly sensitive to changes in its inputs whereby an adjustment or an error in any one assumption can have a significant impact on the viability or otherwise of development. An updated whole plan viability assessment should be undertaken as soon as possible. The cumulative burden of infrastructure and other contributions together with policy requirements should be set so that most sites are deliverable without further viability assessment negotiations (para 57). When an updated viability assessment becomes available, the HBF may submit further representations on **Policy HG2** during later LPR consultations.

Policy HG3 : Affordable Housing Internal Space Standards

Policy HG3 proposes to introduce the requirement for the Nationally Described Space Standard (NDSS) for all affordable housing. The adoption of the NDSS

should be in accordance with 2019 NPPF (para 127f & Footnote 46) and the latest NPPG. The 2019 NPPF states that “*policies may also make use of the NDSS where the need for an internal space standard can be justified*”. As set out in the 2019 NPPF 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 (para 31). The Council should undertake a local assessment evidencing the specific case for South Somerset which justifies the adoption of the NDSS for all affordable housing. 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 adopting the NDSS.

Policy HG4 : Achieving A Mix Of Market Housing

The 2019 NPPF sets out that housing needs for different groups should be assessed to justify any policies on the size, type and tenure of housing (paras 61 & 62). These housing policies should be underpinned by relevant and up to date evidence which supports and justifies the policies concerned (para 31). All households should have access to different types of dwellings to meet their housing needs. When planning for an acceptable mix of dwellings types to meet people’s housing needs the focus should ensure that appropriate sites are allocated to meet the needs of specifically identified groups. In its evidence the Councils should recognise that market signals are important in determining the mix of housing needed. The LPR should ensure that suitable sites are available for a wide range of types of development across a wide choice of appropriate locations rather than setting a specific housing mix on individual sites.

Other Policies

Policy SD1 : Delivering Sustainable Development

Policy SD1 sets out the presumption in favour of sustainable development which is not necessary for plan soundness. The presumption in favour of sustainable development is clearly set out in the 2019 NPPF (para 11). The 2019 NPPF confirms that Local Plans should avoid unnecessary duplication including repetition of policies in the NPPF itself (para 16f). As set out in the NPPG (ID 61-036-20190723) there is no need to directly replicate the wording of the 2019 NPPF (para 11) in a policy in a Local Plan. By 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 should be deleted.

Policy TA1 : Low Carbon Travel

The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations.

Policy TA1 proposes that each new dwelling with one or more parking spaces shall provide at least one (16 amp minimum) electric vehicle charging point (EVCP). As set out in the 2019 NPPF a policy requirement for EVCPs should be clearly written and unambiguous (para 16). Therefore the Council should clearly specify the quantum and type of provision sought either AC Level 1 (a slow or trickle plug connected to a standard outlet) EVCP or AC Level 2 (delivering more power to charge the vehicle faster in only a few hours) EVCP or other alternatives. The requirement should be supported by evidence demonstrating technical feasibility and financial viability. 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.

Policy TA5 : Parking Standards

Policy TA5 states that “the parking standards within the Somerset County Council Parking Strategy will be applied in South Somerset”.

Any car parking standards introduced in the LPR should accord with the 2019 NPPF (paras 105 & 106). If the Somerset County Council Parking Strategy is a Supplementary Planning Document then the proposed reference in **Policy TA5** gives development plan status to a document which has not been subject to the same process of preparation, consultation and Examination contrary to the Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulations). This reference should be deleted.

Conclusion

It is hoped that these responses are useful to the Council in preparing the next stages of the South Somerset LPR. The HBF looks forward to submitting further representations as the LPR progresses 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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