

Somerset West & Taunton District Council
Planning Strategy Team
Deane House
Belvedere Road
Taunton
TA1 1HE

SENT BY E-MAIL ONLY TO
strategy@somersetwestandtaunton.gov.uk

16 March 2020

Dear Sir / Madam

SOMERSET WEST & TAUNTON LOCAL PLAN – ISSUES & 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 specific questions in the above-mentioned consultation documentation.

Objective 1 : Carbon neutrality

Question 1a : Should we aim to require that all new development is 'zero carbon' by as soon as possible (e.g. by 2025) or give slightly more time (e.g. by 2030) for developers to adapt their design approaches, materials and suppliers?

It is the HBF's opinion that the Council should not be getting ahead of Government's proposals for national policy (see HBF answers to Policy Approaches 1c/1 and 1c/2 below).

Question 1c : Do you have any comments on Policy Approach 1c/1 : Set a target to achieve carbon neutrality across the district by 2030 and require developments to consider and demonstrate their impact on the district achieving this target (this policy is in addition to carbon reduction design requirements placed on new development – Option 1a)?

Today's new homes are very energy efficient with lower heating bills for residents compared to existing older homes. The HBF support moving towards greater energy efficiency via a nationally consistent set of standards and a timetable for achieving any enhancements, which is universally understood and



technically implementable. The HBF acknowledges that the Government has not enacted its proposed amendments to the Planning & Energy Act 2008 to prevent the Council from stipulating energy performance standards that exceed the Building Regulations but consider that the Council should comply with the spirit of the Government's intention of setting standards for energy efficiency through the Building Regulations. It is the HBF's opinion that the Council should not be setting different targets or policies outside of Building Regulations. The key to success is standardisation and avoidance of every Local Planning Authority (LPA) in the country specifying its own approach to energy efficiency, which would undermine economies of scale for both product manufacturers, suppliers and developers.

Recently, the Government held a consultation on The Future Homes Standard (ended on 7th February 2020). The UK has set in law a target to bring all its greenhouse gas emission to net zero by 2050. New and existing homes account for 20% of emissions. It is the Government's intention to future proof new homes with low carbon heating and world-leading levels of energy efficiency. The Government's consultation addressed :-

- options to uplift standards for Part L (Conservation of Fuel & Power) Building Regulations in 2020 and changes to Part F (Ventilation) Building Regulations. An increase in energy efficiency requirements for new homes in 2020 will be a meaningful and achievable stepping-stone to the Future Homes Standard in 2025. This is expected to be achieved through very high fabric standards and a low carbon heating system based on one of two options. Both options increase costs for housebuilders (estimated costs between circa £2,557 - £4,847 per dwelling). The Government's preferred Option 2 proposes 31% reduction in carbon emissions compared to current standards (Approved Document L 2013) delivered by installation of carbon saving technology and better fabric standards ;
- transitional arrangements to encourage quicker implementation ; and
- clarifying the role of LPAs in setting energy efficiency standards. The Government is proposing to remove the ability of LPAs to set higher energy efficiency standards than those in Building Regulations which has led to disparate standards across the country and inefficiencies in supply chains. The Government wants to create certainty and consistency. The situation is confusing with decisions about technical appropriateness, application and enforcement of energy standards considered by planning officers, committees and Planning Inspectors rather than by qualified Building Inspectors. An uplift to Part L standards in 2020 will improve the energy efficiency of new homes and prepare housebuilders and supply chains in readiness for the further uplift in 2025 to meet the Future Homes Standard so there is no need for LPAs to seek higher standards.

It is the HBF's opinion that the Council's Policy Approach 1c/1 is unnecessary due to the Government's proposals set out in The Future Homes Standard, which are expected to come into effect mid / late 2020.

Question 1c : Do you have any comments on Policy Approach 1c/2 : Require the integration of sustainable, adaptable and resilient design into new developments to ensure they are future-proofed, requiring cabling ready for the installation of electric vehicle charging or electric vehicle chargers in all new residential parking spaces?

The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. Recently, the Department of Transport held a consultation on Electric Vehicle Charging in Residential & Non-Residential Buildings (ended on 7th October 2019).

This consultation set out the Government's preferred option to introduce a new functional requirement under Schedule 1 to the Building Regulations 2010, which is expected to come into force in 2020. The inclusion of electric vehicle charging points (EVCP) requirements within the Building Regulations 2010 will introduce a standardised consistent approach to EVCPs in new buildings across the country. The requirements proposed apply to car parking spaces in or adjacent to buildings and the intention is for there to be one charge point per dwelling rather than per parking space. It is proposed that charging points must be at least Mode 3 or equivalent with a minimum power rating output of 7kW (expected increases in battery sizes and technology developments may make charge points less than 7 kW obsolete for future car models, 7 kW is considered a sufficiently future-proofed standard for home charging) fitted with a universal socket to charge all types of electric vehicle currently on the market and meet relevant safety requirements. All charge points installed under the Building Regulations should be un-tethered and the location must comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M. The Government has estimated installation of such charging points add on an additional cost of approximately £976.

The Government has also recognised the possible impact on housing supply, where the requirements are not technically feasible. The Government's recent consultation proposed introducing exemptions for such developments. The costs of installing the cables and the charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment. The Government recognises that the cost of installing charge points will be higher in areas where significant electrical capacity reinforcements are needed. In certain cases, the need to install charge points could necessitate significant grid upgrades, which will be costly for the developer. Some costs would also fall on the distribution network operator. Any potential negative

impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. The consultation proposes that the threshold for the exemption is set at £3,600. In the instances when this cost is exceptionally high, and likely to make developments unviable, it is the Government's view that the EVCP requirements should not apply and only the minimum Energy Performance of Buildings Directive requirements should be applied.

It is the HBF's opinion that the Council's Policy Approach 1c/2 is unnecessary due to the Government's proposed changes to Building Regulations.

Objective 2 : Sustainable locations

Question 2c : Do you think we should carry on with the way housing is currently distributed across our area (see pie chart) or should we be doing something different, such as one of the three options suggested above?

The adopted Local Plan proportionately distributes housing development as follows :-

- 68.3% in Taunton (Tier 1 – Strategic Growth Town of the Settlement Hierarchy) ;
- 13.1% in Wellington (Tier 2 – Sub-strategic Town) ;
- 6.3% in Minehead (Tier 3 – Coastal Town (Major Rural Centre)) ;
- 8.1% in Tier 4 Rural Centres (Bishop's Lydeard, Watchet, Williton, Wiveliscombe) ;
- 1.8% in Tier 5 Minor Rural Centres (Bicknoller, Carhampton, Churchinford, Cotford St Luke, Creech St Michael, Crowcombe, Kilve, Milverton, North Curry, Stogumber, Stogursey, West Quantoxhead, Washford) ;
- 2.4% in Tier 6 Villages (Ashbrittle, Ash Priors, Battleton, Bishopswood, Blagdon Hill, Bradford-on-Tone, Brompton Ralph, Brushford, Burrowbridge, Cheddon Fitzpaine, Combe Florey, Corfe, Dunster Marsh, Fitzhead, Halse, Hatch Beauchamp, Henlade, Holford, Kingston St Mary, Langford Budville, Lydeard St Lawrence, Nynehead, Oake, Pitminster, Ruishton, Sampford Arundel, Stoke St Gregory, West Bagborough, West Buckland, West Monkton) ; and
- 0% to Tier 7 Other smaller settlements and communities (not listed above).

Currently, only circa 12% of housing growth is distributed to the Rural Area. Often rural communities are disproportionately affected by unaffordable housing. Over the last two decades in Taunton Deane, the median house price to median earnings ratio has more than doubled increasing from 3.95 in 1997 to 8.53 in 2018 (data is unavailable for West Somerset). It is possible that a District-wide figure disguises even more acute worsening of housing affordability in the Rural Area. The 2019 NPPF promotes sustainable development in rural areas by stating that planning policies should identify opportunities for villages to grow and thrive (para 78). The Council should re-

consider its future housing distribution (also see HBF answer to Question 8a below).

Question 8a : Should we keep or remove settlement boundaries? Or should we have settlement boundaries in areas where there is higher pressure from development i.e. closer to Taunton, Wellington and Wiveliscombe but remove them in more remote areas to provide more options for development?

Whether settlement boundaries are retained or removed, the Council's Policy Approach should be sufficiently flexible to permit sustainable development to come forward. The Local Plan's strategic policies should ensure the availability of a sufficient supply of deliverable and developable land to deliver the District's housing requirement. This sufficiency of Housing Land Supply (HLS) should meet the District's housing requirement, ensure the maintenance of a 5 Years Housing Land Supply (YHLS) and achieve Housing Delivery Test (HDT) performance measurements.

The Council's overall HLS should include a short and long-term supply of sites by the identification of both strategic and non-strategic allocations for residential development. Housing delivery is optimised where a wide mix of sites is provided, therefore strategic sites should be complimented by smaller non-strategic sites. The widest possible range of sites by both size and market location are required so that small, medium and large housebuilding companies have access to suitable land to offer the widest possible range of products. 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 / competition in the land market.

Under the 2019 NPPF, the Council should identify at least 10% of its housing requirement on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target (para 68). The Council should confirm its compliance with national policy.

Objective 3 : New and affordable homes

Question 3a : Should our housing requirement figure match the Government's minimum figure of 702 dwellings per year or should we have a higher figure?

Under the 2019 NPPF, the Council should establish a housing requirement figure for their whole area (para 65). As set out in the 2019 NPPF, the determination of the minimum number of homes needed should be informed by a Local Housing Need (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 latest NPPG.

The minimum LHN for Somerset West & Taunton is calculated as 14,040 dwellings (702 dwellings per annum) between 2020 – 2040. This calculation is based on 2014 Sub National Household Projections (SNHP), 2019 as the current year and 2017 affordability ratio of 8.23. The calculation is mathematically correct. As set out in the NPPG, the LHN is calculated at the start of the plan-making process however this number should be kept under review until the Local Plan is submitted for examination and revised when appropriate (ID 2a-008-20190220). The minimum LHN for the District may change as inputs are variable and this should be taken into consideration by the Council. It is noted that using 2018 affordability ratio of 8.53 increases the minimum LHN to 715 dwellings per annum. The Government has also confirmed its intention to review the standard methodology over the next 18 months. If the Government applies a different approach following this proposed review, it may be necessary for the Council to update its LHN assessment.

The Government's standard methodology identifies the minimum annual LHN. It does not produce a housing requirement figure (ID : 2a-002-20190220). LHN assessment is only a minimum starting point. The Government's objective of significantly boosting the supply of homes as set out in the 2019 NPPF remains (para 59). Any ambitions to support economic growth, to deliver affordable housing and to meet unmet housing needs from elsewhere may necessitate a housing requirement figure above the minimum LHN. In Somerset West & Taunton, there is justification for a housing requirement above the minimum LHN.

Firstly, the NPPG indicates that if previous housing delivery has exceeded the minimum LHN, the Council should consider whether this level of delivery is indicative of greater housing need (ID : 2a-010-20190220). The adopted Local Plan housing requirement is 995 dwellings per annum, which substantially exceeds the minimum LHN.

Secondly, the Heart of the South West Local Enterprise Partnership (LEP) is seeking to double the size of the economy of the sub-region over 20 years. This ambitious economic growth target would require a significant increase in the number of jobs in Somerset West & Taunton, which may also require an increase in housing requirement above the minimum LHN if a lack of labour is not to become a constraint to the realisation of the economic growth potential of the sub-region. The 2019 NPPF seeks to achieve sustainable development by pursuing economic, social and environmental objectives in mutually supportive ways (para 8). The Council should ensure that there will be sufficient workers to align with forecast jobs growth.

Thirdly, 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. As set out in the NPPG, an increase in the total housing figures may be considered where it could help deliver affordable housing (ID : 2a-024-20190220). The NPPG also sets out that households whose needs are not met by the market, which are eligible for one

or more of the types of affordable housing set out in the definition of affordable housing in Annex 2 of the 2019 NPPF are considered to be in affordable housing need (ID : 67-005-20190722). The Council should calculate its affordable housing need as defined by the NPPG. This figure may be significant in comparison to the minimum LHN. A higher overall housing requirement will contribute towards delivery of a greater number of affordable homes. It is acknowledged that the Council may not be able to meet all affordable housing needs but an uplifted housing requirement above the minimum LHN will make some contribution to meeting affordable housing needs.

Fourthly, the Local Plan should be prepared through joint working on cross boundary issues such as where housing needs cannot be wholly met within the administrative areas of individual LPAs. As set out in the 2019 NPPF, the Local Plan should be positively prepared and provide a strategy which as a minimum seeks to meet its own LHNs in full and is informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated (para 35a). Somerset West & Taunton adjoins five other District Council's namely North Devon, Mid Devon, East Devon, Sedgemoor and South Somerset. As set out in the NPPG, an agreed position on housing needs should be set out in a Statement of Common Ground (SoCG) signed by these respective authorities (NPPG ID : 61-010-20190315). This SoCG should be publicly available by the time of publication of a Draft Plan (ID : 61-020-20190315).

Question 3b : How should we proactively plan for Gypsy, Traveller and Travelling Showpeople pitches?

The HBF is supportive of the Council's proposed Policy Approaches :-

- 3b(i) apply rural exceptions criteria for small scale residential sites where pitches which would be affordable in perpetuity ; and
- 3b(iii) allocating sites specifically for pitches.

The HBF is not supportive of Policy Approach 3b(ii) require a proportion of development sites to provide an area for residential Traveller pitches. If such pitches were required, then the Council's Policy Approach should be flexible to permit on-site and off-site provision. Any policy requirements should be agreed with landowners and / or developers.

Question 3c : Should we require all new housing developments to make sure that a percentage of the new homes are designed to be accessible, adaptable and wheelchair accessible?

The reference to Lifetime Homes in Policy Approach 3c is out of date, which should be deleted.

The HBF is supportive of Policy Approach 3c(i) do not require specific measures for adaptable, accessible and wheelchair homes. 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. M4(1) standards are likely to be suitable for most residents.

Policy Approach 3c(ii) requires a proportion of dwellings to meet the optional standards for M4(2) and M4(3). This Policy Approach should only be done in accordance with the 2019 NPPF (para 127f & Footnote 46) and the NPPG. Footnote 46 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”*. As set out in the 2019 NPPF, 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 NPPG sets out the evidence necessary to justify a policy requirement for M4(2) and M4(3) standards. The Council should apply the criteria set out in the NPPG (ID 56-005-20150327 to 56-011-20150327) to ensure that an appropriate evidence base is available to support any proposed policy requirements.

The optional 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”*. If the Government had intended that evidence of an ageing population alone justified adoption of optional standards then such standards would have been incorporated as mandatory in the Building Regulations, which is not the case.

The NPPG sets out that evidence should include 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.

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 District should be incorporated into the Council’s supporting evidence.

Many older people already live in the District. Many will not move from their current home but will make adaptations as required to meet their needs, some will choose to move to another dwelling in the existing stock rather than a new build property and some will want to live in specialist older person housing. The existing housing stock is considerably larger than the new build sector so adapting the existing stock is likely to form part of the solution.

It is also important to note that not all health problems affect a household’s housing needs therefore not all health problems require adaptations to homes.

The requirement for a proportion of new dwellings to be built to optional standards for M4(2) and M4(3) may result in the under-occupancy of new family homes by older people or individuals, which runs at odds with the aim of making the best use of the housing stock.

The Council's Policy Approach should take into account site specific factors such as vulnerability to flooding, site topography and other circumstances, which make a site unsuitable for M4(2) and M4(3) compliant dwellings (NPPG ID : 56-008-20150327).

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 56-008-20150327).

The Council's Viability testing should take full account of additional costs. In September 2014, the Government's Housing Standards Review included cost estimates by EC Harris, which were £15,691 per apartment and £26,816 per house for M4(3). The Council's own viability testing should include such costs plus inflationary increases since 2014. M4(2) and M4(3) compliant dwellings are larger than NDSS (see DCLG Housing Standards Review Illustrative Technical Standards Developed by the Working Groups August 2013) therefore larger sizes should be used when calculating additional build costs.

Question 3d : Should we allocate sites and / or make sure a percentage of housing developments are for self-built plots for people wanting to build their own homes? Should we allow self-build plots on Rural Exceptions sites provided that they are affordable?

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 Local 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.

The HBF is supportive of proposals to encourage self & custom build for its potential additional contribution to overall HLS as proposed in Policy Approaches :-

- 3d(i) a positive encouragement policy, including for community-led projects, and leave the housing market to deliver plots as and when demand arises ;
- 3d(ii) identify and allocate specific sites for self-build plots in locations related to where people want to live according to our self-build register ; and
- 3d(iv) allow self-build plots on Rural Exception sites provided that they are secured as affordable housing in perpetuity.

The HBF is not supportive of Policy Approach 3d(iii) include a requirement for all housing development sites over a threshold to include a proportion of plots as self-build plots, which only changes housing delivery from one form of house building to another without any consequential additional contribution to boosting housing supply. The Council should not seek to burden developers with responsibility for delivery of self & custom build plots contrary to national guidance, which outlines that the Council should engage with landowners and encourage them to consider self & custom build. The Council's proposed Policy Approach should not move beyond encouragement by seeking provision of self & custom build plots as part of the housing mix on new housing development.

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 Council should also analyse the preferences of entries as often only individual plots in rural locations are sought as opposed to plots on housing sites. 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 provision of self & custom build plots on new housing developments can be co-ordinated with the development of the wider site. At any one time, there are often multiple contractors and large machinery operating on-site from both a practical and health & 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 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 Approach 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 from the commencement of development. The consequential delay in developing those plots presents further practical difficulties in terms of co-ordinating their development with construction activity on the wider site. There are even greater logistical problems created if the original housebuilder has completed the development and is forced to return to site to build out plots, which have not been sold to self & 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 Local Plan in order that the cumulative impact of policy compliant requirements and other infrastructure contributions are set so that most development is deliverable without further viability assessment negotiations and the deliverability of the Local Plan is not undermined. The financial impacts from delayed delivery or non-delivery should be assessed.

There may be a detrimental impact upon the level of affordable housing provision achieved on new housing developments because self & custom build dwellings are exemption from Community Infrastructure Levy (CIL) contributions and affordable home ownership provision as set out in national policy.

Question 3e : Do you have any comments on Policy Approach 3e/3 : A tenure mix requirement with the intermediate tenures limited to those evidenced as affordable in our area. Tenure mix to be informed by evidence of need and a Viability Assessment?

The Council's proposed affordable housing tenure mix should comply with 2019 NPPF (para 64) and 2019 NPPF Glossary definitions for affordable housing.

Question 3e : Do you have any comments on Policy Approach 3e/4 : A housing size mix to reflect need in our area. A Supplementary Planning Document (SPD) or Technical Advice Note could provide more detail.

The Regulations are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in the Local Plan. The Council should not devolve fundamental policy matters to an SPD. Where SPDs are prepared, they should be used to provide more detailed advice and guidance on the policies in the Local Plan and not as an opportunity to change or introduce the requirements of a policy. As defined in 2019 NPPF Glossary, an SPD is capable of being a material consideration in planning decisions but is not part of the Local Plan. The Regulations indicate that an SPD does not have statutory force. An SPD is defined as something that is not a Local Plan as it has not been subject to the same process of preparation, consultation and examination. The Council should not convey Local Plan status onto an SPD.

Question 3e : Do you have any comments on Policy Approach 3e/5 : Support for specialist housing for older people in sustainable locations close to public transport, services and facilities which follows HAAPPI (Housing our Ageing Population Panel for Innovation) principles of design?

The HBF is supportive of the use of best practice guidance such as the HAPPI principles however the use of such guidance should remain voluntary rather than becoming a mandatory policy requirement which would oblige developers to use this tool as a pre-condition for support from the Council for specialist housing for older people.

Question 3e : Do you have any comments on Policy Approach 3e/6 : Requiring internal space of dwellings to meet the Government's space standards?

If the Council wishes to adopt the optional Nationally Described Space Standards (NDSS) then this should only be done in accordance with the 2019 NPPF (para 127f & Footnote 46). Footnote 46 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, 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 NPPG sets out that "*Where a need for internal space standards is identified, the authority should provide justification for requiring internal space policies. Authorities should take account of the following areas need, viability and timing*" (ID: 56-020-20150327). Before adopting the NDSS, the Council should provide a local assessment evidencing the case for Somerset West & Taunton. If it had been the Government's intention that generic statements justified adoption of the NDSS then the standard would have been incorporated as mandatory in the Building Regulations, which is not the case.

The NDSS 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 identification of a need for the NDSS must be more than simply stating that in some cases the standard has not been met, it should identify the harm caused or may be caused in the future.

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.

As set out in the 2019 NPPF, the Council should understand and test the influence of all inputs on viability. The cumulative impact of infrastructure, other contributions and policy compliant requirements should be set so that most sites are deliverable without further viability assessment negotiations (para 57). The deliverability of the Local Plan should not be undermined (para 34). The Council should prepare a viability assessment in accordance with guidance to ensure that policies are realistic and the total cost of all relevant policies are not of a scale that will make the Local Plan undeliverable (ID : 61-039-20190315).

The requirement for NDSS 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 contributions fall on fewer dwellings per site, which may challenge viability, delivery of affordable housing and release of land for development by a willing landowner especially in lower value areas and on brownfield sites.

There is a direct relationship between unit size, cost per square metre, selling price per metre and affordability. The impact of adopting NDSS on affordability should be assessed. The Council cannot simply expect home buyers to absorb extra costs. Over the last two decades housing affordability in the District has worsened. In 1997, the median affordability ratio was 3.95 (for Taunton Deane / no available data for West Somerset), which has more than doubled by increasing to 8.53 in 2018.

The Council should recognise that customers have different budgets and aspirations. An inflexible policy approach for NDSS for all dwellings will impact on affordability and effect customer choice. The introduction of the NDSS for all dwellings may lead to customers purchasing larger homes in floorspace but with bedrooms less suited to their housing needs. A future purchaser needing a 2 bed roomed home may only be able to afford a 2 bed / 3 person dwelling of 70 square metres with one double bedroom and one single bedroom rather than 2 bed / 4 person dwelling of 79 square metres with two double bedrooms. This may lead to the unintended consequences of potentially increasing overcrowding and reducing the quality of their living environment. Non-NDSS compliant dwellings may be required to ensure that those on lower incomes can afford a property, which meets their bedrooms requirements.

It is possible that additional families, who can no longer afford to buy a NDSS compliant home, are pushed into affordable housing need whilst the Council is undermining the delivery of affordable housing.

The Council should assess any potential adverse impacts on meeting demand for starter homes / first-time buyers because the greatest impacts are on smaller dwellings, which may affect delivery rates of sites included in the housing trajectory. The delivery rates on many sites will be determined by market

affordability at relevant price points of dwellings and maximising absorption rates. An adverse impact on the affordability of starter home / first time buyer products may translate into reduced or slower delivery rates.

If the NDSS is adopted, then the Council should put forward proposals for transitional arrangements. The land deals underpinning residential sites may have been secured prior to any proposed introduction of the NDSS. These sites should be allowed to move through the planning system before any proposed policy requirements are enforced. The NDSS should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.

Objective 4 : A prosperous economy

Question 4c : Do you have any comments on Policy Approach 4c/5 : Work to secure Local Labour Agreements with developers and contractors on allocated sites to secure job sustainability in construction industries by improving local skills and support proposals which strengthen the range and quality of training opportunities?

The Council's intention to support the improvement of construction skills among the labour force is admirable. A critical and strategic objective of the HBF is support for the acquisition of construction skills among the workforce. It is agreed that a strategic approach is needed to support careers in the construction trades. In collaboration with the Construction Industry Training Board (CITB), the HBF has established the HBF Skills Partnership. The HBF Skills Partnership's remit is increasing interest in careers in construction and the training requirements of this new construction workforce. This involves :-

- raising awareness and encouraging careers in construction ;
- investigating shortages in particular trades in specific parts of the country (skills shortages are not uniform). This strategic investigation is based on a conversation with employers themselves as well as training providers. It is the HBF's experience that local skills agencies can be insufficiently informed and frequently neglect to research the skills sets that are required by housebuilders ;
- investigating availability of local college courses to locally train the labour force required in key skills sets and if college courses on offer provide effective training to train people to an adequate standard to address the needs of employers ; and
- understanding the 'wastage rate' from people leaving construction courses but not taking up employment in their relevant trade. 80% take a course but then choose not to follow a career in construction.

The critical issues for developers are :-

- whether the local skills agencies are providing courses for the skills sets needed in the area ;
- whether teaching provided is up-to-date and of sufficient quality ; and

- whether there is sufficient practice time to allow skills to be developed.

On-site apprenticeships (apprentices also require 20% off the job training) are useful but as they are learning on the job, there will never be sufficient numbers to fill the skills gaps. There must be excellent foundational college courses too.

Unless these issues are addressed, it is possible that the Council's proposed Policy Approach will be ineffective because whilst some apprenticeships may be generated unless backed-up by local colleges or training providers administering good quality courses, the resource may have been expended in vain. The worst thing is disappointing people, who thought that their on-site apprenticeship scheme or full-time college course would result in employment but finding at the end that they are insufficiently qualified. It is essential that any skills initiative is informed by the needs of local employers and properly co-ordinated with local training colleges that are meeting the requirements and expectations of their students.

If the Council's policy intervention is to be effective and complement the strategic work of the HBF Skills Partnership, it is recommended that the Council works with the LEP, to establish a forum for housebuilders operating across the LEP area in order to discuss the skills needs of employers and to review the effectiveness of the Council's interventions, otherwise results are likely to be fragmented and sub-optimal from the perspective of the Council, the local community and developers.

Objective 5 : Infrastructure

Question 5a : On what infrastructure should we prioritise developer contributions?

The Council must determine its priorities. The Local Plan 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. In plan-making, viability is very closely linked to the concept of deliverability. As set out in the 2019 NPPF, these aforementioned contributions together with policy compliant requirements should not undermine the deliverability of the Local Plan (para 34). Development should not be subject to such a scale of obligations that the deliverability of the Local Plan is threatened. To ensure viability, the cumulative impact of affordable housing provision, policy compliant standards, infrastructure and other contributions should provide sufficient incentive for a reasonable landowner to bring forward their land for development. If the resultant Benchmark Land Value is lower than the market value at which land will trade, then the delivery of housing targets will not be met. Viability assessment should not be conducted on the margins of viability. As illustrated in the Savills / HBF CIL Getting It Right publication dated January 2014, viability is challenging where residential sales values are circa £225 per square foot or less. Viability assessment is an iterative process, in low / middle value areas "trade-offs" between affordable housing provision, CIL, S106 contributions and policy requirement compliance may be necessary.

Objective 6 : Connecting people & Digital connectivity

Question 6b : Do you have any comments on Policy Approach 6b/4 : Ensure new residential developments are equipped with full-fibre digital connections?

The Council should not impose onto developers connectivity requirements beyond the provision of infrastructure as set out in Building Regulations. Building Regulations Part R “Physical Infrastructure for High Speed Electronic Communications Networks” from 1st January 2017 requires all new dwellings to be equipped with a high speed ready in-building infrastructure from the service providers access point up to the occupiers network termination point for high speed electronic communications networks so future copper or fibre optic cables or wireless devices capable of delivering broadband speeds greater than 30 megabits per second can be installed (NB. A standard copper telephone cable when connected to a service providers fibre network can deliver broadband speeds up to 70 megabits per second). The delivery of full-fibre digital connections is reliant on a third-party contractor over which a developer is unlikely to have any control, which may result in practical difficulties in implementing the proposed Policy Approach.

Objective 7 : Achieving a net gain in biodiversity

Question 7b : Do you have any comments on Policy Approach 7b/1 : Maintain and enhance biodiversity, taking into account climate change and the need for habitats and species to adapt to it. Requirement of a net gain in biodiversity from new development using the Somerset Habitat Evaluation Procedure which could include re-wilding and tree planting?

It is the HBF’s opinion that the Council should not deviating from national policy. The Government’s Environment Bill through the planning system requires a mandatory 10% biodiversity gain after development compared to the level of biodiversity prior to the development as measured by a metric set out by DEFRA.

The Council’s Viability Assessment should also account for biodiversity gain in its calculation of the ratio of gross site area to net developable area. The DEFRA Biodiversity Net Gain & Local Nature Recovery Strategies : Impact Assessment Table 14 : Net Gain Delivery Costs (Residential) estimates a biodiversity unit loss per hectare of development and sets out regional costs per hectare of development highlighting a central estimate but there are significant increases in cost for off-site delivery (Scenario C).

Objective 9 : Wellbeing of our residents

Question 9a : Do you have any comments on Policy Approach 9a/1 : Ensure the consideration of healthy place-shaping from the outset by requiring Health Impact Assessments (HIA) from larger developments

(threshold to be determined) to demonstrate how the design incorporates Active Design measures?

The general expectations of the 2019 NPPF is that planning will promote healthy communities. The NPPG confirms that a HIA can serve a useful purpose at planning application stage and consultation with the Director of Public Health as part of the process can establish whether a HIA would be a useful tool for understanding the potential impacts upon wellbeing that development proposals will have on existing health services and facilities (ID53-004-20140306).

The requirement for a HIA for larger developments (threshold to be determined) without any specific evidence that an individual development is likely to have a significant impact upon the health and wellbeing of the local population is not justified by reference to the NPPG. Any requirement for a HIA Screening Report and / or a full HIA should be based on a proportionate level of detail in relation the scale and type of development proposed. It is suggested that a HIA Screening Report should only be required for applications for the largest strategic residential developments. If a significant adverse impact on health and wellbeing is identified only then should a full HIA be required, which sets out measures to substantially mitigate the impact.

Question 9a : Do you have any comments on Policy Approach 9a/2 : Require high quality design from all developments to reflect the site and its context, including existing topography, landscape features and the historic environment and potentially requiring character appraisals to support proposals. The Council will be producing a Supplementary Planning Document (SPD) on Design and will set out design principles/design codes for key development sites?

The Regulations are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in the Local Plan. The Council should not devolve fundamental policy matters to a Design SPD. Where SPDs are prepared, they should be used to provide more detailed advice and guidance on the policies in the Local Plan and not as an opportunity to change or introduce the requirements of a policy. As defined in 2019 NPPF Glossary, an SPD is capable of being a material consideration in planning decisions but is not part of the Local Plan. The Regulations indicate that an SPD does not have statutory force. An SPD is defined as something that is not a Local Plan as it has not been subject to the same process of preparation, consultation and examination. The Council should not convey Local Plan status onto its Design SPD.

Conclusions

For the Somerset West & Taunton Local Plan to be found sound under the four tests of soundness as defined by the 2019 NPPF (para 35), the Local Plan must be positively prepared, justified, effective and consistent with national policy. It is hoped that these comments are helpful to the Council. In the meantime, if

any further assistance or information is required please contact the undersigned.

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

A handwritten signature in blue ink, appearing to read 'Susan E Green', with a stylized, flowing script.

Susan E Green MRTPI
Planning Manager – Local Plans