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Dear Sir / Madam

STAFFORD NEW LOCAL PLAN – ISSUES & OPTIONS CONSULTATION

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 Stafford New Local Plan Issues & Options consultation.

Section 1 – Introduction

Question 1.A. Is the evidence that is being gathered a suitable and complete list?

The evidence listed is not complete (see HBF answer to Question 1.B. below).

Question 1.B. Have any key pieces of evidence necessary for Stafford Borough's new Local Plan been omitted?

As set out in the 2019 National Planning Policy Framework (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 HBF note that the Council is considering some policy options, which if pursued would require the gathering of specific supporting evidence to justify such policies. These policy options are identified as :-

- Questions 4.A. & 4.C. - Higher energy efficiency standards ;
- Question 4.E. - Optional water efficiency standards (see National Planning Practice Guidance (NPPG) ID : 56-013-20150327 to 56-017-20150327) ;
- Questions 8.B. & 8.C. – Residential densities ;



- Questions 8.D. & 8.E. – Nationally Described Space Standards (NDSS) (see NPPG ID : 56-020-20150327) ;
- Questions 8.F. & 8.I. - Housing mix ;
- Question 8.H. – Optional accessible & adaptable homes standards (see NPPG ID : 56-005-20150327 to 56-011-20150327) ; and
- Question 8.N. - Self & Custom Build housing (see NPPG ID : 57-011-20160401, ID : 57-025-201760728 & ID 2a-017-20192020).

Section 4 - Sustainability and Climate Change

Question 4.A.a) Should the new Local Plan require all developments be built to a standard in excess of the current statutory Building Regulations, in order to ensure that an optimum level of energy efficiency is achieved?

The new Local Plan should not require all developments to be built to a standard in excess of statutory Building Regulations.

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 Council 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) 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 Local Planning Authorities (LPA) 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.

The HBF's response to the Government's consultation recognises and supports the need to move to The Future Homes Standard but the Government's preferred Option 2 for a 31% reduction in carbon emissions compared to the current Part L 2013 requirements in 2020 would be difficult and risky to deliver given the immaturity of the supply chain for the production / installation of heat pumps, and the additional load that would be placed on local electricity networks when coupled with Government proposals for the installation of electric vehicle charging points (EVCP) in new homes (also see HBF answer to Question 12.D.a)). The HBF and its Members favour the Government's Option 1 for a 20% reduction in emissions in 2020 (involving higher fabric efficiency standards than Option 2) and then a further step to Option 2 standards by 2023, which would allow more time for the supply chain to gear up for the scale of demand entailed. The HBF submission argues that *"a stepped and incremental approach should be adopted given, in particular, the large requirement for supply chain and infrastructure investment and skills training to support this ambition. The consensus is that Option 1 should be implemented within 2020, with Option 2 being implemented within two to three years in approximately 2023. Our membership sees that transitional arrangements around this implementation should be 18 – 24 months"*.

Question 4.A.b) What further policies can be introduced in the Local Plan which ensures climate change mitigation measures are integrated within development across the borough?

The new Local Plan should not introduce further policies (see HBF answer to Question 4.A.a) above).

Question 4.C. Should the council introduce a policy requiring large developments to source a certain percentage of their energy supply from on-site renewables?

The new Local Plan should not introduce such a policy (see HBF answer to Question 4.A.a) above).

Question 4.E. Should the council implement a higher water standard than is specified in the statutory Building Regulations?

Under current Building Regulations, all new dwellings must achieve a mandatory level of water efficiency of 125 litres per day per person, which is a higher standard than that achieved by much of the existing housing stock. This mandatory standard represents an effective demand management measure. If the Council wishes to adopt the 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 56-013-20150327 to 56-017-20150327). The NPPG references *“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.

Section 5 - The Development Strategy

5.A.a) Do you consider that the existing Policy SP1 addresses the requirements of the NPPF? b) Do you consider that it is necessary to retain this policy in light of the recent change in Planning Inspectorate’s view.

Existing Policy SP1 is not necessary. It should not be retained. 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.

Question 5.B.a) Which annual housing requirement figure do you think will best meet Stafford Borough’s future housing growth requirements? What is your reasoning for this answer?

The Economic & Housing Development Needs Assessment (EHDNA) dated January 2019 by Nathaniel Lichfield & Partners sets out Stafford’s future housing growth requirements.

Under the 2019 NPPF, the Council should establish a housing requirement figure for their whole area (para 65). The 2019 NPPF also sets out that the determination of the minimum number of homes needed should be informed by a Local Housing Needs (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 (ID : 2a-001-20190220 to ID : 2a-015-20190220).

Stafford's minimum LHN is calculated as 408 dwellings per annum based on 2014 Sub National Household Projections (SNHP), 2019 as the current year, 2018 affordability ratio of 7.38 and no cap. This 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 new Local Plan is submitted for examination and revised when appropriate (ID 2a-008-20190220). The minimum LHN for Stafford may change as inputs are variable and this should be taken into consideration by the Council. 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 the 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.

The NPPG indicates that if previous housing delivery has exceeded the minimum LHN, this level of delivery may be indicative of greater housing need (ID : 2a-010-20190220). It is noted that the adopted housing requirement is 500 dwellings per annum, which is above the minimum LHN and the 2019 Housing Delivery Test (HDT) results show housing delivery in the Borough in excess of this adopted housing requirement. Housing delivery was 1,010 dwellings in 2016/17, 863 dwellings in 2017/18 and 699 dwellings in 2018/19.

The minimum LHN may provide insufficient workers to align with forecast jobs growth. Jobs growth may generate a need for an increased labour supply to meet increasing employment demand, which will in turn lead to a need for new homes to accommodate the new population. The Council should not impede the economic growth agenda of the Borough. The 2019 EHDNA sets out the following alternative economic growth scenarios (without Partial Catch Up Rate Allowance incorporated) :-

- D – Cambridge Economics Baseline of 435 dwellings per annum ;
- E - Jobs Growth Policy On (Regeneration) of 647 dwellings per annum;
- F - Jobs Growth Past Trends of 683 dwellings per annum ; and
- G - Jobs Growth Jobs Boost of 540 dwellings per annum.

In the Borough, affordable housing need is calculated as between 252 dwellings per annum (based on 25% affordability threshold) and 389 dwellings per annum

(based on 33% affordability threshold). The NPPG 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's affordable housing need should be calculated based on this definition. The NPPG also 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). Affordable housing needs in Stafford are significant in comparison to the minimum LHN representing between 62% and 95% respectively. It is also noted that affordable housing delivery between 2013/14 – 2018/19 was only 193 dwellings per annum. It is acknowledged that the Council may not be able to meet all affordable housing needs but an uplifted housing requirement figure above the minimum LHN will make a greater contribution towards meeting affordable housing needs.

The new Local Plan should be prepared through joint working on cross boundary. As set out in the 2019 NPPF, the new 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 any unmet need from neighbouring areas is accommodated (para 35a). Stafford adjoins eight other authorities namely Stoke on Trent, Newcastle under Lyme, Telford & Wrekin, Shropshire, South Staffordshire, Cannock Chase, East Staffordshire and Staffordshire Moorlands. 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).

In Stafford, there is justification for a housing requirement above the minimum LHN. The testing of economic growth scenarios demonstrates that the lowest uplifted housing requirement should be no less than 540 dwellings per annum however this is unlikely to help delivery of much needed affordable housing as it is only 40 dwellings per annum above the adopted housing requirement. The Jobs Growth Policy On scenario of 647 dwellings per annum is below the Jobs Growth Past Trends (13,126 jobs), which is considered unsustainable over the long term, but aligns with the Council's proposals for a New Community & Stafford Station Gateway. A housing requirement of at least 647 dwellings per annum would also make a greater contribution towards delivery of affordable housing. Since 2016/17, housing delivery has averaged 857 dwellings per annum therefore a housing requirement even greater than 647 dwellings per annum would be deliverable. Indeed, a housing requirement up to 700 dwellings per annum would still be below 40% cap above the adopted housing requirement.

Question 5.A.b) Should a partial catch up rate allowance be incorporated?

The 2019 EHDNA tests the incorporation of a partial catch up rate allowance because the propensity for younger people in the Borough to form a head of a household is lower than the national average. The incorporation of a partial catch up rate allowance should be approached with caution in order to avoid accusations of double counting. In the standard methodology, the affordability adjustment is applied as household growth on its own is insufficient as an indicator of future housing need because if household formation is constrained to the supply of available properties new households cannot form if there is nowhere for them to live (NPPG ID : 2a-006-20190220). Interested parties seeking the lowest possible housing requirement figure may interpret the incorporation of a partial catch up rate allowance as an unnecessary doubling up of the function of the affordability adjustment.

A housing requirement above the minimum LHN as advocated by the HBF in answer to Question 5.A.a) above is a positive contribution towards assisting more household formation in younger age groups.

Question 5.C. In calculating the housing requirement figure for the new Local Plan 2020-2040 should a discount be applied to avoid a double counting of new dwellings between 2020 - 2031? If a discount is applied should it be for the full 6,000 new homes currently accounted for in the adopted Plan for Stafford Borough or a reduced number (please specify reasons)?

The HBF is concerned that Question 5.C. confuses the housing requirement figure and Housing Land Supply (HLS) together. In the new Local Plan, there should be a clear distinction between the housing requirement and HLS. There should be no discounting of the housing requirement figure for newly built dwellings completed since the start of the plan period. The Council's HLS should separately identify completions and adopted allocations.

5.D.i) Do you agree with the basis for the preparation of the 2019 Settlement Hierarchy? ii) Do you agree that the smaller settlements should be included in the Settlement Hierarchy?

The HBF agree with the basis for the preparation of the Settlement Hierarchy and the inclusion of smaller settlements.

5.F.a) In respect of these potential spatial scenarios do you consider that all reasonable options have been proposed? If not what alternatives would you suggest?

The Council has identified the following potential spatial scenarios :-

- The intensification of development in towns and district centres ;
- The dispersal of development ;
- Garden Communities ;
- The intensification of development around the edges of larger settlements and strategic extensions ; and

- “String” or “Wheel” settlement clusters.

These spatial scenarios are considered to be reasonable options.

b) Are there any of these spatial scenarios that you feel we should avoid? If so, why?

The new Local Plan’s strategic policies should ensure the availability of a sufficient supply of deliverable and developable land to deliver the Borough’s housing requirement. This sufficiency of HLS should meet the housing requirement, ensure the maintenance of a 5 Years Housing Land Supply (YHLS) and achieve HDT performance measurements.

There are disadvantages to the spatial scenarios if pursued in isolation by the Council. The availability of brownfield sites would be insufficient to only pursue an intensification of town and district centres scenario. The long lead-in time associated with delivery of Garden Communities would not provide a sufficient pre-2030 HLS.

c) Which of these spatial scenarios (or a combination) do you consider is the best option? Please explain your answer

A combination of all spatial scenarios is considered best for the reasons outlined in HBF answer to Question 5.F.c) above.

The dispersal of development spatial scenario will support local communities. 39% of the Borough’s population live in smaller market towns, rural villages and hamlets. In the Borough, house prices have increased since the recession, today median and lower quartile house prices are higher than the Staffordshire average. Affordability ratios have worsened. Lower quartile affordability ratios are worse than median ratios, so households on lower incomes may struggle to afford even lower priced properties. Generally, median house prices are higher in the rural areas of the Borough than in the towns of Stafford or Stone.

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).

5.H.i) Do you agree that the only NPPF-compliant Growth Options proposed by this document are No. 3 (Disperse development across the new settlement hierarchy) and No. 5 (Disperse development across the new settlement hierarchy and also at the Garden Community / Major Urban Extension) and No. 6 (Concentrate development within existing transport corridors)?

The Council has identified the following Growth Options :-

- Option 1 - Stafford & Stone only focussed development ;
- Option 2 – Stafford, Stone & Key Service Villages ;
- Option 3 – Dispersed development across new settlement hierarchy ;
- Option 4 – all new development Garden Communities only ;
- Option 5 – dispersed and new community ; and
- Option 6 – settlements linked by existing transport corridors.

For the reasons outlined in HBF answers to Questions 5.D.i), 5.D.ii), 5.F.a), 5.F.b) and 5.F.c), the HBF does not favour Options 1, 2 and 4.

Under Options 3, 5 and 6, the dispersal of development is critical. If the Council is to avoid replicating Options 1 and 2, which are considered by the Council as non-compliant with the 2019 NPPF, then growth must be distributed at the lower end of the identified range in Stafford / Stone and the upper end of the identified range in North Stafford Urban Area, large, medium and small settlements.

5.J. What combination of the four factors :

- 1. Growth Option Scenario ;**
- 2. Partial Catch Up**
- 3. Discount / No Discount**
- 4. No Garden Community / Garden Community**

should Stafford Borough Council put forward as its Preferred Option at the next stage of this plan-making process? Please explain your answer.

A combination of Growth Options for dispersed development across new Settlement Hierarchy (including smaller settlements), at Garden Community / major urban extensions and within existing transport corridors should be put forward as the Council's Preferred Option. The qualitative distribution of growth will be critical to diversifying HLS, optimising housing delivery and supporting local communities (see HBF answers to Questions 5.D.i), 5.D.ii), 5.F.a), 5.F.b), 5.F.c) and 5.H.i) above).

The Council should be cautious about applying a partial catch up allowance (see HBF answer to Question 5.B.b) above).

All sources of HLS including completions and existing allocations should be accounted for (see HBF answer to Question 5.C. above).

5.O. Are there any additional sites over and above those considered by the SHELAA that should be considered for development?

The HBF would not wish to comment on the merits or otherwise of individual sites identified in the SHELAA but it is critical that the Council's assessment of availability, suitability, deliverability, developability and viability are correct. 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 should be realistic and supported by relevant parties including landowners, promoters and developers.

Section 8 - Delivering Housing

Question 8.A. Should the council continue to encourage the development of brownfield land over greenfield land?

The determination of the efficient use of land should be undertaken in accordance with the 2019 NPPF (para 123c).

Question 8.B. Do you consider that the enforcement of minimum density thresholds would have a beneficial impact on development within the borough? If so, do you consider: the implementation of a blanket density threshold; or a range of density thresholds reflective of the character of the local areas to be preferable? Why do you think this?

The setting of residential density standards in the new Local Plan should be undertaken in accordance with the 2019 NPPF (para 123), whereby in the circumstances of an existing or anticipated shortage of land for meeting identified housing needs then a minimum net density in suitable locations such as town centres and those benefiting from good public transport connections may be appropriate.

A blanket approach to housing density across the Borough is unlikely to provide a variety of typologies to meet the housing needs of different groups. A range of density standards specific to different areas of the Borough is necessary to ensure that any proposed density is appropriate to the character of the surrounding area. Housing mix and density are intrinsically linked and the inter-relationship between density, house size (any implications from the introduction of optional space and accessible / adaptable homes standards), house mix and developable acreage should be considered holistically in viability assessment testing.

Question 8.C. Do you think that any adopted minimum density thresholds should reflect the availability of sustainable travel in the area?

It is appropriate to encourage the development of higher densities in suitable locations such as in town / city centres and locations with good accessibility to public transport. However, if a minimum residential development density is adopted, then consideration on a case by case basis should be permissible to determine if a lower density is appropriate in that location.

Question 8.D. Do you consider that the adoption of the Nationally Described Space Standards (NDSS) would work to increase housing standards, and therefore enhance the health and wellbeing of local residents in Stafford Borough?

The new Local Plan should not adopt NDSS (see HBF answer to Question 8.E. below).

Question 8.E. In the New Local Plan should the Council a) Apply the Nationally Described Space Standards to all new dwellings, including the conversion of existing buildings? b) Only apply the Nationally Described Space Standards to new build dwellings? c) Not apply the Nationally Described Space Standards to any development? Please explain your answer.

The Council should not apply the NDSS. If the Council wishes to apply the optional NDSS to new build dwellings, 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 Stafford. 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 2019 Survey demonstrates that 91% of new home buyers would purchase a new build home again and 89% 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 Borough has worsened. In 1997, the median affordability ratio was 3.84, which has almost doubled by increasing to 7.35 in 2019.

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 bedroomed 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.

Question 8.F. Do you consider that the housing mix detailed in the table above will be sufficient in meeting the needs of all members of the community?

As set out in 2019 NPPF, the 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). 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 such as self & custom builders and the elderly without seeking a specific housing mix on individual sites. The new Local Plan should ensure that suitable sites are available for a wide range of developments across a wide choice of appropriate locations.

Question 8.G. Do you consider the lack of smaller housing units to be an issue within the Borough of Stafford? If so, are there any areas where this is a particular problem?

See HBF answer to Question 8.F. above.

Question 8.H. Should the Council consider a policy requiring 10% of affordable homes delivered on new major development sites to be wheelchair accessible?

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. 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. M4(1) standards are likely to be suitable for most residents.

If the Council wishes to adopt the optional standards for M4(3) for 10% of affordable homes, then this 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(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 Borough should be incorporated into the Council’s supporting evidence.

Many older people already live in the Borough. 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 Council should take into account site specific factors such as vulnerability to flooding, site topography and other circumstances, which make a site unsuitable for 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(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 8.I.a) Should the Council consider a policy requiring bungalows to be delivered on all major developments? If so, should there be a minimum number or proportion of such bungalows for each development? b) Should the amount of land required for such bungalows be reduced by either limiting their garden size or encouraging communal/shared gardens? c) Is there a need for bungalows to be delivered in both urban and rural areas? d) Are there any other measures the Council should employ to meet the demand for specialist housing within the Borough of Stafford?

See HBF answers to Questions 8.B. and 8.F. above.

8.K.a) Do you consider an affordable housing provision of between 252 and 389 units per annum to be achievable? b) In the instance whereby a lower provision of affordable housing is sought, would the supplementary supply of a diverse range of market housing in accordance with the findings of the EDHNA be sufficient?

See HBF answers to Questions 5.B.a) and 8.F. above.

The Council should also clarify that affordable housing definitions will comply with the 2019 NPPF Glossary and affordable housing tenure mix will comply with 2019 NPPF (para 64).

8.L. Should the council require affordable units to be delivered on sites with a capacity of less than 5 units in designated rural areas?

Under the 2019 NPPF, Designated Rural Areas are defined as National Parks, Areas of Outstanding Natural Beauty (AONB) and areas designated as “rural” under Section 157 of the Housing Act 1985. The Council should only require affordable housing on sites of less than 5 dwellings in the Cannock Chase AONB.

8.N.a) Should the council introduce a policy requiring all new developments with a site capacity of over 100 dwellings to provide 5% of those plots as serviced plots available for self and custom build homes?

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 City Council should consider supporting self & custom build. These are :-

- developing policies in the City 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 not supportive of policy requirements for the inclusion of 5% self & custom build housing on residential development sites of 100 or more dwellings, 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.

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 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 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 new 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 also 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.

b) Should the council allocate plots for the purpose of self-build throughout the borough?

The HBF is supportive of proposals to encourage self & custom build for its potential additional contribution to overall HLS. The Council should allocate plots for self & custom build.

8.O.a) Do you consider that the approach detailed above will be beneficial to the smaller settlements of the Borough of Stafford and their residents?

b) Do you think it would be beneficial to only allow people the ability to build their own homes in smaller settlements if they have a demonstrable connection to the locality of the proposed development site?

It would be beneficial to allow self build only development within settlements of less than 50 dwellings. Any imposed local connection criterion should not be overly restrictive.

Section 9 - Delivering Quality Development

9.J. Do you consider that the current “Design” Supplementary Planning Document (SPD) provides sufficient guidance for design issues in the Borough? Please explain your rationale.

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.

9.L. To support a new Local Design Review Panel should the new Local Plan: a) Require complex or Large-Scale Development to be subject to review by a Regional Expert Design Panel, to form a material consideration in the planning decision? b) To adopt (and commit to delivering), nationally prescribed design standards; e.g. Manual for Streets, Building For Life, BRE Homes Quality Mark, etc. c) Reconsider and update local design policies to more robustly reflect current national best practice, be based upon local characterisation studies, and be specifically aligned with related and companion policy areas to support the wider spatial vision for the Borough.

The Council’s policy approach to “good” design should accord with the 2019 NPPF, the latest NPPG and the National Design Guide.

The HBF is supportive of the use of best practice guidance however the use of such guidance should remain voluntary rather than becoming a mandatory policy requirement, which developers are obliged to use as a pre-condition for the Council’s support.

9.M. Do you consider the designation of sites as Local Green Space (LGS) to be necessary through the new Local Plan?

The 2019 NPPF sets a significantly high bar for LGS designation and post designation managing LGS in line with Green Belt policy (paras 99 – 101). Accordingly, LGS designation should be viewed as an exception rather than the norm. The Council's approach in proposing any LGS designations in the new Local Plan should not become commonplace rather than of a limited and special nature. It is recognised that many proposed LGS will be important to local communities for informal recreational uses. Proposed LGS may also contain varying levels of wildlife, beauty and tranquillity however it should be evident that all proposed LGS are "*special*" and of "*particular local significance*" to distinguish them from other green open spaces in order to reach the high bar necessary for LGS designation.

Section 11 - Health and Wellbeing

11.A.b) Or should an alternative approach to the integration of health and well-being issues into the New Stafford Borough Local Plan be adopted?

The adopted Stafford Local Plan does not have a policy on health and wellbeing however the general expectations of the 2019 NPPF is that planning will promote healthy communities. The NPPG confirms that a Health Impact Assessment (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 (ID : 53-004-20140306).

If the Council adopts an alternative approach to the adopted Local Plan, 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. The requirement for HIA Screening Report without any specific evidence that an individual scheme is likely to have a significant impact upon the health and wellbeing of the local population is not justified by reference to the NPPG. Only if a significant adverse impact on health and wellbeing is identified should a full HIA be required, which sets out measures to substantially mitigate the impact.

Section 12 - Connections

12.D.a) Do you consider it is necessary to set local parking standards for residential and non-residential development ? b) If so should a similar approach of minimum standards be used for new developments across Stafford Borough or should maximum parking standards be identified for Stafford town centre area? Please provide a reason for your response.

The setting of local car parking standards should accord with the 2019 NPPF (paras 105 & 106). It is not necessary for the Council to specify provision of Electric Vehicle Charging Points (EVCPs) because of the Government's proposed changes to Building Regulations.

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 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.

Question 12.E. Do you consider that a new policy setting out the approach to new electronic communication infrastructure, its extent and location is required for Stafford Borough? Please provide a reason for your response.

The Council should not impose new electronic communications requirements beyond the provision of infrastructure as set out in statutory Building Regulations.

In the Budget (11th March 2020), the Government confirmed future legislation to ensure that new build homes are built with gigabit-capable broadband. The Government will amend Part R “Physical Infrastructure for High Speed Electronic Communications Networks” of the Building Regulations 2010 to place obligations on housing developers to work with network operators to install gigabit broadband, where this can be done within a commercial cost cap. By taking these steps, the Government intends to overcome any existing market failure.

The Department for Culture, Media and Sport (DCMS) has outlined its intentions on the practical workings of this policy. The policy will apply to all to new builds. Any type of technology may be used, which is able to provide speeds of over 1000 Mbps. All new build developments will be equipped with the physical infrastructure to support gigabit-capable connections from more than one network operator. The new measures will place responsibilities on both developers and network operators :-

- Developers will have to ensure new homes have gigabit broadband. This includes ensuring that the physical infrastructure necessary for gigabit-capable connections is provided on site for all new build developments and homes are connected by an operator to a gigabit-capable connection ;
- This requirement exists unless the cost to the developer of providing connectivity exceeds £2,000, or the operator declines to provide a connection ;
- Developers must seek a second quote from network operators, where the first quote suggests that gigabit-capable broadband cannot be installed within the cost cap ;
- If gigabit broadband exceeds the cost cap, the developer must provide connectivity to other technologies, which can provide at least superfast connection within the same cost cap, unless the operator declines to provide a connection ; and
- A commitment to contribute to the costs of connection by network operators. Virgin Media has committed to contributing at least £500, rising in the case of some larger sites to £1,000. Openreach has committed to a combined Openreach and Developer Contribution of £3,400, with a maximum developer contribution of £2,000.

As soon as Parliamentary time allows, the Government intends to lay the legislation to amend the Building Regulations. The supporting statutory guidance (Approved Documents) will also be published as soon as possible.

Conclusions

For the Stafford 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 responses are helpful to the Council in the next stages of Local Plan preparation. The HBF look forward to submitting further comments during future Local Plan consultations. In the meantime, if any further information or assistance is needed please contact the undersigned.

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



Susan E Green MRTPI
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