

Sent by email to: localplan@great-yarmouth.gov.uk

20/05/2020

Dear Sir/ Madam

Response by the Home Builders Federation to the consultation on Part 2 of the Great Yarmouth Local Plan

1. Thank you for consulting the Home Builders Federation (HBF) on the Part 2 Local Plan (P2LP). The HBF is the principal representative body of the housebuilding industry in England and Wales. Our members account for over 80% of all new housing built in England and Wales in any one year and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders.
2. We would like to submit the following representations on the Local Plan, and we would welcome, in due course, participating in the relevant hearings held during the Examination in Public.

Amendments to the Core Strategy

3. The Council is proposing to amend two policies in the Core Strategy which it considers necessary to reflect changes in national policy and the latest available evidence. One of the proposed changes is to policy CS3 and reduces the housing target for the Borough from 7,140 homes to 5,303 homes over the current plan period (2013/14 to 2029/30). The Council outline in paragraph 1.5 of the P2LP one of the reasons for this decision is that since the adoption of the Core Strategy they have found it challenging to meet their housing requirement as set out in policy CS3, and as a result they have been unable to demonstrate a five-year housing land supply. On the basis that they have found this target challenging it is now being proposed to write off the delivery of the 490-home shortfall accrued since the adoption of the Core Strategy as well as reduce the amount of housing it will be required to deliver for the remaining 10 years of the plan period. However, we do not consider the Council's approach to be sound as it is:
 - Inconsistent with paragraph 22 of the NPPF which requires strategic policies to look ahead over a minimum of 15 years;
 - Provides no evidence as to whether the reduced requirement will meet the economic aspirations of the Borough.
4. In addition, we consider that the Council should have amended their affordable housing policy in the Core Strategy (CS4) which is inconsistent with national policy



in regard to the site thresholds at which contributions are required. These issues are considered in turn below.

Plan Period

5. In amending policy CS3 the Council have not made any amendments to the plan period. The Council have merely reduced the amount of homes required within the Borough on the basis that the application of the standard method would see a reduction in the annual housing requirement for Great Yarmouth. But in seeking to consider housing needs across the current plan period of 2013 to 2030 the Council are applying certain principles in the 2019 NPPF to the delivery in the 2013 to 2019 period. The Council are correct in their assumption that the standard method considers under delivery in previous years and that these should not be rolled forward into a new plan. This does not mean that needs between 2013 to 2019 were reduced, as would be the case using the Council's approach, it means that the Council under delivered in his period. It is therefore essential, if the Council wishes to apply that standard method for the Council to establish a new plan period that looks forward in the manner required by national policy.
6. In taking the approach set out in the P2LP the Council have seemingly ignored the fact that the 2019 NPPF also requires, as set out in paragraph 22, strategic policies to look ahead over a minimum of 15 years. This is reiterated in Planning Practice Guidance PPG which states in paragraph 61-064:

“The National Planning Policy Framework is clear that strategic policies should be prepared over a minimum 15-year period and a local planning authority should be planning for the full plan period”

7. By amending the requirement but not the plan period the proposed new policy UCS3 only looks forward for a maximum of 9 years from the likely submission date. If the Council is to amend CS3 in the manner suggested it must also amend the plan period and extend this to 2035/36 – 15 years after the likely adoption date of the plan in 2021, should it be found sound. On the basis of the Council's local housing needs assessment of 363 dwellings per annum will require the Council to deliver 6,171 homes between 2019/20 and 2035/36.
8. This approach would also ensure consistency with other authorities in Norfolk who have adopted or are preparing plans to meet needs up to and beyond 2036. We note that the Council has engaged with its neighbours across Norfolk as part of the Norfolk Strategic Planning Framework. Through this mechanism the Councils have agreed a set of shared spatial objectives and a statement of common ground. This sets out the key strategic issues facing the County and its constituent boroughs and districts and recognises the importance of meeting the County's housing needs. It also sets out on page 46 the need to ensure alignment with plans and states that:

“all Norfolk Authorities have agreed to prepare new Local Plans which address the level of housing need for the period until at least 2036 and have formally commenced the process of plan review.”

Given that the Council has signed up to such a shared commitment it is surprising that it has not looked to ensure that it is planning up to 2036. We are concerned that whilst the Council has paid lip service to joint working and meeting long term housing needs it has not put this into practice.

9. Should the Council wish to maintain its current plan period then it must keep its previous requirement and allocate sufficient sites to meet these needs. As this is in excess of the minimum number of homes required to be delivered under national policy using the standard method the housing requirement established in the Core Strategy policy remains consistent with the 2019 NPPF and would not need to be amended.

Economic Growth

10. Paragraph 2a-010 of Planning Practice Guidance outlines that there may be scenarios where it would be appropriate to plan for higher levels of housing need than is indicated in the standard method. This paragraph goes on to provide examples, such as where there are growth strategies in place or where strategic infrastructure improvements are likely to drive an increase in the number of homes needed. The examples provided in PPG are not considered to be exclusive and indicate the importance of considering the need to ensure that the local housing needs assessment using the standard method will not constrain an area's ability to support economic growth. However, the Council's evidence on this matter is limited with the only assessment on jobs growth being provided in the 2015 Strategic Housing Market Assessment. The Council have ambitions to support economic growth in the Borough but what has not been assessed is whether the reduction in the Council's housing requirement will continue to support any expected growth in employment in the area. The Council will need to ensure that its housing requirement, as assessed using the standard method, supports any economic aspirations it may have for the area.

Recommendations on proposed amendments to CS3

11. If the Council wishes to amend its annual housing requirement to reflect the standard method then it must also extend its plan period to reflect the requirement for local plans to look forward at least 15 years as set out in the 2019 NPPF. This will require policy UCS3 to be amended to read:

Core Strategy Policy CS3a to be amended to read:

“Make provision for at least 6,171 homes between 2019/20 and 2035/36”

12. As a consequence, the Council must allocate additional sites that will deliver housing between 2029 and 2036. The Council outline at paragraph 1.6 the

expected level of housing delivery for the remainder of the plan period to be 7,043. However, we note that this includes 1,310 homes completed between 2013 and 2019. As these are completed it stands to reason that they will not be provided over the remaining plan period of 2019/20 to 2029/30. Removing these means delivery of additional homes during the remaining plan period is expected to be 5,773 homes. This comprises of:

- 2,953 homes on extant planning permission and resolutions to grant planning permissions;
- 266 homes remaining to be built on strategic allocations
- 1,722 homes allocated in the P2LP
- 742 homes on windfall sites

13. Therefore, rather than a surplus of around 33% the Council have a deficit of 438 homes which will need to be addressed in this local plan. In addition, the Council will need to ensure that there is a substantial buffer within their housing land supply to provide the necessary certainty that they will deliver their housing requirement. This is especially important given that the persistent under delivery seen within Great Yarmouth and the pressing need for affordable housing within the Borough that will have worsened due to the poor delivery of housing in general.
14. As with the previous guidance the Government continues to require Councils, as outlined at paragraph 2a-024 of PPG, to consider whether the housing requirement should be increased to better meet the need for affordable homes. Whilst Great Yarmouth has relatively low house values it is important to remember that affordability is relative to local incomes. Despite these lower house prices, the lower quartile affordability ratio for the area is 6.65. It is clear that house prices for many in the area remain unaffordable and, as the Council have acknowledged, has led to high level of need for affordable housing that could be better addressed through a higher housing requirement than the minimum established using the standard method.
15. As such we would recommend that the Council identifies sufficient housing to meet its needs over the next 15 years with a buffer of 20% within its housing supply in order to ensure the delivery of its housing requirement and better address its needs for affordable housing.

Core Strategy Affordable housing

16. Given that the Council have amended policies in the Core Strategy in order to maintain consistency with national policy we are surprised that the Council have not looked to amend their affordable housing policy in order to be consistent with paragraph 63 of the NPPF. At present CS4 of the Core Strategy, which was examined and adopted prior to the Written Ministerial Statement and the subsequent legal challenges, includes thresholds in submarket areas 1 and 2 which are set below the 10-unit limit in national policy. This policy is a key part of the Government's policy to support smaller house builders and grow this sector of

the industry and as such it is essential that this amendment is made to the existing policy through the P2LP.

Recommendation

17. That the following policy be included in the P2LP:

UCS4 Adjustment to Affordable Housing Thresholds

The following amendments will be made to table 7 of policy CS4 in the Core Strategy:

		<i>Threshold figure</i>	<i>Percentage sought</i>
Affordable housing sub-market area 1	Caister-on-Sea, Gorleston, Great Yarmouth North and Northern Rural	5-10 dwellings	20% affordable
Affordable housing sub-market area 1	Bradwell, Great Yarmouth South and South Quay, Gorleston West and South West Rural	5-10 dwellings	10% affordable
Affordable housing sub-market area 1	Great Yarmouth Town Centre	15 dwellings	10% affordable

Housing Land Supply

18. Given that the decision to amend the housing requirement in the Core Strategy was in part a result of the Council’s inability to maintain a sufficient supply of housing in the Borough it will be important that the expected delivery rates from allocated sites is reasonable and where sites are included in the five year land supply there is clear evidence to show they are deliverable, as set out in the glossary of the NPPF. The HBF does not comment on the deliverability of specific sites but we would like to raise some general comments with regard to land supply and ensuring the approach is robust and consistent with national policy.

Large sites

19. Firstly, we would recommend that allocations for strategic sites of over 500 units are not included in the first five years of the housing land supply. Whilst we recognise that some schemes of this size may deliver it is more challenging and we would suggest that the Council errs on the side of caution. Delays in relation to securing permission, signing off conditions and the delivery of infrastructure prior to development all leading to delays in the delivery of new homes. These concerns are also evident in Lichfield’s¹ update to their research on the delivery of strategic sites which was published recently. This report shows that from the date

¹ <https://lichfields.uk/content/insights/start-to-finish>

at which an outline application for larger developments are validated it can take between 5 to 8 years for the first homes to be delivered.

20. It will also be important to ensure that the infrastructure contributions on larger sites are proportionate and will not impact on the viability of these sites. For example, the viability study does not include costs for transport or highways on strategic sites as these are still to be agreed. Given that such costs could be significant it will be important to ensure that that these in combination with other requirements will not make sites unviable or that there is sufficient flexibility in policies to ensure that sites come forward in the expected timescales.

Small sites

21. Secondly the Council will also need to ensure that they can identify either on their brownfield register or through allocations in the P2LP at least 10% of their housing requirement will be delivered on sites of less than 1 ha as required by paragraph 68 of the NPPF. We could not find any assessment as to whether this is the case and the Council will need to confirm its position in the local plan and its supporting evidence base.

Windfall

22. The Council expect 742 homes to come forward between 2019 and 2030 as windfall development. Whilst the majority of these are expected to come forward in the main towns there is an expectation that over 200 will be delivered in villages. Infill windfall on brownfield land in villages will inevitably decline in future and we would suggest that the Council ensures that policies in the local plan are supportive of these expectations.

General Strategic Policies

Policy GSP1 Development Limits

The policy is unsound as does not provide sufficient flexibility as required by paragraph 11 of the NPPF.

23. We are concerned that this policy is not sufficiently flexible and will limit the delivery of sustainable development in smaller settlements which will in turn ensure that the Council can maintain the estimated level of windfall in its primary and secondary villages. The Council are particularly reliant on windfall sites to bring forward development in smaller settlements and whilst we would recommend that sites are allocated, if the Council is going to rely on windfall delivery it will need to have policies that will maintain its diminishing supply. We would therefore recommend that policy GSP1 is revised to increase its scope to support a wider range of sustainable residential development in all villages. One approach to supporting development on the edge of settlements that has been recently been found sound is policy HOU5 in the Ashford Local Plan and is set out below.

“Proposals for residential development adjoining or close to the existing built up confines of [list settlements] will be acceptable provided that each of the following criteria is met:

a) The scale of development proposed is proportionate in size to the settlement and level, type and quality of day to day service provision currently available, and commensurate with the ability of those services to absorb the level of development in combination with any planned allocations in the Local Plan and committed development in liaison with service providers;

b) The Site is within easy walking distance of basic day to day services in the nearest settlement and/or has access to sustainable methods of transport to access a range of services;

c) The development is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network without adversely affecting the character of the surrounding area;

d) The development is located where it is possible to maximise the use of public transport, cycling and walking to access services;

e) Conserves and enhances the natural environment and preserves or enhances any heritage assets in the locality; and

f) The development (and any associated infrastructure) is of a high-quality design and meets the following requirements:

i) It sits sympathetically within the wider landscape;

ii) It preserves or enhances the setting of the nearest settlement;

iii) It includes an appropriately sized and designed landscape buffer to the open countryside;

iv) It is consistent with the local character and built form, including scale, bulk and the materials used;

v) It does not adversely impact on neighbouring uses or a good standard of amenity for nearby residents;

vi) It would conserve biodiversity interests on the site and/or adjoining area and not adversely affect the integrity of international and nationally protected sites in line with Policy.”

24. This approach allows the Council to take a more flexible approach that is proportionate to the size and nature of the settlement without compromising the integrity of the Council’s spatial strategy and settlement hierarchy. Such an approach will better support the Council in meeting its ambitious targets for windfall development and provide flexibility in delivering both market and affordable homes that will improve the vibrancy and vitality of Great Yarmouth’s smaller communities.

Recommendation

25. That GSP1 is rewritten to provide greater flexibility to support development within and on the edge of smaller settlements.

GSP8: Planning Contributions

26. The HBF recognises that development must contribute towards the additional impacts it places on infrastructure locally. Policy GSP8 recognises this in its reflection of paragraph 56 of the NPPF that such contributions should be acceptable in planning terms, directly related to the development and related in scale and kind to that development. However, in relation to strategic sites we note that the Council will require both land and a financial contribution towards meeting the need for additional school places and health care facilities. In order to ensure that such an approach remains consistent with paragraph 56 of the NPPF we would suggest that the wording of this policy be amended to ensure the contribution of land towards infrastructure is taken into account when assessing the financial contributions towards that infrastructure and the relative impact of that development. This will ensure that the scale of the contributions remains proportionate to the impact of the development and would suggest the following wording is included within GSP8:

“Where land is safeguarded on a site towards the provision of infrastructure to meet wider community needs the contribution of that land will be taken into account when assessing the level of any financial obligations required.”

Non-strategic policies

Policy A2: Design and Amenity

Part f and g are not considered sound as they contain policy that are either not justified or consistent with national policy.

Part f.

27. The first bullet point of sub section f in this policy requires all homes to be built to part M4(2) of the Building Regulations. However, it is important to note that footnote 46 in paragraph 147 in the NPPF states that policies on adaptable and accessible housing should be used “... where this would address an identified need ...”. This would suggest that any policy should seek to address an identified need that is required rather than considering these standards as being ‘nice to have’ on all new homes. Whilst we recognise that there may be a need to provide some homes to higher accessibility standards there is insufficient evidence presented to indicate that all new homes will be required to be built to part M4(2) of the building regulations.
28. PPG (ID 56-07) identifies the type of evidence required to introduce a policy for accessible and adaptable homes, including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability. It is incumbent on the Council to provide a local assessment evidencing the specific case which justifies the inclusion of optional higher

standards for accessible and adaptable homes. Evidence of an ageing population or those with a disability as in paragraph 5.13 is not sufficient. Consideration needs to be given as to the numbers of people in the area who will need an adaptable or accessible home in future because their own home cannot be adapted. If the Government had considered that the ageing population seen across the Country to be sufficient to require all homes accessible & adaptable homes standards, then the logical solution would have been to incorporate the M4(2) as mandatory via the Building Regulations which the Government has not done.

29. A brief justification is provided in paragraph 5.13 in that the number of 85-year olds is expected to double during the plan period. The Council allude to other emerging evidence but do not specify in the P2LP what the nature of this emerging evidence is and how it supports their policy. In determining the proportion of homes to be built to M4(2) and/or M4(3) homes, the Council should focus not only on the total number of older people but on the number of people with mobility concerns and the proportion likely to be moving to newly built homes to meet their particular needs. This is an important consideration given that many of those who will need their homes adapting over the plan period are likely to be currently residing in the Borough and will prefer to stay in their own home and not move. It will also be necessary to assess how many will move to specialist accommodation.
30. The need for more accessible homes above current standards will be further reduced for those who live in a recently constructed house. All new homes will be built to part M4(1) which, according to Part M of the Building Regulations, will ensure reasonable provision for most people, including wheelchair users, to approach and enter the dwelling and to access habitable rooms and sanitary facilities on the entrance storey. As such these standards are likely to be suitable for the significant majority of people as they get older, a fact that must be considered in the Council's supporting evidence.
31. No consideration appears to have been given to the type and tenure of dwelling that is likely to need adaptation. We would have expected to see information in relation to the proportion of people that may need an accessible home from the social rented tenure for example, or in relation to the how the need is consistent across the Borough rather than in particular locations, whether there were any sizes or types of homes that were particularly in need for - example will it be single people, older couples or will it be family homes with facilities for older or disabled members.
32. Finally, no evidence is provided in relation to the accessibility and adaptability of the existing stock nor consideration given to the fact that the majority of those who will need adaptations already live within Great Yarmouth Borough Council. The increase in households containing an older person is principally the result of an ageing population rather than through migration with the result that adaptations are far more likely to be required in existing homes than those that are newly built. All this evidence will be required to establish the proportion of homes required to be built to the optional accessibility standards.

Part g.

33. We appreciate the Council's desire to ensure new housing developments can accommodate the changing requirements of new technologies. However, we are concerned the policy as written is unclear and could lead to requirements being placed on development that go beyond current building regulations.
34. Firstly paragraph 16 of the NPPF states that policies should be clearly written and unambiguous. Given that this policy seeks to require developers to design schemes to future unknown needs and technologies the policy is wholly ambiguous and, on that basis alone, should be deleted. Secondly the policy could lead to a scheme being required to deliver development to standards above those required by Building Regulations. Aside from the optional technical standards set out in PPG the Council cannot seek higher standards than in current building regulations and we are concerned that this policy could lead to developments that would comply with building regulations being refused planning permission as they could not adapt to future unknown requirements.

Recommendation

35. The HBF does not consider that there is sufficient evidence to require all new homes be built to part M4(2). If the Council wish to include such a policy, it is incumbent on it to assess the number of new homes that are likely to be occupied by someone who will need their home adapted and set their policy accordingly.
36. The first bullet point in part g. must be deleted as it does not provide the necessary clarity to indicate how a decision maker should react and could lead to unnecessary requirements being placed on new development.

Policy H1: Affordable housing tenure mix

This policy is unsound as it is inconsistent with national policy.

37. Part b of policy H1 requires 10% of all affordable homes are to be made available as affordable home ownership. However, this approach is inconsistent with paragraph 64 of the NPPF which requires 10% of all major developments to be available for affordable home ownership unless it would exceed the level of affordable housing required in the area. This 10% affordable home ownership proportion then forms part of the affordable housing provision provided on a site. Therefore, a site of 100 homes in sub-market area 1 would provide 10 homes as affordable home ownership products which is then top sliced from the 20 affordable homes of all tenures to be provided onsite. This would leave the remaining 10 affordable homes to be provided as other tenures.

Recommendation

38. That the policy requirements for tenure mix be amended to reflect national policy.

Conclusion

39. At present we do not consider the plan to be sound, as measured against the tests of soundness set out in paragraph 35 of the NPPF, on the basis that:

- The amended housing requirement does not look forward a minimum of 15 years as required by national policy;
- Despite updating policies on housing needs to be consistent with national policy the Council have not amended the size thresholds at which affordable housing contributions are required to ensure conformity with the 2019 NPPF;
- Policies on development limits are not sufficiently flexible to support growth within villages;
- The Council have not justified its requirement that all homes be built to the optional part M4(2) of Building Regulations; and
- The tenure mix suggested in policy H1 is not consistent with national policy.

We hope these representations are of assistance in taking the plan forward to the next stage of plan preparation and examination. I would also like to express my interest in attending any relevant hearing sessions at the Examination in Public. Should you require any further clarification on the issues raised in this representation please contact me.

Yours faithfully



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