

Matter 8 – Meeting Housing Needs of different groups in the community (Policies ST29 – ST34)

Issue 8 - Does the Plan set out positively prepared policies to meet affordable housing needs and the housing needs of other groups, which are justified, effective and consistent with national policy?

8.1 a) In Policy ST29 is the 20%/25% (brownfield/greenfield) affordable housing requirements justified, and will it be effective in helping to maximise affordable housing and not undermining deliverability?

1. The HBF supports the Council's differentiated approach to the provision of affordable housing on brownfield and greenfield sites, which appears to be justified by the Council's Viability Assessment.

b) Is there convincing evidence to justify the proposed tenure split for affordable housing units? Would this accurately reflect the requirements for affordable housing in the Housing and Economic Development Needs Assessment and Addenda (SS-010, SS-007 and SS-024)?

2. Policy ST29 sets a tenure split of 25% of the affordable housing requirement to be First Homes, then 25% social rent and 25% affordable rent, with the remainder for other affordable home ownership products. The wording of the policy is not entirely precise, and it is not clear why a remainder is referred to rather than the remaining 25% which would have added more clarity to the policy. The NPPF¹ states that policies should be clearly written and unambiguous so that a decision maker knows how to react to a development proposal. To be effective, the Council should provide further clarification of its affordable housing tenure mix requirements, which should be justified by supporting evidence.

3. The PPG² states that a minimum of 25% of all affordable housing units secured through developer contributions should be First Homes. The policy appears to be consistent with this requirement. The NPPF³ states that planning policies should expect at least 10% of the total number of homes to be available for affordable home ownership, again this may be consistent if further clarity is added to the policy, as suggested above.

4. The Housing and Economic Development Needs Assessment (HEDNA) (2020) states that the First Homes policy figure of 25% of affordable delivery may be appropriate for Bassetlaw. It also states that the remaining 75% of affordable housing should prioritise delivery of social or affordable rented housing. Whilst paragraph 6.93 states that it would seem reasonable for the Council to meet the NPPF requirement for 10% of all new homes to be affordable home ownership properties.

5. The Whole Plan & Community Infrastructure Levy Viability Assessment (2022) has considered 3 scenarios for the delivery of affordable housing, in terms of the proportion of affordable housing to be provided 10%, 20% and 30%. However, in each case the tenure split is the same, 50%

¹ NPPF 2021 Paragraph 16d

² PPG ID: 70-012-20210524

³ NPPF 2021 Paragraph 65

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low-cost home ownership and 50% affordable rent. The HBF is concerned that this is not fully in line with the proposed policy and that any deviation from this tested mix will impact on viability. Furthermore, the full impacts of First Homes on viability have not been tested (see HBF detailed comments under Viability & Deliverability in the Regulation 19 consultation response).

c) Is Policy ST29 sufficiently clear in the approach to be taken for off-site and/or financial contributions in lieu of on-site provision?

6. Policy ST29 should be modified to be more flexible regarding on-site and off-site provision of affordable housing. On smaller sites, on-site provision may not be practical for other legitimate reasons besides viability including it is not mathematically possible or no registered provider is willing to manage the new affordable units.

d) Are the suggested main modifications to ST29 and the supporting text necessary for soundness?

7. The HBF does not wish to comment on the suggested main modifications at this time but may wish to respond once they have heard from the Council in relation to their reasoning at the examination.

8.2 a) Does ST30 provide an effective framework for ensuring an appropriate mix of housing will be delivered over the plan period?

8. The HBF considers that the clarity of this policy could be improved as not all new residential development will be providing affordable housing or specialist housing and these elements of the mix will only apply in certain circumstances.

b) Is the requirement in ST30 to provide 2% of plots on housing allocations over 100 for self-build plots justified? Will the policy approach be effective in ensuring the delivery of an adequate supply of custom and self-build plots over the plan period?

9. The HBF does not consider that the requirement to provide 2% of plots on housing allocations over 100 for self-build plots is justified. The HBF does not consider that this approach will be effective in ensuring the delivery of adequate supply of custom and self-build plots over the plan period.

10. There is no legislative or national policy basis for imposing an obligation on landowners or developers of sites of more than 100 dwellings to set aside 2% of plots for self & custom build housing. Under the Self Build & Custom Housebuilding Act 2015 and NPPF⁴, it is the responsibility of the Council, not landowners or developers, to ensure that sufficient permissions are given to meet demand. The Council are not empowered to restrict the use of land to deliver self & custom build housing. The PPG⁵ sets out ways in which the Council should consider supporting self & custom build by “*engaging*” with developers and landowners and “*encouraging*” them to consider self & custom build “*where they are interested*”.

11. The Council have provided no evidence to justify the proposed 100 or more dwellings site threshold. As set out in the PPG⁶, the Council should use their Self Build Register and additional

⁴ NPPF 2021 Paragraph 62

⁵ PPG ID 57-025-201760728

⁶ PPG ID 57-011-20210208

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data from secondary sources to understand and consider future need for this type of housing. In Bassetlaw, there is a minimal demand for self & custom build housing. As of October 2020, the Council had only 91 entries on its Self Build Register (see para 7.18.8). A simple reference to the headline number of entries on the Council's Register may over-estimate actual demand. The Register may indicate a level of expression of interest in self & custom build but cannot be reliably translated into actual demand should plots be made available because entries may have insufficient financial resources to undertake a project, be registered in more than one LPA area and have specific preferences. Furthermore, in the past three years, planning permission for self & custom build properties granted have exceeded the number of registrations on the Self Build Register (see para 7.18.8).

12. The provision of self & custom build plots on sites of more than 100 dwellings adds to the complexity and logistics of developing these sites. It is difficult to co-ordinate the provision of self & custom build plots with the development of the wider site. Often there are multiple contractors and large machinery operating on-site, the development of single plots by individuals operating alongside this construction activity raises both practical and health & safety concerns. Any differential between the lead-in times / build out rates of self & custom build plots and the wider site may lead to construction work outside of specified working hours, building materials stored outside of designated compound areas and unfinished plots next to completed / occupied dwellings, which results in consumer dissatisfaction.
13. It is important that unsold plots are not left empty to the detriment of neighbouring dwellings or the whole development. The timescale for reversion of these plots to the original housebuilder should be as short as possible because 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. The proposed availability of serviced plots to households on the Council's Self Build Register for a period of 12 months is too long.
14. As well as on-site impracticalities, impacts on viability should be tested. The Council's Viability Assessment fails to consider these impacts (see HBF detailed comments under Viability & Deliverability within the Regulation 19 consultation).
15. The HBF continues to consider that this requirement should be deleted.

c) Is the suggested main modification to the supporting text necessary for soundness.

16. The HBF continues to consider that it is not appropriate to require a number of units as part of certain allocated sites or on certain types of sites.

8.3 a) Are the requirements of ST31 relating to the provision of homes that comply with M4(2) of the building regulations justified by evidence relating to need and viability?

17. Part 3 of the policy states that proposals for residential market housing should be designed to meet the requirements for accessible and adaptable dwellings under Part M4(2) of the Building Regulations.
18. The HBF is generally supportive of providing homes that are suitable to meet the needs of older people and disabled people. However, if the Council wishes to adopt the higher optional standards for accessible, adaptable and wheelchair homes the Council should only do so by

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applying the criteria set out in the PPG⁷. The Council's evidence is set out in the HEDNA November 2020 by GL Hearn. This evidence does not justify the Council's proposed policy requirements for M4(2). This evidence does not identify any local circumstances, which demonstrate that the needs of Bassetlaw differ substantially to those across the East Midlands or England. 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 currently the case.

19. Furthermore, as the Council is aware not all health issues affect housing needs. Many older people already live in the District and are unlikely to move home. No evidence is presented to suggest that households already housed would be prepared to leave their existing homes to move into new dwellings constructed to M4(2) standards. Those who do move may not choose to live in a new dwelling. Recent research by Savills "Delivering New Homes Resiliently" published in October 2020 shows that over 60's households "*are less inclined to buy a new home than a second-hand one, with only 7% doing so*". The District's existing housing stock is significantly larger than its new build component, therefore adaption of existing stock will form an important part of the solution.
20. The Council should also note that the Government response to the Raising accessibility standards for new homes⁸ states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. M4(3) would continue to apply as now where there is a local planning policy in place and where a need has been identified and evidenced. The NPPF⁹ confirms that Local Plans should avoid unnecessary duplication (para 16f).

b) Does ST31 provide an effective framework to ensure the needs for specialist housing over the plan period will be met? Will the criteria ensure such housing is provided in appropriate locations?

21. The HBF does not wish to comment on this question at this time.

c) Are the main modifications to the policy and supporting text suggested necessary for soundness?

22. The PPG¹⁰ sets out specific factors that local plan policies should take into account in relation to the M4(2) requirements these include site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings. The HBF consider that if the policy is to be amended it would be beneficial for all of these elements could be taken into consideration in addition to the amendment in relation flood risk.

⁷ PPG ID: 56-007-20150327

⁸ <https://www.gov.uk/government/consultations/raising-accessibility-standards-for-new-homes/outcome/raising-accessibility-standards-for-new-homes-summary-of-consultation-responses-and-government-response#government-response>

⁹ NPPF 2021 Paragraph 16f.

¹⁰ PPG: 56-008-20160519

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8.4 a) Would ST32 provide an adequate framework to ensure the need for additional accommodation for Gypsy and Travellers can be met as required by national policy? Are the requirements of the policy clear, and would they be effective?

b) Is the Bassetlaw Gypsy and Traveller Accommodation Needs Assessment and the Update 2022 up-to-date and robust in its identification of needs for plots and pitches?

c) Have the sites allocated been selected against possible alternatives using a robust and objective process?

d) Does the Council's approach in relation to traveller sites generally conform with the expectations of Planning Policy for Traveller Sites (August 2015)?

e) Are there any omissions in the policy, and is it sufficiently flexible?

f) Are suggested main modifications to the Policy and the supporting text necessary for soundness?

8.5 Is the main modification suggested to policy ST33 1c) necessary for soundness?