

Local Plan – Publication Consultation
Place Planning
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Dear Planning Policy Team,

NORTH LINCOLNSHIRE LOCAL PLAN: PUBLICATION PLAN

1. Thank you for consulting with the Home Builders Federation (HBF) on the North Lincolnshire Local Plan Publication Plan.
2. 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.

Policy SS2: Spatial Strategy for North Lincolnshire

Policy SS2 is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

3. This policy states that the strategy will deliver at least 7,128 new homes (396 dwellings per annum (dpa)) to meet the needs of the existing and future population in sustainable and balanced communities. It also sets out the settlement hierarchy, with Scunthorpe and Bottesford identified as major sub-regional centres, Barton upon Humber and Brigg as Principal Towns.
4. The proposed housing requirement is a significant decrease from the housing requirement of 12,063 new dwellings between 2010 and 2026 (754 new dwellings per year) set out in the adopted 2011 Core Strategy. Although it is marginally above the local housing need identified by the standard method.
5. The HBF generally supports the Council in using the standard method as the starting point to assess the housing need for the area. However, the HBF considers that the housing need is likely to be higher than the housing requirement currently identified. The PPG¹ sets out that there may be circumstances where it is appropriate to consider whether the actual housing need is higher than the standard method indicates. These include growth strategies for the area, strategic infrastructure improvements, meeting an unmet need from neighbouring authorities and where previous levels of delivery or

¹ PPG ID: 2a-010-20201216



previous assessments of need are significantly greater than the outcome of the standard method. The HBF recommends that the Council investigate these circumstances and consider if a further increase in the proposed housing requirement is required.

6. The Housing and Economic Needs Assessment 2020 identifies the minimum annual local housing need figure for North Lincolnshire as 396dpa, based on the standard method. It also identifies a net annual affordable housing need of 115dpa, and a scenario jobs forecast of 8,531 between 2020 and 2038.

Policy SS3: Development Principles

Policy SS3 is not considered to be sound as it is not justified or consistent with national policy for the following reasons:

7. This policy seeks to promote and encourage the effective use of previously developed (brownfield) land (providing it's not of high environmental value), whilst demonstrating the efficient use of land and resources by ensuring development is built at appropriate densities. Whilst the HBF considers that the re-use of previously developed land is generally a positive way to contribute to sustainability, it should not limit the development of other sustainable sites or compromise the delivery of housing to meet local needs.

Policy SS5: Overall Housing Provision

Policy SS5 is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

8. This policy sets out the housing requirement of 7,128 new dwellings, and states that around 2,379 dwellings are on sites that already have planning permission or are under construction. As set out previously, the HBF considers that the housing requirement should be further investigated to ensure that it is sufficient to meet the local housing need.
9. The policy also states that a rolling five-year supply of deliverable housing sites will be maintained. The HBF generally supports the Council in seeking to maintain a rolling five-year supply of deliverable housing sites. The HBF considers that providing additional allocations to provide flexibility in supply is appropriate, however, an additional 198 homes is only a very small level of flexibility and the HBF considers that the Council should seek to provide further flexibility in the supply. The HBF does not consider that the housing provision is sufficient to support the Government's objective to significantly boost the supply of homes.

Policy SS6: Spatial Distribution of Housing Sites

Policy SS6 is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

10. This policy sets out the distribution of housing growth and the number of dwellings expected to be delivered in each settlement. The HBF considers that it is important that the spatial distribution of sites follows a logical hierarchy, provides an appropriate development pattern and supports sustainable development within all market areas. The NPPF sets out how important it is that a sufficient amount and variety of land comes

forward where it is needed and to meet the needs of groups with specific housing requirements.

Policy H1: Site Allocations

Policy H1 is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

11. This policy identifies the housing allocations, these include 2,189 on Committed Sites and 5,301 on Proposed Sites. The HBF does not wish to comment upon the acceptability or otherwise of individual sites. It is, however, important that all the sites contained within the plan are deliverable over the plan period and planned to an appropriate strategy. The Council's assumptions on sites in relation to delivery and capacity should be realistic based on evidence supported by the parties responsible for housing delivery and sense checked by the Council based on local knowledge and historical empirical data.
12. The Local Plan should ensure that suitable sites are available for a wide range of types of development across a wide choice of appropriate locations. NPPF² is clear that the Council need to assess and reflect in their planning policies the size, type and tenure of housing needed for different groups in the community. The HBF consider that 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 can be maximised where a wide mix of sites provides choice for consumers, allows places to grow in sustainable ways and creates opportunities to diversify the construction sector.
13. The Plan should ensure the availability of a sufficient supply of deliverable and developable land to deliver the Council's housing requirement. This sufficiency of housing land supply (HLS) should meet the housing requirement, ensure the maintenance of a 5 Year Housing Land Supply (YHLS), and achieve Housing Delivery Test (HDT) performance measurements. The HBF also strongly recommends that the plan allocates more sites than required to meet the housing requirement as a buffer. This buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites. Such an approach would be consistent with the NPPF requirements for the plan to be positively prepared and flexible.

Policy H2: Housing Mix and Density

Policy H2 is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

14. This policy looks for new housing to deliver a mix of house types, tenures and sizes to create a mixed and balanced community, it states the mix should take account of the market conditions, the housing need and economic viability and the site specific circumstances.

² Paragraph 62 of NPPF 2021

15. The HBF supports an appropriate mix of housing, but it is important that any policy is workable and ensures that housing delivery will not be compromised or stalled due to: overly prescriptive requirements; requiring a mix that does not consider the scale of the site; or the need to provide additional evidence. The HBF is concerned how this policy will apply, for example how will small schemes deliver a mix of house types, tenures and size to balance the current housing offer. Whilst the HBF acknowledges the list of elements that the mix should take into consideration it is considered that it should not be a closed list and should allow for further information or evidence to be considered. The HBF also recommends that the Council acknowledge that what is considered an appropriate mix can vary both geographically and over the plan period.
16. The policy also states that new housing development should make effective use of land and be built at a density appropriate to the character, location and setting of the area, it goes on to set density ranges from 45-70 dwellings per hectare (dph) in Scunthorpe town centre to 20-30dph in rural hamlets and villages.
17. The flexibility provided by this policy in relation to certain exceptions is noted, this will allow developers to react to some site-specific issues. However, further amendments could be made to create greater flexibility to allow developers to take account of the evidence in relation to market aspirations and demands. The Council will also need to consider its approach to density in relation to other policies in the plan and those set nationally, policies in relation to open space provision, housing design and space standards, SuDs, biodiversity, future homes standard, trees and parking provision can all impact upon the density which can be delivered upon site.

Policy H3: Affordable Housing

Policy H3 is not considered to be sound as it is not justified or consistent with national policy for the following reasons:

18. This policy states that new housing development of 10 or more dwellings must make provision for 10% affordable housing provision. The policy states that the exact tenure mix should be determined following discussions with the LPA and that as an initial basis for discussion 25% of all affordable housing should be First Homes, after which priority will be for the delivery of affordable rent. However, the policy also states that this will be subject to satisfying national policy requirements for 10% of all housing being for affordable home ownership.
19. The HBF considers this policy is not entirely clear. The NPPF³ states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. This suggests that all of the homes provided by the policy should be for affordable home ownership unless the Council has evidence to demonstrate why that is not appropriate. This 10% affordable home ownership would also include the provision of First Homes which are considered to be a form of affordable home ownership.

³ Paragraph 65 of NPPF 2021

20. The HBF supports the need to address the affordable housing requirements of the borough. However, the NPPF⁴ is clear that the levels and types of affordable housing provision set out within policies should not undermine the deliverability of the plan. The Council should be mindful of the impact of an overly aspirational policy requirement or combination of policies that is set too high as this will jeopardise future housing delivery. The Local Plan and Community Infrastructure Levy Viability Assessment (October 2021)⁵ highlights that at 10% affordable housing greenfield development in low and medium areas would be viable at a S106 contribution levels up to £5,000 per dwelling, however, brownfield development would have viability issues with any S106 contribution tested in the low value areas.

Policy H5: Housing for Older People

Policy H5 is not considered to be sound as it is not justified or consistent with national policy for the following reasons:

21. Part 2 of this policy states that all new specialist homes designed for older people shall be built to M4(2) and M4(3) of the Building Regulations as a minimum. The HBF considers that the clarity of this policy requires improvement, it is not clear if part 2 of the policy is requiring all homes to meet M4(2) or M4(3a) or M4(3b) standards, or whether it is suggesting all homes should meet M4(2) and M4(3a) or M4(3b) standards as it currently states. Paragraph 5.197 suggests that the policy should state M4(2) **OR** M4(3). There are significant differences in the costs of provision of these different standards, and this lack of clarity could have significant implications for the viability of these developments.
22. Part 3a of this policy states that on large strategic sites developers will be required to deliver specific provision to meet older people's needs including bungalows, level access flats and supported homes. Part 3b of this policy also requires large strategic sites to deliver specific provision to meet older people's needs including bungalows. This appears to be unnecessary repetition and should be deleted. Part 4 then sets out allocations where a number of dwellings for older people will be required.
23. The policy does not define what is considered to be a large strategic site, and it is not clear if the policy is expected to apply to more sites than those currently listed in part 4. The policy also does not provide clarity of what level of specific provision may be expected from the large strategic sites. This policy lacks the level of detail required for a developer to consider the potential implications it may have on the viability of their development.
24. The PPG⁶ identifies the type of evidence required to introduce a policy requiring the M4 standards, 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. The HBF does not consider that the Council have provided sufficient evidence for this policy to be

⁴ Paragraph 34 of NPPF 2021

⁵ Paragraph 6.2

⁶ ID: 56-007-20150327

considered justified or consistent with national policy. The HBF also does not consider that the Council has produced sufficient evidence to justify the requirement for developers to provide bungalows, level access flats or supported homes within large strategic sites.

Policy H9: Self-Build and Custom-Build

Policy H9 is not considered to be sound as it is not justified or consistent with national policy for the following reasons:

25. This policy looks for residential development for 10 or more homes to consider making appropriate provision for plots as self-build or custom-build wherever viable and achievable, based on the number of entries on the self-build register. Paragraph 5.210 suggests that to date there are 23 entries on the local register for those who want to build their own homes.
26. The HBF does not consider that Policy H9 is appropriate, justified or consistent with national policy. The HBF is not opposed to the idea of increasing the self-build and custom build sector for its potential contribution to the overall housing supply. In fact, some of our members will be able to assist the custom build sector either through the physical building of dwellings on behalf of the homeowner or through the provision of plots for sale to custom builders. However, the HBF has concerns in relation to this policy approach which only changes the house building delivery mechanism from one form of house building company to another without any consequential additional contribution to boosting housing supply and with limited detail as to how and when developers will be encouraged to make these plots available and at what level.
27. Under the Self Build & Custom Housebuilding Act 2015 and 2021 NPPF⁷, it is the Council's responsibility, not the landowner's or developer's, to ensure that sufficient permissions are given to meet demand. The Council is not empowered to restrict the use of land to deliver self & custom build housing. The PPG 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"⁸.
28. The Council should ensure that the Local Plan will result in a wide range of different self & custom build housing opportunities. It is unlikely that self & custom build serviced plots on larger residential sites will appeal to those wishing to build their own home. The HBF considers that the provision of a certain percentage self-build plots on schemes above a certain size adds to the complexity and logistics of development and may lead to the slower delivery of homes. The provision of self-build plots on new housing developments cannot 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. Furthermore, any differential between the lead-in times / build out rates of self-build plots and the

⁷ Paragraph 62

⁸ ID 57-025-201760728

development of the wider site will result in construction work outside of specified working hours, building materials stored outside of designated compound areas, etc and unfinished plots next to completed / occupied dwellings causing customer dissatisfaction.

29. Where plots are not sold, these 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 developer should be as short as possible because consequential delay 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 developer has completed the development and is forced to return to site to build out plots, which have not been sold to self-builders.
30. As well as on-site practicalities, any impacts on viability should be tested and additional costs should be fully accounted for in the Council's viability assessment. The inclusion of self-build plots will have a fundamental bearing on the development economics of the scheme. Site externals, site overheads, and enabling infrastructure costs are fixed and borne by the site developer. The developer will also have borne up front site promotion costs, including planning and acquisition costs. It is unlikely that these costs will be recouped because the plot price a self-builder is able to pay is constrained by much higher build costs for self-build. Profit obtainable if the house was built and sold on the open market by the site developer is foregone.

Policy DQE7: Climate Change and Low Carbon Living

Policy DQE7 is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

31. This policy looks for all development proposals to meet the Building Regulations optional higher water efficiency standard of 110 litre per person per day.
32. Under 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 wish 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 PPG. The PPG⁹ states that where there is a clear local need, LPA can set out Local Plan Policies requiring new dwellings to meet tighter Building Regulations optional requirement of 110 litres per person per day. The PPG¹⁰ also states it will be for a LPA to establish a clear need based on existing sources of evidence, consultations with the local water and sewerage company, the Environment Agency and catchment partnerships and consideration of the impact on viability and housing supply of such a requirement.

⁹ ID: 56-014-20150327

¹⁰ ID: 56-015-20150327

33. A clear local need has not been demonstrated. It is noted that Anglian Water has plans for a pipeline to address a water shortage in the East of England, the pipeline will move water from wetter areas such as North Lincolnshire to drier areas.
34. The DCLG Housing Standards Review Cost Impact, September 2014 by EC Harris identified an extra-over cost of £10 per unit for optional water efficiency standard. However, this figure is now somewhat dated and should be increased to reflect 2021 prices. The extra-over cost of the optional water efficiency standard may be considered de minimis, but all costs should be included in the Council's viability assessment so that the cumulative impact of compliance with all policy requirements set out in the Local Plan is tested.
35. This policy also requires that major residential developments meet at least 10% of their energy needs from renewable and / or other low carbon energy sources.
36. The HBF considers a national and standardised approach to improving such issues as the energy efficiency of buildings and the provision of renewable energy to be the most effective approach that balances improvements with continued delivery of housing and infrastructure.

Policy T4: Parking

Policy T4 is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

37. This policy states that for residential developments dwellings with secure parking should provide 1 electric vehicle charging point per dwelling and for dwellings with private allocated off curtilage parking 1 electric vehicle charging point should be provided per 10 parking spaces.
38. The Council will be aware that the Government has consulted on Electric Vehicle Charging in Residential and Non-Residential Buildings¹¹. This consultation set out the Government's preferred option to introduce a new functional requirement under Schedule 1 to the Building Regulations 2010. The inclusion of Electric Vehicle Charging Point (EVCP) requirements within the Building Regulations 2010 will introduce a standardised consistent approach to EVCP in new buildings across the country. 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 had planned to implement Approved Document Part S in relation to EV Charging Points in Spring 2021 this was delayed, but is now

¹¹ <https://www.gov.uk/government/consultations/electric-vehicle-chargepoints-in-residential-and-non-residential-buildings>

expected December 2021 according to DULHC. The HBF therefore considers that this policy is unnecessary.

Future Engagement

39. I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.

40. The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'J. Harding', written in a cursive style.

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