

Home Builders Federation

Matter 2, 7, 8 and 12

WATFORD LOCAL PLAN EXAMINATION

Matter 2 – Amount of development needed in the Borough

Issue – Plan Period

Q2.1. Is the Plan period 2018 to 2036 consistent with national policy or otherwise justified? If not, would the Council's proposal to modify the Plan so that it relates to the period 2021 to 2037 make it sound?

The plan period is not consistent with paragraph 22 of the NPPF which requires plan to look ahead over a minimum of 15 years from adoption. Given that the hearings are due to take place it is reasonable to assume that the earliest the plan will be adopted is summer of 2022. Therefore, in order to have the minimum requirement to look ahead for a full 15 years the plan should run to 2037/38. The HBF would also disagree with the Council's decision to start the plan period from 2021/22. We recognise that the standard method is based on the year in which the plan is submitted and uses median affordability ratios as a mechanism for ensuring any past undersupply of homes in previous years is taken into account. However, the most recent affordability ratios available are for 2020 and as such reflect the under supply prior to that year. We would therefore suggest that a 2021 start date is not consistent with national policy and the starting point for the plan should be 2020/21 and extends to 2037/38 to ensure the plan looks ahead for at least 15 years post adoption.

Q2.2. Does the submitted Plan clearly set out a housing requirement figure that is justified and consistent with national policy? If not, how should the Plan be modified?

The submitted plan does not provide the necessary clarity as to the Council's housing requirement. However, the proposed modification to HO3.1 provides the necessary clarity and consistency with the housing trajectory in appendix B as to what the Council considers to be the minimum number of homes it is required to deliver based on national policy.



Matter 7: Housing land supply

Q7.1. Is it necessary to modify the Plan to set out the housing supply for the period 2021 to 2037 (rather than 2018 to 2036) as proposed by the Council?

Yes. If the Council are to amend the plan period, then the housing supply trajectory included in the plan should also be amended. If the plan period is amended as we suggest to 2020/21 to 2037/38 the housing requirement would remain as 14,724 as for the submitted plan and result in a shortfall across the plan period of at least 550 homes¹.

Q7.6. Is the Council's proposed modification to policy HO3.1 to state that a total of 13,171 additional homes will be provided between 2021 and 2037 justified, having regard to assumptions about commitments, allocations, and windfalls?

The proposed modification does not appear to be consistent with the Council's own evidence which, as outlined above, indicates that the Council has sufficient supply to deliver 12,544 new homes over a plan period of 2021 to 2037. However, as we set out in our representations it is important to include a buffer in overall supply to take account of any delays in the delivery of allocated sites, adjustments to delivery expectations or lower than expected windfall. Given the constrained nature of Watford we considered the 5% buffer to be appropriate and this should not be discarded on the basis of the amended plan period. In order to maintain the proposed 5% buffer in supply that is considered by the Council to be necessary ensure its housing requirement is met then further capacity will need to be identified on those sites currently allocated or additional sites would need to be identified and allocated in this local plan.

Q7.7. Does the Council's revised response to PQ18 correctly set out the five-year requirement based on (a) the Plan as submitted and (b) the Council's proposed modification to the plan period and housing requirement?

The HBF would agree with the Council's five-year housing requirement set out in PQ18 if the starting point for the plan is 2021/22. If, as we suggest above, the plan period commences in 2020/21 then the shortfall of 549 homes in 2020/21 will need to be included into supply estimates for the five-year period commencing 2021/22.

Q7.8. Based on the latest evidence as required by national policy and guidance, what was the five-year supply of deliverable housing sites on 1 April 2021?

On the basis of the housing trajectory in the proposed modifications the number of homes the Council say will be delivered between 2021/22 and 2025/26 is 5,209. However, the Council state in PQ19 that supply over this period will be 5,253. Whilst the difference in land supply is minimal with the land supply reducing from 5.58 to 5.54 the Council must be consistent in the data provided in the local plan and its supporting evidence. If the plan were to commence in 2020, as we suggest earlier in this

¹ The amount of shortfall will depend on expected delivery in 2037/38.

statement, then the five-year housing land supply on adoption drops to 5.29 years on the basis of the trajectory in the proposed modifications and 5.33 on the basis of supply in the Council response to PQ19.

Matter 8: Housing development requirements and meeting the housing needs of different groups.

Q8.1. Is the requirement in policy HO3.7 for 10% of homes on sites of 50 or more dwellings to be provided as self-build plots justified? To ensure effectiveness, is it necessary to modify the Plan to clarify the types of residential development that the requirement applies to?

The Council have provided additional evidence in the Housing Topic Paper setting out their justification for the requirement to provide 10% of the houses delivered as self-build plots. What is evident from this topic paper is that there is not a significant level of demand for self-build plots within Watford with just 51 individuals being on the self-build register. However, what is not clear is whether the Council have revisited this register to ascertain whether individuals on it are still looking to self-build or whether they have acquired a plot since asking to be placed on the register.

When registers have been reviewed in other areas Councils have seen numbers fall dramatically. For example, when Runnymede Borough Council reviewed their register and introduced an entry fee of £65 for the register, and a £60 annual fee for each year after has led to the numbers of interested parties on the register fall from 155 to just 3. Similarly, when Fareham Borough Council introduced an annual registration fee from 1st August 2017 and as a result (as set out at paragraph 4.25 of their 2017-18 AMR), the Council's Self Build Register recorded those 35 individuals initially signed up in the first base period, which ran from 21st March 2016 (the date the register was created) to 30th October 2016. Following the introduction of the fee, the number who wished to remain on the register dropped to 12, a reduction of 65%. Whilst we recognise that requiring a fee will have an impact, however, it also suggests that many on registers may no longer be interested in self-build, and it is important to review the register regularly.

Whilst the evidence indicates demand for self-build plots to be relatively low the evidence provided by the Council indicates that the constrained nature of Borough and the delivery of higher density flatted developments reduces the opportunities for self-build plots to come forward. As such the Council suggest that delivery from policy HO3.7 is likely to come from a small number of allocated sites. However, before considering this policy the topic paper does not appear to set out whether the Council have considered other options such as bringing forward their own land. As we set out in our representations this is highlighted as just one of the approaches that should be considered and one that should be taken forward if possible before placing policy requirements on development.

With regard to the timescale for the reversion of self-build plots to the developer if they remain unsold this should be as short as possible. 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. Unsold plots should not be left empty to the detriment of neighbouring dwellings or the whole development. 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 resulting in customer dissatisfaction. As such we would recommend a 6-month timescale after which unsold plots revert to the developer. This time period should be sufficient if the demand for self-build plots is in line with the Council's expectations.

Finally, whilst the HBF recognises that the policy refers to residential development of 50 or more houses we would suggest that for clarity that the policy state that it does not apply to flatted development. Whilst this seems obvious it is important to ensure clarity on this matter for both decision makers and applicants.

Q8.3. Is the 35% affordable housing requirement in policy HO3.3 justified, and will it be effective in helping to maximise the provision of affordable housing and not undermining the deliverability of the Plan?

As noted in our representations the HBF are concerned that the viability evidence indicates at paragraph 6.31 that typologies schemes in lower value areas are unviable. Clearly on the basis of paragraph 58 of the NPPF it is important to ensure that decision makers can assume that a scheme that meets all the policy requirements in the local plan is viable. Therefore, given that these requirements could render some development unviable the Council could have looked to reduce requirements in those areas.

However, the HBF recognises that in some circumstances a negotiated settlement may offer the most optimal outcome, as is being proposed by the Council. But in arriving at this position, it is important that the Council clearly sets out in policy that where development is made unviable by this policy it will negotiate an appropriate reduction in the number of affordable homes to be provided. At present the Council indicates that use of a commuted sum in lieu of on-site provision may be supported but does not state that where necessary an overall reduction may be required. This is stated in the text but is not directly stated in policy. In order to provide the necessary clarity and flexibility to make this policy effective it should state that where the overall level of affordable housing required renders a development unviable then the level of contribution will be reduced.

Q8.4. Is requiring affordable housing provision in residential institution developments justified by evidence relating to need and viability?

We could not find any evidence specifically considering the viability of the policy requiring affordable housing provision from the development of residential institutions. Given that such development has different costs compared to other types of residential

development without the necessary evidence the Council should not seek to require affordable housing contributions from such development.

Q8.5. Is the approach to calculating affordable housing provision based on habitable rooms (rather than dwelling units) justified and will it be effective in helping to meet need identified needs for affordable homes including by families with children? Is the proposed change to the reasoned justification necessary?

No comment

Q8.6. Is the requirement for late-stage review mechanisms for schemes that provide less than 35% affordable housing justified and consistent with national policy (PPG 10-009)?

No comment

Q8.7. Is the proposed modification to paragraph 3.17 to refer to viability assessments in support of planning applications necessary to make the Plan sound and, if so, would be it be effective in so doing?

Yes. The evidence set out in the Council's viability assessment indicates that there will be circumstances where it is not possible to deliver 35% of homes as affordable housing and as such the proposed amendment is necessary to make the plan sound. However, as highlighted earlier in this statement the Council needs to also state in the policy that it will seek to reduce the level of affordable housing where it renders a development unviable.

Q8.8. Is the requirement in policy HO3.10 for all new homes to meet or exceed the nationally described internal space standards justified by evidence relating to need and viability as required by national policy?

The HBF shares the Council's desire to see good quality homes delivered in Watford. However, the HBF also consider that space standards can, in some instances, have a negative impact upon affordability issues and reduce customer choice and as such there must be a robust justification to support their adoption. With regard to the needs for these standards the Council have provide two examples where space standards have fallen below the NDSS. This does not suggest that the situation is endemic in the Borough and is not considered to be sufficient justification.

However, what the Council have identified in the topic paper is that there is some degree of overcrowding with families not being able to access homes with the right number of bedrooms to meet their needs. This is an issue we raise in our representation as the standards can have a negative impact on the choice of housing for some households especially where housing costs are high. For example, some developers will provide entry level two, three and four-bedroom properties which may not meet the optional nationally described space standards, but which would allow some households to afford a property which has their required number of bedrooms.

Given the poor affordability of property in the area and the tight constraints on development it is therefore important that the Council has sufficient flexibility to support schemes that may be below spaces standards, but which might deliver homes that are needed.

Q8.9. Are the requirements of policy HO3.10 relating to the provision of homes that comply with M4(2) (accessible and adaptable) and M4(3) (wheelchair user) of the building regulations justified by evidence relating to need, viability, and site-specific factors?

The HBF and its members recognises that some homes will need to be built to either M4(2) or M4(3) however, we are concerned that the evidence has not been presented by the Council to justify the Council's policy. Principally whilst the Council have presented evidence as to how many households will potentially contain an individual with a long-term health problem or disability, they have not considered whether the requirements of those individuals in need of adaptations could have those needs met in their current home or indeed within a home built to M4(1) of the building regulations. It must be remembered that many of the adaptations required to by an individual with a long-term health problem can be made to most homes, with relatively few people needing to move to a home built to a higher accessibility standard to have their needs met.

For example, The English Homes Survey also found that in 2014-15, 81% of households that required adaptations in their home, due to their long-term limiting disability, felt their current home was suitable for their needs and that only 10% of those households whose home required an adaptation were trying to move somewhere more suitable. So, whilst there area growing number of individuals with long term health conditions and disabilities this does not directly lead to the need for all new homes built to higher accessibility standards. An ageing population will lead to more people who are likely to have a mobility problem but not necessarily more people who need a new home built to the M4(2) standard. Many older people, and indeed those of all ages with a long-term limiting illness or disability, will be able to adapt their existing homes to meet their needs and do not need to find alternative accommodation. It is also the case that for many people a new home built to the mandatory M4(1) standard will offer sufficient accessibility and adaptability throughout their life.

With regard to wheelchair accessible homes the Council's evidence suggests that the need for wheelchair housing is around 4% across all tenures based on prevalence rates taken from national level data. Given that the Council estimates that 4% of future housing needs will contain a wheelchair user it is not justified for 10% of all homes to be built to part M4(3). Whilst some sites may not be able to deliver wheelchair adaptable homes no evidence is provided as to how many and as such a 10% requirement cannot be justified. Secondly, the Council does not consider how many of those in future need will be able to adapt their existing home to meet their needs. As mentioned above it is likely that some of those in need will be able to have their needs met in their existing home or will be in specialist accommodation to support their needs.

Matter 12. Transport

Q12.9. Are the requirements for car parking provision set out in policy ST11.5 justified and consistent with national policy? In particular:

a) The maximum standards set out in Appendix E (subject to the Council's proposed modification relating to general industrial and storage or distribution developments).

b) The approach to the provision of spaces for disabled persons in residential and non-residential development.

c) The requirement for 20% of parking spaces to have active charging infrastructure for electric vehicles and all other spaces to have passive provision.

The HBF recognises that electric vehicles will play an important role in reducing carbon emissions and are expected to become a requirement in all new homes sometime next year. The HBF has supported the delivery of charging points through national standards rather than planning policy to ensure a consistent approach across all areas and development. It is also essential that such costs are included within any assessment of viability. The Council do not appear to have considered this policy within their viability assessment which as we have outline in our representations could have a significant cost implication on development both in terms of charging infrastructure but also the addition capacity required within the electricity supply network. Even where passive provision is required the developer is still required to ensure there is sufficient future capacity to support vehicle charging. Therefore, without the necessary testing in the viability study the Council should not be requiring the provision of charging infrastructure.

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