

North Somerset Council
Town Hall
Walliscote Grove Road
Weston-super-Mare
BS23 1UJ

29 April 2022

Dear Sir / Madam

NORTH SOMERSET LOCAL PLAN – PREFERRED OPTIONS CONSULTATION

Introduction

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. The following representations have been submitted via the Council's online portal.

Strategic Policies

Policy SP1 - Sustainable Development

This policy is unnecessary. The 2021 National Planning Policy Framework (NPPF) confirms that Local Plans should avoid unnecessary duplication including repetition of policies in the NPPF itself (para 16f). The presumption in favour of sustainable development is clearly set out in the 2021 NPPF (para 11). By attempting to repeat national policy there is a danger that inconsistencies will occur leading to small but critical differences between national and local policy, which will cause difficulties in interpretation and relative weighting. Before the North Somerset pre-submission Local Plan consultation, **Policy SP1** should be deleted.

Policy SP2 – Climate Change

Under **Policy SP2**, development proposals must demonstrate that they will address climate change mitigation & adaptation and support the delivery of a carbon neutral North Somerset by 2030. New building must deliver a net zero energy standard.

Policy SP2 should not require new buildings to deliver a net zero energy standard. It is the Government's intention to set standards for energy efficiency through the Building Regulations. The key to success is standardisation and



avoidance of individual Council's specifying their own policy approach to energy efficiency, which undermines economies of scale for product manufacturers, suppliers and developers. The Council does not need to set local energy efficiency standards to achieve the shared goal of net zero emissions because of the higher levels of energy efficiency standards for new homes set out in the 2021 Part L Interim Uplift, which are effective from June 2022, and proposals for the 2025 Future Homes Standard. The 2021 Interim Uplift to Part L (Conservation of fuel and power) Regulations will deliver homes that are expected to produce 31% less CO2 emissions compared to current standards. From 2025, the Future Homes Standard will ensure that new homes will produce at least 75% lower CO2 emissions than one built to current energy efficiency requirements. By delivering carbon reductions through the fabric and building services in a home rather than relying on wider carbon offsetting, the Future Homes Standard will ensure new homes have a smaller carbon footprint than any previous Government policy. In addition, this footprint will continue to reduce over time as the electricity grid decarbonises. The HBF recognise the need to move towards greater energy efficiency via a nationally consistent set of standards and timetable, which is universally understood and technically implementable. The HBF support the Government's approach to a nationally consistent set of standards via the Building Regulations but there are difficulties and risks to housing delivery, which include 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 in combination with Government changes to Part S of the Building Regulations for the installation of Electric Vehicle Charging Points (EVCPs) in new homes. In autumn 2020, the HBF established a Future Homes Task Force to develop workable solutions for the delivery of the home building industry's contribution to meeting national environmental targets and objectives on Net Zero. In September 2021, the Future Homes Delivery Hub supported by involvement from Government was launched. Before the North Somerset pre-submission Local Plan consultation, **Policy SP2** should be modified.

Policy SP3 - Spatial strategy

Under **Policy SP3**, the Council will make provision for a minimum of 20,085 dwellings (1,339 dwellings per annum) between 2023 – 2038.

As set out in the 2021 National Planning Policy Framework (NPPF), the determination of the minimum number of homes needed in North Somerset should be informed by a Local Housing Needs (LHN) assessment using the Government's standard methodology unless exceptional circumstances justify an alternative approach (para 61). There are no exceptional circumstances to justify an alternative approach for North Somerset.

The latest National Planning Practice Guidance (NPPG) sets out the standard methodology for calculating the LHN figure (ID 2a-004-20201216). The Council's LHN Assessment Summary Paper dated February 2022 calculates North Somerset's LHN is 1,339 dwellings per annum using 2014 SNHP, 2021 as the current year and 2020 affordability ratio of 9.50. However, as set out in

the NPPG, the LHN is calculated at the start of the plan-making process, but this number should be kept under review and when appropriate revised until the Local Plan is submitted for examination (ID 2a-008-20190220). The minimum LHN may change as inputs are variable. Using the standard methodology, the minimum LHN for North Somerset is 1,393 dwellings per annum based on 2014 SNHP, 2022 as the current year and 2021 affordability ratio of 10.58.

The NPPG clearly states that the standard methodology is the minimum starting point in determining the number of homes needed. It is noted that the Council has proposed no uplift from the minimum LHN starting point to support economic growth, to deliver affordable housing nor to accommodate unmet housing needs from elsewhere.

The Council should confirm that a LHN of only 1,339 dwellings per annum will provide sufficient workforce to support economic growth aspirations. The Council should also be mindful of the economic benefits of housing development in supporting local communities as highlighted by the HBF's latest publication Building Communities – Making Place A Home (Autumn 2020). The Housing Calculator (available on the HBF website) based on The Economic Footprint of House Building (July 2018) commissioned by the HBF estimates for every additional house built in North Somerset, the benefits for the local community include creation of 3 jobs (direct & indirect employment), financial contributions of £27,754 towards affordable housing, £806 towards education, £297 towards open space / leisure, £1,129 extra in Council tax and £26,339 spent in local shops.

The Council should confirm that the affordable housing need of 4,802 dwellings identified in the West of England (WofE) LHN Assessment dated September 2021 by Opinion Research Services will be met. The NPPG sets out 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. An increase in the total housing figures may be considered where it could help deliver affordable housing (ID 2a-024-20190220). The HBF acknowledge that the Council may not be able to meet all affordable housing needs but a housing requirement above the minimum LHN will make a greater contribution to delivering more affordable housing.

As set out in the 2021 NPPF, the Council is under a Duty to Co-operate (DtcC) with other Local Planning Authorities (LPA) and prescribed bodies on strategic matters that cross administrative boundaries (para 24). To maximise the effectiveness of plan-making and fully meet the legal requirements of the DtcC, the Council's engagement should be constructive, active and on-going. This collaboration should identify the relevant strategic matters to be addressed (para 25). Effective and on-going joint working is integral to the production of a positively prepared and justified strategy (para 26). The Council should demonstrate its co-operative working by the preparation and maintenance of one or more Statements of Common Ground (SoCG), which identify the cross-boundary matters to be addressed and the progress of co-operation in

addressing these matters. The 2021 NPPF expects effective joint working to be evidenced by a signed SoCG, which deals with rather than defers cross-boundary matters (para 35c). North Somerset is part of the West of England Housing Market Area (WofE HMA). There is a long history of on-going engagement between the WofE HMA authorities but to date there is no conclusive outcome from this engagement in relation to the strategic cross-boundary matter of redistribution of unmet housing needs across the HMA. The NPPG explains that a SoCG sets out where effective co-operation is and is not happening throughout the plan-making process. As set out in the 2021 NPPF, the North Somerset Local Plan should be positively prepared and provide a strategy, which as a minimum seeks to meet its own housing needs in full and is informed by agreements with other authorities so that unmet need from neighbouring areas is accommodated (para 35a). The NPPG confirms that a SoCG is a way of demonstrating that the Local Plan is deliverable over the plan period and based on effective joint working across LPA boundaries. It also forms part of the evidence required to demonstrate compliance with the DtoC (ID 61-010-20190315). At Examination, the Inspector will use all available evidence including SoCG to determine whether the DtoC has been satisfied (ID 61-031-20190315). The HBF expects the WofE HMA authorities to produce a Joint SoCG confirming that :-

- each authority will meet its own LHN and a defined amount of Bristol's unmet LHN. This cumulative figure will be the housing requirement figure for each authority respectively ; and
- an acknowledgement by the WofE HMA authorities that additionality in HLS may be required to ensure deliverability and flexibility.

The NPPG sets out the Government's commitment to ensuring that more homes are built and supports ambitious Council's wanting to plan for growth (ID 2a-010-20201216). The NPPG states that a higher figure "*can be considered sound*" providing it "*adequately reflects current and future demographic trends and market signals*". The NPPG does not set any limitations on a higher figure, which is a matter of judgement. The Government's objective of significantly boosting the supply of homes set out in the 2021 NPPF remains (para 60). In North Somerset, a housing requirement above the minimum LHN would support the Council's economic growth ambitions, deliver more affordable housing and contribute towards any unmet housing needs from neighbouring authorities in the WofE HMA. Before the North Somerset Local Plan pre-submission consultation, the Council should consider a higher housing requirement. The HBF also suggest that the Council considers extending the end of the plan period from 2038 to 2040 for consistency with WofE Spatial Development Strategy (SDS).

Policy SP7 – Green Belt

The HBF fully support the Council's proposed potential release of land from the Green Belt, should it be proven that there are no suitable alternatives outside of the Green Belt. However, the HBF make no comment on individual sites identified for potential release from the Green Belt, or the availability of the sites

outside the Green Belt. The HBF's commentary is submitted without prejudice to any representations submitted by other parties. The Council has correctly concluded that the densification of existing urban areas will not meet all residential development needs because of insufficient availability of brownfield sites, restricted capacity and competing demands from employment uses. The 2021 NPPF sets out that the Council should promote sustainable patterns of development by considering the location of development in urban areas inside the Green Belt boundary, in towns and villages inset within the Green Belt or in locations beyond the outer Green Belt boundary (para 142). As set out in 2021 NPPF, where fully evidenced and justified Green Belt boundaries can be altered in "*exceptional circumstances*" through the preparation or updating of Local Plans (paras 140 & 141).

Policy SP8 – Housing

For further comments on the overall proposed housing provision of 20,085 dwellings and the proposed spatial distribution of housing growth, please refer to the HBF representations under **Policy SP3** and **Policy LP4** respectively.

Under **Policy SP8**, the Council will seek the delivery of a minimum of 40% affordable housing from all sites of 10 or more dwellings, and from sites of 5 or more dwellings within the Area of Outstanding Natural Beauty. The precise size and type of affordable housing to be provided on individual sites will be determined through negotiation, guided by the Local Housing Need Assessment or other evidence and taking account of viability. The expectation is that the first 25% will be First Homes with the remainder 90% social rented and 10% shared ownership.

The Council's proposed affordable housing tenure mix complies with the 2021 NPPF expectation that proposals make provision for at least 10% of the overall number homes to be available for affordable home ownership (para 65) and the 21 May 2021 Written Ministerial Statement requirement that at least 25% of all affordable homes delivered through developer contributions will be First Homes. However, it is critical that the impacts of this affordable housing tenure mix are subject to viability assessment testing.

In plan-making, viability is inseparable from the deliverability of development. At Examination, viability will be a key issue in determining the soundness of the North Somerset Local Plan. The viability of individual developments and plan policies should be tested at the plan making stage. As set out in the 2021 NPPF, the contributions expected from development including the level & types of affordable housing provision required and other infrastructure for education, health, transport, flood & water management, open space, digital communication, etc. should be set out in the Local Plan (para 34). Furthermore, the 2021 NPPF states that development should not be subject to such a scale of obligations that the deliverability of the Local Plan is threatened (para 34). Viability assessment should not be conducted on the margins of viability especially in the aftermath of uncertainties caused by the Covid-19 pandemic and Brexit. Without a robust approach to viability assessment, the Local Plan

will be unsound, land will be withheld from the market and housing delivery targets will not be achieved. There is a tipping point beyond which the land value cannot fall as the landowner will not be sufficiently incentivised to release their site for development. The Council's viability assessment should accurately account for all costs for affordable housing provision, CIL, S106 contributions and policy requirements sought. Viability assessment is highly sensitive to changes in its inputs whereby an adjustment or an error in any one assumption can have a significant impact. Most sites should be deliverable at planning application stage without further viability assessment negotiations. Viability negotiations should occur occasionally rather than routinely. If the viability of sites is overstated, policy requirements will be set at unrealistic levels. Under such circumstances, trade-offs between policy requirements, affordable housing and infrastructure provision will be necessary and the Council will have to accept site specific viability assessments at development management stage. Such uncertainty causes delay to housing delivery and may even result in non-delivery.

The Council's proposed affordable housing tenure mix will increase marketing costs and increase risk as developers will not be able to sell First Homes in bulk to a Registered Provider thereby no longer obtaining a more reliable up front revenue stream. Furthermore, First Homes may impact on the ability of developers to sell similarly sized open market units. First Homes may dampen the appetite of first-time buyers for one, two & three bedroomed open market dwellings as some households, who would have purchased a home on the open market may opt to use the discounted First Homes route instead. This may result in slow sales of similar open market units, increased sales risk and additional planning costs (if sites have to be re-planned with an alternative housing mix).

Locational Policies

Policy LP4 - Housing, employment and mixed use allocations

The Local Plan should ensure the availability of a sufficient supply of deliverable and developable land to meet housing needs, maintain a 5 Year Housing Land Supply (YHLS) and achieve Housing Delivery Test (HDT) performance measurements. The HBF have no comments on individual residential sites for 10 or more dwellings shown on the Policies Map and set out in Schedules 1 & 2. The HBF's representations are submitted without prejudice to any comments made by other parties.

However, the Council's proposed spatial distribution of housing development should meet the housing needs of both urban and rural communities. As set out in the 2021 NPPF "*to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services*" (para 79).

If the Council wishes to optimise housing delivery, the widest possible range of sites by both size and market location will be 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 development opportunities including both strategic and non-strategic residential sites provide the widest possible range of products to households to access different types of dwellings to meet their housing needs. Housing delivery is optimised 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.

In North Somerset, housing growth is focussed on **Policy LP1 - Strategic Location - Wolverhill (north of Banwell)** for 2,800 dwellings, **Policy LP2 - Strategic Location - Yanley Lane (Woodspring Golf Course)** for 2,500 dwellings and **Policy LP3 - Nailsea & Backwell**. Where Housing Land Supply (HLS) is highly dependent upon one or relatively few large strategic sites and / or localities, greater flexibility will be necessary than where HLS is more diversified. At Strategic Locations, there may be long lead in times before the commencement of on-site development and build up to optimum delivery rates. To ensure a continuous short to medium term HLS, Strategic Locations should be complimented by smaller non-strategic sites. As set out in the 2021 NPPF at least 10% of the housing requirement should be accommodated on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target (para 69a). For North Somerset, 10% of the LHN is approximately 2,000 dwellings.

The Council should provide robust evidence to justify any windfall allowance. National policy only permits an allowance for windfall sites if there is compelling evidence that such sites have consistently become available and will continue to be a reliable source of supply (2021 NPPF para 71).

The 2021 NPPF sets out that Local Plans should include a trajectory illustrating the expected rate of housing delivery over the plan period and if appropriate to set out the anticipated rate of development for specific sites (para 74). It is critical that an accurate assessment of availability, suitability, deliverability, developability and viability of proposed residential sites included in the housing trajectory is undertaken. The Council's assumptions on lead in times and delivery rates should be correct and supported by parties responsible for the delivery of housing on each individual site.

Policy LP8 - Extent of the Green Belt

For comments on the Green Belt, please refer to the HBF representations under **Policy SP7**.

Development Management Policies

Policy DP5 - Climate change adaptation and resilience

For comments on Climate Change, please refer to the HBF representations under **Policy SP2**.

Policy DP6 - Net zero construction

For comments on net zero construction, please refer to the HBF representations under **Policy SP2**.

Under **Policy DP6**, all development should aim to achieve an estimated water consumption of no more than 100 litres per person per day.

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 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. The NPPG 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*” (ID : 56-014-20150327). The NPPG also states the “*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*” (ID : 56-015-20150327). The Council should provide evidence demonstrating a clear local need and if proven, the Council should not set a requirement beyond the optional standard of 110 litres per person per day. Before the North Somerset Local Plan pre-submission consultation, **Policy DP6** should be modified.

Policy DP8 - Efficient use of land

Under **Policy DP8**, the minimum target density will be 40 dwellings per hectare. In accessible locations, the minimum density should be higher. In all cases density should respect and complement the character of the surrounding area.

The Council should make as much use as possible of brownfield sites in existing urban areas but “*town cramming*” should be avoided, which will provide insufficient variety in house typologies to create balanced communities with the right types of new homes to meet the housing needs of different groups. The setting of residential density standards should be undertaken in accordance with the 2021 NPPF (para 125). The minimum target density of 40 dwellings per hectare will not be appropriate everywhere as a range of differing densities will be needed to ensure development is in keeping with the character of the surrounding area. Before the North Somerset Local Plan pre-submission consultation, **Policy DP8** should be modified.

Policy DP14 - Active and sustainable transport

Under **Policy DP14**, the use of electric vehicles (including electric cycles) is supported by providing EVCPs to the requirements set out by the Council.

This policy requirement is unnecessary because from June 2022, Part S of the Building Regulations will require EVCPs in residential developments as set out in the Department of Transport Consultation Response : Electric Vehicle Charging Points (EVCP) in Residential & Non-Residential Buildings dated November 2021. Before the North Somerset Local Plan pre-submission consultation, **Policy DP14** should be modified.

The HBF and its Members have serious concerns about the capacity of the existing electrical network in the UK. The supply from the power grid is already constrained in many areas across the country. Major network reinforcement will be required across the power network to facilitate the introduction of EVCPs and the move from gas to electric heating as proposed under the Future Homes Standard. These costs can be substantial and can drastically affect the viability of developments. The Department for Transport - Electric Vehicle Charging in Residential & Non-Residential Buildings consultation estimated an installation cost of approximately £976 per EVCP plus any costs for upgrading local electricity networks, which under the Government's proposal automatically levies a capped figure of £3,600 on developers. These costs should be incorporated into the Council's viability testing.

Policy DP18 - Parking

For comments on EVCPs, please refer to the HBF representations under **Policy DP14**.

Policy DP33 - Biodiversity Net Gain

Under **Policy DP33**, development (except exempt development) must demonstrate at least a 10% net gain for biodiversity, accounted for in a Biodiversity Net Gain (BNG) Plan.

The 2021 Environment Act requires development to achieve a mandatory 10% BNG. It is the Government's opinion that 10% strikes the right balance between the ambition for development and reversing environmental decline. 10% provides certainty in achieving environmental outcomes, deliverability of development and costs for developers. The mandatory requirement provides a level playing field across England for developers and reduces the risks of unexpected costs and delays. 10% is not a cap on the aspirations of developers who want to voluntarily go further but a requirement for more than 10% should not be sought by the Council under **Policy DP33**. Locally derived variations cause uncertainty and undermine the level playing field. Furthermore, there are significant costs associated with biodiversity net gain, which should be included in the Council's viability testing. Before the North Somerset Local Plan pre-submission consultation, **Policy DP33** should be modified.

Policy DP34 - Trees and Woodlands

Policy DP34 requires all new residential development proposals to include street tree planting into every street, using suitable species planted at intervals appropriate for the site.

The 2021 NPPF sets out the Government's objective to incorporate more tree planting within development because trees make an important contribution to the character and quality of urban environments and help mitigate and adapt to climate change (para 131). Planning policies and decisions should ensure that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in developments (such as community orchards). The 2021 NPPF also sets out that the Council, applicants, tree officers and highway officers should work together to ensure that the right trees are planted in the right places, solutions are found that are compatible with highways standards and the needs of different users and to secure the long-term maintenance of newly planted trees. Footnote 50 identifies that in specific cases, there may be clear, justifiable and compelling reasons why tree planting would be inappropriate. The 2021 NPPF sets out a more collaborative, flexible, case by case policy approach than the Council's proposed prescriptive approach to tree planting in new developments. The Council should be encouraging the inclusion of more trees in development rather than imposing a requirement for every street to be tree lined. Before the North Somerset Local Plan pre-submission consultation, **Policy DP34** should be modified.

Policy DP42 - Affordable housing

For comments on affordable housing, please refer to the HBF representations under **Policy SP3** and **Policy SP8** respectively. **Policies SP8** and **DP42** are repetitive and duplicitous. It is not necessary for the Local Plan to contain both policies. Before the North Somerset Local Plan pre-submission consultation, affordable housing provision requirements should be amalgamated into one policy.

Policy DP44 - Accessible and adaptable homes

Policy DP44 requires on residential development sites of 10 or more dwellings the following proportions of accessible & adaptable homes :-

- market housing - 50% M4(2) and a further 10% M4(3) ; and
- affordable housing - 80% M4(2) and a further 20% M4(3).

If the Government implements proposed changes to Part M of the Building Regulations as set out in the "Raising Accessibility Standards for New Homes" consultation, which closed on 1 December 2020, the Council's proposed policy approach will be unnecessary. In the meantime, if the Council wishes to adopt the optional standards for accessible & adaptable dwellings, this should only be done in accordance with the 2021 NPPF (para 130f & Footnote 49) and the latest NPPG. Footnote 49 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 2021 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). A policy requirement for M4(2) & M4(3) dwellings must be justified by credible and robust evidence. The NPPG sets out the evidence necessary to justify a policy requirement for optional standards. The Council should apply the criteria set out in the NPPG (ID 56-005-20150327 to 56-011-20150327).

The Council's evidence is set out in the WofE LHN Assessment dated September 2021 by Opinion Research Services, which shows that North Somerset has a similar age structure (in terms of older people) and levels of disability compared with other areas. As the Council is aware not all health issues affect housing needs. 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. No local circumstances are identified, which demonstrate that the housing needs of North Somerset differ substantially to those across neighbouring authorities. The Council's evidence does not justify the proposed policy requirements (see Figure 126).

The Council has presented no evidence on the accessibility & adaptability of the existing housing stock, the size, location, type and quality of dwellings needed and variations in needs across different housing tenures in North Somerset. All new homes are built to M4(1) "visitable dwelling" standards. These standards 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. M4(1) standards are not usually available in the older existing housing stock. These standards benefit less able-bodied occupants and are likely to be suitable for most residents.

Many older people already live in North Somerset (35% of existing household representatives are aged 65 or over) 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) or M4(3) 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 existing housing stock is significantly larger than its new build component, therefore adaption of existing stock will form an important part of the solution.

The Council's policy requirements for M4(2) and M4(3) should not compromise the viability of development. All additional costs associated with M4(2) and M4(3) compliant dwellings should be included in the Council's Viability Assessment. The Government's consultation "Raising Accessibility Standards for New Homes" estimates the additional cost per new dwelling is approximately

£1,400 for dwellings, which would not already meet M4(2). The extra-over costs for M4(3) are much higher. During the Government's Housing Standards Review (September 2014), EC Harris estimated the cost impact of M4(3) per dwelling as £15,691 for apartments and £26,816 for houses. These costs should be applied plus inflationary cost increases since 2014. M4(2) and M4(3) compliant dwellings are also 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 for M4(2) and M4(3) and any other input based on square meterage except sales values because enlarged sizes are unlikely to generate additional value. An increase in the size of dwellings to comply with M4(2) & M4(3) requirements will also impact on site coverage.

The NPPG also specifies that *“Local Plan policies should also take into account 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, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied.”* (ID 56-008-20160519).

The Council should distinguish between (M4(3a)) wheelchair adaptable dwelling, which include features to make a home easy to convert to be fully wheelchair accessible and (M4(3b)) wheelchair accessible dwelling, which include the most common features required by wheelchair users. 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).

Before the North Somerset Local Plan pre-submission consultation, **Policy DP44** should be modified.

Policy DP45 - Residential space standards

Under **Policy DP45**, new residential development should meet the Nationally Described Space Standards (NDSS). All additional rooms to the main living space will be regarded as having the potential to serve as a bedroom and as such will be required to meet the NDSS regardless of the description on the planning application.

If the Council wishes to apply the optional NDSS to all dwellings, this should only be done in accordance with the 2021 NPPF (para 130f & Footnote 49). Footnote 49 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 2021 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). The Council should provide a local assessment evidencing their case.

The NDSS sets out technical requirements for the gross internal floor area, built in storage, bedroom floor areas & minimum width dimensions and minimum floor to ceiling heights of dwellings. The impact of NDSS should be fully accounted for in the Council’s viability testing including recognition that if site coverage (square meterage per acre) is at the site’s capacity, an increase in the size of dwellings will reduce dwelling numbers.

The Council should also assess the impact of NDSS on affordability. There is a direct relationship between unit size, cost per square metre (sqm), selling price per sqm and affordability. The Council’s policy approach should recognise that customers have different budgets and aspirations. An inflexible policy approach to NDSS for all new dwellings will impact on affordability and effect customer choice. Well-designed dwellings below NDSS can provide a good, functional home. Smaller dwellings play a valuable role in meeting specific needs for both open market and affordable home ownership housing. An inflexible policy approach imposing NDSS on all new housing removes the most affordable homes and denies lower income households from being able to afford homeownership. The introduction of the NDSS for all dwellings may mean customers purchasing larger homes in floorspace but with bedrooms less suited to their housing needs with the unintended consequences of potentially increasing overcrowding and reducing the quality of their living environment. The Council should focus on good design and usable space to ensure that dwellings are fit for purpose rather than focusing on NDSS. Furthermore, housing delivery rates are determined by market affordability at relevant price points of dwellings and maximising absorption rates. An adverse impact on the affordability may translate into reduced or slower delivery rates. Any potential adverse impacts on meeting demand for first-time buyer open market products and other affordable homeownership products such as First Homes may affect delivery rates of sites, which should be reflected in the Council’s housing trajectory.

If the proposed requirement for NDSS is carried forward, the Council should put forward proposals for transitional arrangements. The land deals underpinning SUEs and non-strategic 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. Prior to a specified date, the NDSS should not be applied to any reserved matters applications or any outline or detailed approval.

Before the North Somerset Local Plan pre-submission consultation, **Policy DP45** should be deleted.

Policy DP46 - Homes for All

All households should have access to different types of dwellings to meet their housing needs. The HBF agree that the Council’s policy approach to housing

mix in **Policy DP46** should be flexible rather than prescriptive. As well as evidence from the Council's LHN Assessment, market signals are important in determining the size and type of homes needed. To ensure that the housing needs of older persons are met, the Council should focus on allocating suitable sites for a wide range of different types of development across a wide choice of appropriate locations rather than requiring for older persons accommodation on sites for 100 or more dwellings (also see HBF representations under **Policy LP4** and **Policy DP47** respectively).

Under **Policy DP46**, on sites of 100 or more dwellings, 5% should be available for sale as serviced self & custom build plots, which must be priced and marketed appropriately for at least 18 months.

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 plots for self & custom build housing. Under the Self Build & Custom Housebuilding Act 2015 and 2021 NPPF (para 62), 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 NPPG 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*" (ID 57-025-201760728).

As set out in the NPPG, the Council should use their Self Build Register and additional data from secondary sources to understand and consider future need for this type of housing (ID 57-011-20210208). However, 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. 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 Council should provide supporting evidence to justify the qualifying site threshold of 100 or more dwellings. The provision of self & custom build plots adds to the complexity and logistics of development. 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.

It is critical 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 marketing period of 18 months is too long. Furthermore, the Council is not qualified to determine the appropriate price of self & custom build plots.

As well as on-site impracticalities, impacts on viability should be tested. The HBF consider that the provision of serviced self & custom build plots will have a bearing on the development economics of the scheme. It is unlikely that up front site promotion costs (including planning & acquisition costs) and fixed site externals, site overheads and enabling infrastructure costs will be recouped because the plot price a self & custom builder is able to pay may be constrained by much higher build costs for self-builders. There are also impacts of not recouping profit otherwise obtainable if the dwelling was built and sold on the open market by the site developer, disruption caused by building unsold plots out of sequence from the build programme of the wider site and a worst-case scenario of unsold plots remaining undeveloped. These impacts should be included in the Council's viability testing.

Before the North Somerset Local Plan pre-submission consultation, **Policy DP46** should be modified.

Policy DP47 - Older Persons Accommodation

All households should have access to different types of dwellings to meet their housing needs. Specialist housing for older people including retirement living or sheltered housing, extra care housing or housing-with-care and residential care / nursing homes should be provided. To provide homes for older people, the Council should allocate sites for older persons housing subject to criteria such as the proximity of sites to public transport, local amenities, health services and town centres (also see HBF representations under **Policy LP4** and **Policy DP46** respectively).

Conclusion

It is hoped that these representations are of assistance. To be found sound under the four tests of soundness as defined by the 2021 NPPF, the North Somerset Local Plan should be positively prepared, justified, effective and consistent with national policy (para 35). If the Council requires any further assistance or information, please contact the undersigned.

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



Susan E Green MRTPI
Planning Manager – Local Plans