

Matter 5 The Housing Requirement

Issue 5 - Is the identified housing requirement in Policy ST1, justified and consistent with national policy?

5.1 Is the Plan period 2020 to 2038 justified and consistent with national policy which requires strategic policies to look at least 15 years ahead from adoption?

1. It is noted that the Plan period runs from 2020 until 2038. The NPPF¹ looks for strategic policies in Plans to look ahead over a 15-year period from adoption. As the Plan is only starting the examination process late in 2022, the Plan may not cover a 15-year Plan period on adoption. Therefore, the HBF considers that it may be beneficial to take a cautious approach and to extend the Plan period.

5.2 Is the housing requirement of 10,476 homes during the 2020-2038 period (policy ST1) and the proposed uplift above Local Housing Need (LHN), to a figure of 582 dwellings per annum (dpa), justified by the Council's evidence? Are the assumptions of the 2019 Housing and Economic Development Needs Assessment and Addenda (SS-010, SS-007 and SS-024) soundly based, particularly in relation to:

a) Identifying a baseline figure;

2. The Housing and Economic Development Needs Assessment (HEDNA) (November 2020) sets out the calculation of the local housing need (LHN) from the Standard Method. It identifies a LHN of 288dpa, using household growth figures from 2020 to 2030 and the affordability ratio from 2019. The PPG² states that authorities will need to calculate their local housing need figure at the start of the plan-making process and that this number should be kept under review and revised where appropriate. It goes on to suggest that local housing need calculated using the standard method may be relied upon for a period of 2 years from the time that a plan is submitted to the Planning Inspectorate for examination. The latest LHN based on the Standard Method would be 279dpa³. However, the standard method identifies a minimum annual housing need figure it does not produce a housing requirement⁴, and the PPG sets out a non-exhaustive list of circumstances when it might be appropriate to plan for a higher housing need figure than the standard method indicates. The HBF support the Council in opting to utilise a housing requirement over the LHN figure identified by the standard method.

b) Forecasts for economic growth;

3. The HEDNA states that the unadjusted Oxford Economics (OE) forecast is 112 jobs only, caused by gains in health and social care jobs being offset by losses in manufacturing. It goes on to suggest that if uplifts are applied to the transport and manufacturing sectors as undertaken in the 2019 EDNA then around 3,800 jobs could be generated over the period 2020 to 2037. It also states that the Experian baseline

¹ Paragraph 22

² PPG ID: 2a-008-20190220

³ Household growth projections: 2022 – 51,177, 2032 – 53,549, average = 237.2, Median workplace-based affordability ratio – 6.81, Adjustment factor = 1.175625, LHN = 237.2 x 1.175625 = 278.86

⁴ PPG ID: 2a-002-20190220

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forecast is 3,928 jobs over the same period with a more positive outlook for transport & storage and manufacturing. When consideration is given to the supply of active employment sites, displacement and multiplier effects it suggests that 5,900 jobs could be generated.

4. The HEDNA Addendum (April 2022) provides a focussed update to the HEDNA 2020 and specifically considers changes to the employment supply position and any resulting impacts on labour requirements and housing needs. Appendix A paragraph 3.18 sets out that two forecasts have been accessed with a range of jobs from 9,852 jobs to 11,354 jobs.

c) Alignment of jobs and workers; and

5. The HEDNA (2020) recommends that the Council test 562 dwellings per annum (dpa) to 591dpa as their economic led need. Table 19 sets out the potential housing need for each of the economic led need scenarios, it provides a range from 236dpa for the Baseline OE forecasts and 1:1 commuting through to 646dpa for all sites and 1:1 commuting.
6. The HEDNA Addendum (April 2022) provides a focussed update to the HEDNA 2020 and specifically considers changes to the employment supply position and any resulting impacts on labour requirements and housing needs. Table 2.5 of the report sets out the projected housing need based on the job growth forecasts it suggests figures from 523 dpa to 590 dpa. The 590 dpa figure is based on the higher employment forecast and uses the commuting pattern from the census.
7. The HBF support the Council in considering the economic led need, however this evidence suggests that the Council could have sought to increase the housing requirement further to reflect the full economic led needs and to ensure alignment between jobs and workers.

d) Assumptions of housing requirements arising from economic growth.

8. The NPPF⁵ seeks to achieve sustainable development by pursuing economic, social and environmental objectives in mutually supportive ways. The Council should be seeking to support the long-term sustainability of the District by achieving a sustainable balance between employment and housing growth. The Council should also recognise 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)⁶.
9. The Council consider that a housing requirement based only on LHN would not support economic growth in the District. Economic growth would be constrained because of a shortage of skilled local labour and increase levels of in-commuting, which would be unsustainable by putting great strain on the transport network. The HEDNA 2020

⁵ NPPF 2021 Paragraph 8

⁶ https://www.hbf.co.uk/documents/10454/HBF_Report_building_communities_Sept_2020.pdf

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identifies a minimum housing requirement of 591 dwellings per annum, which will support the full extent of jobs growth (9,735 jobs).

10. As set out in the PPG⁷, the Government is committed to ensuring that more homes are built and supports ambitious Councils wanting to plan for growth. The PPG states that a higher figure “can be considered sound” providing it “adequately reflects current and future demographic trends and market signals”. The HEDNA 2020 and addendum 2022 demonstrate that “circumstances” exist to justify a housing need higher than indicated by the standard methodology. The HBF support the Council in planning for more homes than the minimum LHN.

5.3 In relation to Affordable Housing Needs, is the identified need for 214 dpa been based on robust, up-to-date information? How has this been considered in the overall housing requirement? Based on the thresholds and requirements in Policy ST29, will affordable housing needs be met?

11. The HEDNA 2020 also identifies an affordable housing need for 214 rented dwellings per annum. The PPG states 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. As set out in the PPG⁸, an increase in the total housing figures may be considered where it could help deliver affordable housing. The Council’s Whole Plan Viability Assessment identifies that affordable housing provision of only 15% on brownfield sites and 25% on greenfield sites is viable. Whilst it is not possible to deliver the full requirement for affordable housing through contributions from market housing schemes, a higher overall housing requirement which supports economic growth would also contribute towards delivery of greater number of affordable homes.

5.4 Should there be a housing requirement for designated neighbourhood areas in Policy ST1? (paragraph 67 in the NPPF) If so, what should this be?

12. The NPPF⁹ states that strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development. It goes on to state that where it is not possible to provide a requirement figure for a neighbourhood area the local planning authority should provide an indicative figure, if requested to do so by the neighbouring planning body. Bassetlaw has a number of Neighbourhood Planning Bodies, some that are designated, some where Plans are in progress, some where plans are made and some where Plans are under review. The HBF would suggest that the Council should include a housing requirement, or if that is not possible a indicative figure, for the neighbourhood areas.

⁷ PPG: ID 2a-010-20190220

⁸ PPG: ID 2a-024-20190220

⁹ NPPF 2021 Paragraphs 66 and 67

Matter 7 – Housing Land Supply (Policy ST15)

Issue 7 - Does the Plan provide an appropriate supply of deliverable and developable sites to meet identified needs and align with national policy?

Note: This Matter focusses on the overall supply of land for housing. The merits of individual site allocations are considered under Matter 6, although our consideration of this question will also be informed by detailed discussion of the deliverability of specific site allocations in Matter 6.

In the light of Matter 5, we will reach a conclusion on whether or not the objectively assessed need for housing of 582 dwellings for the 2020-2038 period is justified. However, without prejudice to that, these questions work on the assumption that 582 dwellings is a soundly based housing requirement figure.

7.1 Are the assumptions that have been made to inform the trajectory justified in relation to the delivery of housing sites, in particular in relation to:

a) lead in times for grant of full permissions, outline and reserved matters and conditions discharge?

1. The Housing Land Supply Position, Housing Trajectory and Windfall Allowance Background Paper (May 2022) considers lead in times it states that on average it takes 27 months from grant of outline permission to first completion, and 20 months from grant of full permission to completion. It also states that where specific site evidence has been received this has been considered in the phasing of sites. The HBF considers that these lead in times seem particularly short and would suggest that potentially if there is not clear evidence that these lead in times are suitable that it may be appropriate to apply a more cautious approach. Particularly for the larger sites where research¹⁰ by Lichfields suggests that for sites of 500+ that the average time taken from outline to first dwelling completions is circa 3 years. The HBF would strongly recommend that the Council works closely with developers and the homebuilding industry to ensure that the lead in rates reflect the realities of the sites included in the supply.

b) site opening up and preparation; and dwelling build out rates?

2. The Housing Land Supply Position, Housing Trajectory and Windfall Allowance Background Paper (May 2022) considers the build rates within section 5.5 it states that an average build rate of 30dpa, will be used unless written evidence is provided by an agent or developer. The HBF considers that the Council's assumptions on sites in relation to build out rates 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.

7.2 Is there a reasonable prospect that a total of 5,995 new dwellings will be provided by 31/03/38 on sites that had planning permission at 31/03/22?

3. Figure 7 of the Local Plan identifies capacity for 5,995 dwellings on committed sites with outstanding planning permissions on both large and small sites as of 31st March 2022. The HBF does not wish to comment upon the acceptability or otherwise of individual sites. However, the HBF considers it is important that all the sites contained within the plan are deliverable over the plan period and planned to an appropriate strategy. The HBF would expect the Council to have the evidence to support the proposed delivery of these sites.

¹⁰ Start to Finish (Second Edition, 2020) <https://lichfields.uk/content/insights/start-to-finish>

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7.3 Is there a reasonable prospect that a total of 438 new dwellings will be provided by 31/03/38 on sites allocated in made Neighbourhood Plans?

4. The HBF does not wish to comment upon the acceptability or otherwise of individual sites. However, the HBF considers it is important that all the sites contained within the plan are deliverable over the plan period and planned to an appropriate strategy. The HBF would expect the Council to have the evidence to support the proposed delivery of these sites.

7.4 Is there a reasonable prospect that a total of a further 635 new dwellings will be provided by 31/03/38 on sites in the Worksop Central DPD area?

5. The HBF does not wish to comment upon the acceptability or otherwise of individual sites. However, the HBF considers it is important that all the sites contained within the plan are deliverable over the plan period and planned to an appropriate strategy. The HBF would expect the Council to have the evidence to support the proposed delivery of these sites.

7.5. Is there a reasonable prospect that the total of 2742 new dwellings to be delivered through local plan allocations?

6. As above, the HBF does not wish to comment upon the acceptability or otherwise of individual sites. However, the HBF considers it is important that all the sites contained within the plan are deliverable over the plan period and planned to an appropriate strategy. The HBF would expect the Council to have the evidence to support the proposed delivery of these sites.

7.6 Is there compelling evidence to justify a windfall allowance of 1200 over the plan period and to demonstrate that they will provide a reliable source of supply?

7. The Housing Land Supply Position, Housing Trajectory and Windfall Allowance Background Paper (May 2022) states that analysis of historic trends and consideration of future windfall sources have been undertaken to assess what the appropriate level of allowance should be. The Council suggest that there has been a strong track record of windfall delivery in Bassetlaw. Table 3 of the Paper identifies a net average of 116 windfall completions on sites 1-9 dwellings over the period 2010/11 to 2021/22 and 342dpa on sites of 10 or more dwellings. However, paragraph 7.11 of the Paper highlights that all sites delivered in Bassetlaw since 2011 have been on unallocated as the Bassetlaw Core Strategy did not allocate sites for residential development. Therefore, the HBF considers that the historic trends are unlikely to be truly reflective of the situation going forward once there is an adopted Plan and allocated sites. The HBF considers that the windfall allowance of 1,200 dwellings, 100 dpa from 2026/27, needs to be robustly evidenced, as 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.

7.7 Has appropriate consideration been given to non-implementation lapse rates?

8. From the Council's evidence, it is not apparent that a non-implementation lapse rate has been applied to existing commitments and / or allocations, which should be clarified by the Council. The HBF considers that it can be beneficial to include a lapse rate in consideration of the supply, as this allows for circumstances where sites do not come forward as expected or where sites are stalled or where sites are amended and there is a change to the previous permission.

7.8 Overall, is there convincing evidence that:

- a) Having regard to assumptions about commitments, allocations and windfalls the housing requirement across Bassetlaw between 2021 and 2038 is likely to be met?**

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9. The HBF has not considered in detail the deliverability of the individual sites that make up the supply, and therefore can not confirm if the requirement can be met. However, the HBF would expect the Council to be able to provide evidence to support the assumptions that they have made in relation to each site.

b) A 5 year supply of deliverable housing land will exist on adoption?

10. The Five Year Housing Land Supply Statement (July 2022) identifies a 13.5years housing land supply, although this is calculated using a 5% buffer and the 279dpa LHN.
11. The NPPF¹¹ makes it clear that a buffer is required as part of the supply of specific deliverable sites, the 5% requirement is the minimum requirement and applies where the Council is not wishing to demonstrate a five-year supply of deliverable sites through a recently adopted plan (where a 10% buffer would apply) and there has not been a significant under delivery of housing over the previous three years (where a 20% buffer would apply). The NPPF¹² states that under delivery will be measured against the Housing Delivery Test (HDT), where this indicates that delivery was below 85% of the housing requirement. The 2021 HDT score for Bassetlaw was 248%, therefore the 20% buffer would not apply. However, the Council's response to the Inspector's Initial Questions (2022) states that they wish to confirm a five year supply, therefore, the 10% buffer appears appropriate.
12. If the Council were to use the proposed housing requirement of 582dpa, and the 10% buffer the 5-year requirement increases to 2,968dwellings or an annual requirement of 594dwellings, which would significantly reduce the housing supply to 6.67 years.
13. The HBF has not considered in detail the deliverability of the individual sites that make up the supply, and therefore cannot confirm is a 5-year supply will exist on adoption. However, the HBF would expect the Council to be able to confirm the delivery of the sites included in the 5-year supply and to have evidence to support this delivery.

c) An ongoing 5 year supply of deliverable or developable housing land is likely to exist throughout the plan period?

14. The Council's housing trajectory suggests a rolling five-year housing land supply through much of the Plan period, however, this is currently dependent on the sites and windfall sites coming forward as expected. The HBF would expect the Council to keep the trajectory under review and to monitor the delivery of sites to ensure that there is an ongoing 5-year housing land supply. If the Council is not able to provide a 5-year housing land supply the HBF would expect the Council to take action, and potentially to review the Plan to bring more sites forward.

¹¹ Paragraph 74 of the NPPF 2021

¹² Footnote 41 of the NPPF 2021

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 NPPF¹³ 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 PPG¹⁴ 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 NPPF¹⁵ 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% 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).

¹³ NPPF 2021 Paragraph 16d

¹⁴ PPG ID: 70-012-20210524

¹⁵ NPPF 2021 Paragraph 65

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 NPPF¹⁶, 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 PPG¹⁷ 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 PPG¹⁸, 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. 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

¹⁶ NPPF 2021 Paragraph 62

¹⁷ PPG ID 57-025-201760728

¹⁸ PPG ID 57-011-20210208

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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 applying the criteria set out in the PPG¹⁹. 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 PPG ID: 56-007-20150327

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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 homes²⁰ 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 NPPF²¹ 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 PPG²² 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.

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?

²⁰ <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>

²¹ NPPF 2021 Paragraph 16f.

²² PPG: 56-008-20160519

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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?

Matter 10 – Local Character and Distinctiveness (Policies ST35 – ST42)

Issue 10 – Does the Plan set out a positively prepared strategy and policies for local character and distinctiveness which is justified, effective and consistent with national policy?

10.1 Are the main modifications suggested to Policy ST35 and the supporting text necessary for soundness?

1. The HBF does not consider that the suggested modifications to ST35 is sufficient and further amendments are required to make the policy sound. The main modifications currently propose to amend 1q) to state: ensures an appropriate level of well-integrated, convenient and visually attractive areas for motor vehicle and cycle parking that accords with the most up-to-date Nottinghamshire Parking Standards⁵ unless it can be demonstrated that it is not viable or feasible to do so; and, provides for external storage including waste disposal.
2. This policy wording should not be interpreted by the Council's Development Management Officers as conveying the weight of a Development Plan Document onto this guidance, which has not been subject to examination and does not form part of the Local plan. The Town and Country Planning (Local Planning) (England) Regulations 2012 are clear that development management policies, which are intended to guide the determination of applications for planning permission should be set out in policy in the Local Plan. To ensure a policy is effective, it should be clearly written and unambiguous so it is evident how a decision maker should react to development proposals. The Council's requirements should be set out in sufficient detail to determine a planning application without relying on, other criteria or guidelines set out in separate guidance.

10.2 Is the suggested main modification to ST37 necessary for soundness?

10.3 a) Is the approach taken by policy ST38 consistent with the Framework and the aims of sustainable development? In relation to the location and extent of Green Gaps, are these supported by robust and up-to-date evidence?

b) Is the proposed use of buffer zones for the green corridors in ST39 justified and would they be effective? Is it supported by appropriate evidence? Does it duplicate other policies in the plan?

c) Are the suggested main modifications to Policy ST39 and the supporting text necessary for soundness?

10.4 a) Would ST40 provide an effective framework to protect and enhance the biodiversity and geodiversity of the district? Is it justified by robust evidence including on viability?

3. Under Policy ST40 Bullet Point 3, all new development should make provision for at least 10% net biodiversity gain on site, or where it can be demonstrated that for design reasons this is not practicable, off site through an equivalent financial contribution.
4. It is the HBF's opinion that the Council should not deviate from the Government's proposals on biodiversity gain as set out in the Environment Act. This legislation requires development to achieve a 10% net gain for biodiversity. 10% will be a mandatory national requirement, but it is not a cap on the aspirations of developers who want to voluntarily go further. The Government will use the DEFRA Biodiversity Metric to measure changes to biodiversity under net gain requirements established in the Environment Act. The mandatory requirement offers developers a level playing field nationally and

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reduced risks of unexpected costs and delays. The Council should not specify a requirement above 10%. The prefix “*at least*” should be deleted from Policy ST40 Bullet Point 3.

5. The Council should not require “*all development*” to deliver biodiversity net gain. As set out in the Environment Act, and the emerging Regulations the Government will introduce exemptions. Policy ST40 Bullet Point 3 should be amended to remove the reference to “*all development*”. The HBF considers that the policy would be better to make reference to the requirements of the Environment Act and its regulations, rather than trying to set its own policy requirements. This would avoid the issues of contradictions, and inaccuracies and would avoid unnecessary duplication.
6. The Council’s Viability Assessment only includes a cost £500 per dwelling for Policy ST40 Bullet Point 3 (see HBF detailed comments under Viability & Deliverability in their Regulation 19 response).

b) Are the potential impacts arising from development proposed in the plan on Clumber Park SSSI adequately addressed?

c) Are the proposed main modifications to Policy ST40 and the supporting text necessary to make the plan sound?

Matter 12 – Greening Bassetlaw (Policies ST50 – ST53)

Issue 12 – Does the Plan set out a positively prepared strategy and policies relating to the historic and natural environment which are justified, effective and consistent with national policy?

12.1 a) Is Policy ST50 justified and consistent with national policy? Are the requirements of the Policy clear, and would they be effective? Are they supported by appropriate evidence of need and viability?

1. The HBF does not consider that Policy ST50 is justified, consistent with national policy or clear and effective. The original Part 1 of this policy looks for all proposals to seek to reduce carbon and energy impacts in their design and construction, and to incorporate measures that address climate change. The Council have proposed modifications to this which looks for all new development to be designed to improve resilience to the anticipated effects of climate change and incorporating where appropriate measures to address issues of mitigation and adaptation to climate change.
2. The HBF notes that today's new homes are already very energy efficient, with the majority having an A or B energy efficiency rating, compared to only 3% of existing properties. Nevertheless, 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 would strongly recommend that the Council do not seek to impose their own requirements which could conflict with these national standards and instead that the Council refer to Building Regulations, where amendments have been made to Part L, F, O and S, and where the Future Homes Standard will be introduced. 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.
3. The HBF considers that the original point 1(d) in relation to compliance with relevant national building standards is ambiguous and unnecessary. If this policy is intended to refer to Building Regulations, then it is not necessary as this is a separate regulatory system. If it is other standards it needs to be clear what they are and when they apply, and this needs to be evidenced and justified. It is noted that the Council's proposed modification would see this element deleted and replaced with a requirement for non-residential development to meet BREEAM standards. The HBF considers that this is an appropriate modification.
4. The HBF considers that the original point 1(f) in relation to the provision of electric vehicle charging capability is unnecessary as Part S of the Building Regulations now provides the requirements for Electric Vehicle charging, including where exceptions may apply. The HBF notes that the Council propose to amend this requirement as part 3, however, the HBF considers that this has now been superseded by the introduction of Part S and is still not required.
5. The HBF considers that point 1(g) in relation to appropriate financial contributions to the Bassetlaw carbon offsetting fund is unnecessary and unjustified, particularly in light of the improvements to Building Regulations as set out above. The HBF notes that the Council propose to delete this point, the HBF would support that deletion.

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6. Furthermore, the Council's Viability Assessment excludes any costs for 2021 Part L Interim Uplift, 2025 Future Homes Standard or financial contributions to carbon offsetting (see HBF detailed comments under Viability & Deliverability in the Regulation 19 response).
7. 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. If developers are funding the potential future reinforcement of the National Grid network at significant cost, this will have a significant impact on their businesses and potentially jeopardise future housing delivery.

b) Do the requirements of the Policy reflect guidance in paragraphs 153 and 154 of the National Planning Policy Framework, and are they in line with the Housing: Optional Technical Standards? What is the justification for setting the water efficiency requirement at 110ltrs per day? How is this supported by evidence?

8. The concerns of the HBF are set out in response to (a) above. The Council should ensure that they have appropriate evidence to support any requirements of the policy.

c) What are the reasons for the Council's proposed modifications to the Policy? Are they necessary for soundness? If so, are they clearly articulated and supported by clear evidence?

9. The concerns of the HBF are set out in response to (a) above.

12.2 a) Is Policy ST51 justified and consistent with national policy? Are the requirements of the Policy clear, and would they be effective?

b) How was the "area of best fit" arrived at? Is it supported by robust evidence?

c) In the case of wind turbines does the Policy reflect guidance in Planning Practice Guidance and the Written Ministerial Statement of 18th June 2015?

d) Are there any omissions from the Policy? Is it appropriately flexible?

e) What are the reasons for the Council's proposed modifications to the Policy? Are they necessary for soundness? If so, are they clearly articulated and supported by clear evidence?

12.3 a) Are Policies ST52 and ST53 justified and consistent with national policy? Are the requirements of the Policies clear, and would they be effective?

b) Are the Policies supported by appropriate evidence? In the case of ST53 is the Bassetlaw Water Cycle Study 2010 sufficiently up-to-date? How was the River Ryton Flood Management Impact Zone defined?

c) Are there any omissions from the Policies? Are they appropriately flexible? What are the reasons for the Council's proposed modifications to Policy ST53? Are they necessary for soundness? If so, are they clearly articulated and supported by clear evidence?