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Dear Planning Policy Team,

**EAST RIDING LOCAL PLAN UPDATE 2020-2039: PROPOSED SUBMISSION  
STRATEGY DOCUMENT & PROPOSED SUBMISSION ALLOCATIONS DOCUMENT**

1. Thank you for consulting with the Home Builders Federation (HBF) on the Proposed Submission Strategy document and Proposed Submission Allocations document for the East Riding Local Plan Update.
2. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.
3. The industry is keen to work with the Council to ensure a sound plan is produced which facilitates the delivery of an appropriate number of homes across East Riding. With this in mind we would also welcome further engagement with the industry throughout the production of the plan.

**Policy S5: Managing the Scale and Distribution of New Development**

*Policy S5 is not considered to be sound as it is not positively prepared, not justified and not consistent with national policy for the following reasons:*

4. This policy states that provision will be made for at least 20,900 (net) additional dwellings (1,100 dwellings per annum(dpa)) in the East Riding between 2020 and 2039. The policy also sets out the spatial distribution of new homes, and states that the Council will ensure a minimum 5-year supply of deliverable sites.
5. The 1,100dpa is a reduction from the adopted Local Plan Strategy document figure of 1,400dpa. However, the 1,100dpa is above the figure identified by the Standard Method Local Housing Need (LHN) calculation. The HBF generally supports the Council in utilising a housing figure over the LHN, as the standard method identifies a minimum annual housing need figure and represents the starting point for determining the number of new homes in the area. There may be circumstances, as set out in the PPG<sup>1</sup>, when it is appropriate to plan for a higher housing need figure than the standard method

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<sup>1</sup> ID: 2a-010-20201216



identifies. These circumstances include where there are growth strategies, strategic infrastructure improvements, an unmet need from neighbouring authorities or where previous levels of housing delivery in the area or previous assessments of need are significantly greater than the outcome of the standard method.

6. The Local Housing Need Assessment (LHNA) (Oct 2022) identifies an annual need for 584 affordable homes each year across the East Riding, this is more than half of the housing requirement. The PPG<sup>2</sup> states that an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.
7. The HBF notes that the number of average net additional dwellings provided over the last 10 years is 1,321 dwellings, as shown in table 1 below. This is significantly above the level proposed in the new Plan and suggests that the Council should further consider an increase in the housing requirement.

	2011 / 12	2012 / 13	2013 / 14	2014 / 15	2015 / 16	2016 / 17	2017 / 18	2018 / 19	2019 / 20	2020 / 21	Average
East Riding	1,802	1,982	1,450	713	842	1,159	1,143	1,432	1,241	1,447	1,321

8. The HBF considers it is important that the proposed housing requirement is viewed as a minimum and barriers are not put in place which may hinder greater levels of sustainable growth. It is considered that the plan could facilitate higher levels of growth by providing greater flexibility.

**Policy H1: Providing a mix of housing and meeting needs**

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

9. This policy looks for new residential development to contribute to the overall mix of housing, including the needs of older people, the needs of first-time buyers, the existing housing stock and current demand.
10. The HBF understands the need for a mix of house types, sizes and tenures and is generally supportive of providing a range and choice of homes to meet the needs of the local area. The HBF recommends a flexible approach is taken regarding housing mix which recognises that needs and demand will vary from area to area and site to site; ensures that the scheme is viable; and provides an appropriate mix for the location and market. The HBF also considers that it would be appropriate for the Council to refer to other evidence not just the LHNA and supports the inclusion of consideration of elements such as the current demand.

<sup>2</sup> ID: 2a-024-20190220

<sup>3</sup> DLUHC Table 122: Housing Supply: net additional dwellings, by local authority district <https://www.gov.uk/government/statistical-data-sets/live-tables-on-net-supply-of-housing>

11. Part B of the policy looks for a minimum of 5% of plots on sites of 20 or more to made available for self or custom build. The HBF would be keen to understand the evidence to support the need for custom and self-build housing in East Riding, and how it has informed the requirements of Policy H1. PPG<sup>4</sup> sets out how custom and self-build housing needs can be assessed. The LHNA states that there are currently 62 households on the Self-build Register, with the Hull Border, Beverley and Wolds being mentioned most frequently as the preferred areas to live.
12. The HBF does not consider that the Council has appropriate evidence to support the requirement for developers on sites of more than 20 dwellings to provide service plots for custom or self-build housing. The HBF is concerned that as currently proposed this policy will not assist in boosting the supply of housing and may even limit the deliverability of some sites and homes. The HBF is also not clear whether there is even a demand from custom and self-builders to live on sites within a larger residential development scheme.
13. The PPG<sup>5</sup> sets out how local authorities can increase the number of planning permissions which are suitable for self and custom build housing. These include supporting neighbourhood planning groups to include sites in their plans, effective joint working, using Council owned land and working with Home England. The HBF considers that alternative policy mechanisms could be used to ensure a reliable and sufficient provision of self & custom build opportunities across the Borough including allocation of small and medium scale sites specifically for self & custom build housing and permitting self & custom build outside but adjacent to settlement boundaries on sustainable sites especially if the proposal would round off the developed form.
14. Part C of the policy states that all new build dwellings should be built to the nationally described space standards (NDSS). The NDSS as introduced by Government, are intended to be optional and can only be introduced where there is a clear need and they retain development viability. As such they were introduced on a 'need to have' rather than a 'nice to have' basis.
15. PPG<sup>6</sup> identifies the type of evidence required to introduce such a policy. It states that 'where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:
  - **Need** – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.
  - **Viability** – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger

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<sup>4</sup> PPG ID: 67-003-20190722

<sup>5</sup> ID: 57-025-20210508

<sup>6</sup> ID: 56-020-20150327

dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.

- **Timing** – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions’.
16. The Council will need robust justifiable evidence to introduce the NDSS, based on the criteria set out above. The HBF considers that if the Government had expected all properties to be built to NDSS that they would have made these standards mandatory not optional.
  17. Part D of the policy requires a minimum of 30% of new market dwellings and all affordable dwellings should be built to M4(2) standard, unless it can be demonstrated that this would have an unacceptable impact on the economic viability or this is not practical due to site specific circumstances.
  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 PPG.
  19. PPG<sup>7</sup> identifies the type of evidence required to introduce such a policy, including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability. It is incumbent on the Council to provide a local assessment evidencing the specific case for East Riding which justifies the inclusion of optional higher standards for accessible and adaptable homes in its Local Plan policy. If the Council can provide the appropriate evidence and this policy is to be included, then the HBF recommends that an appropriate transition period is included within the policy.
  20. The PPG also identifies other requirements for the policy including the need to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, this is not just in relation to the ability to provide step-free access.
  21. The Council should also note that the Government response to the Raising accessibility standards for new homes<sup>8</sup> 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 is in place and where a need has been identified and evidenced.

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<sup>7</sup> ID: 56-007-20150327

<sup>8</sup> <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>

## **Policy H2: Providing Affordable Housing**

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

22. This policy looks for affordable housing to be provided in line with national thresholds, and to provide a proportion of affordable homes in line with Table 8 with a range from 10% to 20% dependent on the area. It also looks for 25% of the affordable homes as First Homes and the remainder in line with the needs recommended in the latest housing Needs Assessment. Part E of the policy goes on to state that the tenure split, size and type of affordable housing will be informed by the latest Local Housing Need Assessment, Local Plan Viability Study, the housing register, housing surveys and the level and type of existing affordable housing in the locality.
23. The LHNA identifies an annual need for 584 affordable homes each year across the East Riding, it also recommends a tenure split of 60% social/affordable rented and 40% affordable home ownership including First Homes.
24. The HBF supports the need to address the affordable housing requirements of the borough. The NPPF<sup>9</sup> is, however, clear that the derivation of affordable housing policies must not only take account of need but also viability and deliverability. The Council should be mindful that it is unrealistic to negotiate every site on a one-by-one basis because the base-line aspiration of a policy or combination of policies is set too high as this will jeopardise future housing delivery. The Local Plan Viability Study (October 2022) highlights the issues with viability in the area, and the conclusions highlight the challenges faced by the Council in terms of preparing policy and for developers providing the full policy requirements.
25. The NPPF<sup>10</sup> is also clear that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. The HBF is concerned that the proposed policy will not deliver this requirement, if this is to be the case the HBF recommends that the Council provide the appropriate evidence.

## **Policy H4: Making the most efficient use of land**

*Policy H4 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

26. This policy suggests that proposals for new residential development will be supported where they make the most efficient use of land or buildings, it suggests this will be achieved through encouraging the re-use of suitable previously developed land (PDL) and supporting proposals that provide the optimum housing density.
27. The setting of residential density standards should be undertaken in accordance with the NPPF<sup>11</sup> where policies should be set to optimise the use of land. The flexibility provided

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<sup>9</sup> Paragraph 34

<sup>10</sup> Paragraph 65

<sup>11</sup> Paragraph 125

by this policy in relation to certain considerations is noted, this will allow developers to react to some site-specific issues. However, further amendments could be made to create greater flexibility to allow developers to take account of the evidence in relation to market aspirations, deliverability and viability and accessibility.

28. The Council will also need to consider its approach to density in relation to other policies in the plan. Policies such as open space provision, biodiversity net gain, cycle and bin storage, housing mix, residential space standards, accessible and adaptable dwellings, energy efficiency and parking provision will all impact upon the density which can be delivered upon a site.

### **Site Allocations**

29. The HBF is keen that the Council produces a plan which can deliver against its housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period. The HBF and our members can provide valuable advice on issues of housing delivery and would be keen to work proactively with the Council on this issue.
30. The Plan's policies should ensure the availability of a sufficient supply of deliverable and developable land to deliver Selby's housing requirement. This sufficiency of housing land supply (HLS) should meet the housing requirement, ensure the maintenance of a 5 Year Housing Land Supply (YHLS), and achieve Housing Delivery Test (HDT) performance measurements. The HBF also strongly recommends that the plan allocates more sites than required to meet the housing requirement as a buffer. This buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites and to provide flexibility and choice within the market. Such an approach would be consistent with the NPPF requirements for the plan to be positively prepared and flexible.
31. The Council's overall HLS should include a short and long-term supply of sites by the identification of both strategic and non-strategic allocations for residential development. Housing delivery is optimised where a wide mix of sites is provided, therefore strategic sites should be complimented by smaller non-strategic sites. The widest possible range of sites by both size and market location are 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 housing sites offers the widest possible range of products to households to access different types of dwellings to meet their housing needs. Housing delivery is maximised 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.
32. The Council should identify at least 10% of its housing requirement on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target in line with the NPPF requirements.

### **Delivery, Monitoring and Review**

33. The monitoring framework sets out each of the Plan themes along with a collection of indicators and targets to monitor the theme. However, the indicators do not have any actions associated with them, so it is not exactly clear how the indicators will be monitored and how it will be determined if any action needs to be taken to address issues with the delivery of the plan or what those actions may be. The HBF recommends that the Council amend the Monitoring Framework to include more details as to how the plan will actually be monitored, and identifies when, why and how actions will be taken to address any issues identified.

### **Future Engagement**

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

35. The HBF wishes to participate in the hearing sessions in order to be able to respond to any issues raised in relation to the home building industry.

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

Yours sincerely,



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