

Planning Policy & Conservation
Scarborough Borough Council
Town Hall
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Scarborough
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SENT BY EMAIL
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22/02/2023

Dear Planning Policy Team,

SCARBOROUGH LOCAL PLAN REVIEW: DRAFT CONSULTATION

1. Thank you for consulting with the Home Builders Federation (HBF) on the Scarborough Local Plan Review Draft Consultation.
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 HBF is aware that Scarborough Council is to be abolished from April 2023, will become part of a single unitary authority, and that this Plan will not progress any further. However, the HBF trusts that the Council will utilise the comments made here to help in any future plan production by the new North Yorkshire authority.

Strategic Policy HC 1: Supporting Housing Development

4. This policy states that the Plan will make provision for the delivery of 6,018 net additional dwellings for the Plan period (2023 to 2040) at an average of 354 dwellings per annum (dpa).
5. The HBF generally supports the Council in using a housing figure above the local housing need (LHN) identified by the Standard Method. The Standard Method identifies a LHN of 178dpa. The Plan states that the housing figure of 354dpa was derived following the production of the Strategic Housing Market Assessment (2021), this figure was based on a jobs growth of 260 jobs per annum, a 3.3% double jobbing rate, an unemployment figure of 3.05%, that in-commuting will continue at 2011 Census levels and that 15% of workers who live in Scarborough will work elsewhere. The HBF considers that the Council should ensure it has fully considered all of the potential circumstances where housing need may actually be higher than the standard method indicates in line with the PPG¹.

¹ PPG ID: 2a-010-20201216



Policy HC 3: Affordable Housing

6. This policy sets the affordable housing requirements, it applies to all sites of 10 or more dwellings or on sites of greater than 0.5ha and requires a range of affordable housing provision from 10% to 25% dependent on location and whether the site is brownfield or greenfield. The policy also sets the tenure split for the affordable homes, looking for 25% of the affordable homes to be First Homes and for the remainder to be split 70% for rent and 30% for other intermediate tenures.
7. The SHMA (January 2021) identifies an affordable housing need of 219dpa. The Local Plan Viability Assessment (May 2022) identifies the viability challenges within the area, particularly when affordable housing is considered alongside other policy requirements such as the move towards zero carbon, the uplift in the Building Regulations, EV Charging, and Biodiversity Net Gain.
8. The HBF supports the Council in looking to meet the affordable housing need, however, the HBF also considers that the Council need to ensure that the policy requirements including affordable housing provision should not undermine the deliverability of the plan, consistent with the NPPF².

Policy HC 5: Technical Housing Standards

9. This policy states that all new homes should comply with the Nationally Described Space Standards (NDSS) or any successor standards.
10. The NDSS as introduced by Government, are intended to be optional and can only be introduced where there is clear evidence of need. The PPG³ 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; viability and timing. 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.
11. The policy also looks for all new homes to be built to at least M4(2) standards unless there are physical site constraints. It also looks for at least 2% of dwellings to be built to M4(3) standards, again subject to site specific constraints.
12. 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.

² Paragraph 34 of NPPF

³ ID: 56-020-20150327

13. PPG⁴ 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 Scarborough 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.
14. 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.
15. The Council should also note that the Government response to the Raising accessibility standards for new homes⁵ 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.
16. Finally, the policy also states that all new homes should meet the increased water efficiency standard of 110 litres/person/day. The Building Regulations require all new dwellings to 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. The Optional Technical Housing Standard is 110 litres per day per person.
17. As set out in the NPPF⁶, 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. Therefore, a policy requirement for the optional water efficiency standard must be justified by credible and robust evidence. 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 PPG. PPG⁷ states that where there is a *'clear local need, Local Planning Authorities (LPA) can set out Local Plan Policies requiring new dwellings to meet tighter Building Regulations optional requirement of 110 litres per person per day'*. PPG⁸ 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*

⁴ ID: 56-007-20150327

⁵ <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>

⁶ Paragraph 31

⁷ ID: 56-014-20150327

⁸ ID: 56-015-20150327

of such a requirement'. The Housing Standards Review was explicit that reduced water consumption was solely applicable to water stressed areas. Yorkshire and Scarborough are not considered to be an area of Water Stress as identified by the Environment Agency⁹. Therefore, the HBF considers that requirement for optional water efficiency standard is not justified nor consistent with national policy in relation to need or viability and should be deleted.

Policy HC 6: Housing Mix

18. This policy looks for new housing development to provide an appropriate mix of unit types, sizes and tenures to meet the needs of local communities as identified in the latest Strategic Housing Market Assessment (SHMA).
19. 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.
20. The policy also states that the Council will encourage and support the delivery of custom and self-build housing, it goes on to say where possible and without adversely affecting the viability and the delivery of affordable housing residential sites should include provision for self and custom build homes.
21. The PPG¹⁰ 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.

Policy HC15 Healthy and Active Communities

22. The Council propose to amend this policy to state that developers will be required to demonstrate how they have maximised opportunities for local food growing, such as community orchards, community gardens and allotments, through major housing developments.
23. The HBF considers that there is no justification or evidence for this policy requirement. The HBF is also concerned in relation to the implications of this policy in terms of viability, efficient use of land and site layouts. The HBF is also not sure whether residents of all new developments would want community food growing opportunities,

⁹ 2021 Assessment of Water Stress Areas Update: <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>

¹⁰ ID: 57-025-20210508

and it is not clear what would happen where these facilities are not used in an appropriate manner or are not maintained for food growing.

Future Engagement

24. I trust that the Council will find these comments useful as it moves to the new authority and to the new North Yorkshire Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.
25. The HBF would like to be kept informed of all forthcoming consultations upon the North Yorkshire Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,

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

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