



Planning Policy Team  
Torrige District Council  
Riverbank House  
Bideford  
EX39 2QG

SENT BY E-MAIL AND POST

1<sup>st</sup> May 2015

Dear Sir / Madam

## **NORTH DEVON & TORRIDGE JOINT LOCAL PLAN PROPOSED CHANGES 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.

We would like to submit the following representations and in due course we would also wish to appear at the Examination Hearing Sessions to debate these matters in greater detail.

### **Objectively Assessed Housing Needs (OAHN) & Housing Requirement**

**MAC/29** proposes a minimum housing requirement of 17,220 dwellings (861 dwellings per annum as described in **MAC/36**) increased from the housing requirement of 16,469 dwellings set out in the pre-submission Local Plan. This housing requirement represents an OAHN of 17,220 dwellings for North Devon and Torrige together (**MAC/33**). The figure is based on a demographic projection of 14,500 dwellings plus 19% uplift to support economic growth, market signals, affordability and to boost housing supply. **MAC/35** states that this OAHN figure also includes 205 dwellings for unmet need arising in the Exmoor National Park. The National Park had asked for assistance in meeting its housing needs under the Duty to Co-operate.

However the derivation of the housing requirement figure is not obvious from the evidence. The Northern Peninsula HMA SHMA up-date Final Report dated January 2015 by Housing Vision in its demographic modelling (Table 6.2) identifies between 13,556 – 19,665 dwellings for North Devon and Torridge combined together. The Councils should provide further reference to the derivation of the housing requirement from the evidence on OAHN because of this lack of transparency it has not been possible to analyse the data and establish if the housing requirement of 17,220 dwellings will indeed meet demographic projections, economic growth, market signals, affordability and boost housing supply. The HBF pre-submission Local Plan consultation representation submitted in August 2014 was critical of the Councils previous assessments of OAHN.

## **Housing Land Supply**

**MAC/30 to Policy ST08** revises the scale of development proposed for each settlement. This is set out in the revised Table of development per settlement.

Where there is a joint plan housing requirements and the need to identify a 5 YHLS can apply across the joint plan area (NPPG ID 2a-010-20140306). However the process should be transparent and clearly set out. Once a preferred approach is decided it is inappropriate for authorities to swap between a collective or separate approach at any given time during the plan period. Under **MAC/31** the housing requirement is amended as a total across the joint Local Plan. It is no longer disaggregated to the individual authorities of North Devon and Torridge separately. It is proposed that these modified arrangements form the basis for future calculations of 5 YHLS. Clearly this modification illustrates a changed approach on behalf of the Councils since the start of work on the joint Local Plan.

It is not known if under this modification the Councils will have a 5 YHLS on adoption. At the time of the pre-submission Local Plan consultation North Devon only had 4.1 YHLS. The Councils should provide an up-dated version of the 5 YHLS calculation. If there is not reasonable certainty that the Councils have a 5 YHLS the joint Local Plan cannot be sound as it would be neither effective not consistent with national policy in particular paragraph 47 of the NPPF. Moreover if the joint Local Plan is not to be out of date on adoption it is critical that the land supply requirement is achieved as under paragraph 49 of the NPPF *“relevant policies for the supply of housing will not be considered up to date if the LPA cannot demonstrate a five year supply of deliverable housing sites”*.

In **MAC/37** the Councils have set out a total land supply over the plan period. This total land supply of 17,246 dwellings comprises :-

- 941 completions ;
- 2,873 planning permissions ;
- 11,837 allocations ;
- 1,595 SHLAA sites.

The amended Table 4.2 (**MAC/42**) sets out the revised Housing Commitments & Additional Land Release Requirement per settlement.

However **MAC/37** and **MAC/42** provide insufficient headroom between the overall land supply and the housing requirement figure. Therefore the Councils will find it difficult to react quickly and efficiently to any unforeseen changing circumstances. The joint Local Plan requires greater flexibility.

## **Other Policies**

The Councils should re-consider the following Policies for conformity with the Written Ministerial Statement dated 25<sup>th</sup> March 2015 :-

- **Policy ST02** - Mitigating Climate Change (**MAC/12**) ;
- **Policy ST05** - Sustainable Construction & Buildings in particular Bullet Point (2) requiring 15% beyond Building Regulations, Bullet Point (3) referring to Building for Life 12, Bullet Point (5)(a) requiring the optional requirement of 110 litres per person per day water use (**MAC/20**) ;
- Paragraph 3.42 reference to allowable solutions in Building Regulations and 15% carbon dioxide reduction beyond current Building Regulations (**MAC/24**) ;
- **Policy ST17** – A Balanced Local Housing Market Bullet Point (3) Accessible & Adaptable Homes (**MAC/83**) ;
- Paragraph 7.14A reference to Accessible & Adaptable Homes and Lifetime Homes standards (**MAC/91**).

If after re-checking these Policies are not considered to comply with the Written Ministerial Statement further modifications should be undertaken. Otherwise without modification such policies would fail the NPPF test of soundness which requires compliance with national policy.

The Councils should also consider the re-wording of **Policy ST18** – Affordable Housing especially Bullet Point (b) (**MAC/98**) for compliance with the Written Ministerial Statement dated 28 November 2014. The Councils should clarify that off site financial contributions on sites of 6 – 10 units are deferred payments only which are payable on completion of the development.

It is also noted that no viability work has been undertaken since September / October 2013. The Councils should consider an up-date of its viability evidence before the Local Plan is submitted for Examination.

## **Conclusion**

For the North Devon & Torridge Joint Local Plan to be found sound under the four tests of soundness defined by paragraph 182 of the NPPF, the Local Plan must be positively prepared, justified, effective and compliant with national policy. At present there are a number of unresolved issues concerning the soundness of the North Devon & Torridge Joint Local Plan. As a consequence at this time the Joint Local Plan cannot be considered to have

been positively prepared nor properly justified so it will be ineffective. It is also non-compliant with the national policy.

It is hoped that these representations are helpful in informing the next stages of the North Devon & Torridge Joint Local Plan. If any further information or assistance is required please contact the undersigned.

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



**Susan E Green MRTPI**  
**Planning Manager – Local Plans**

e-mail: [sue.green@hbf.co.uk](mailto:sue.green@hbf.co.uk)  
Mobile : 07817 865534