



THE HOME BUILDERS FEDERATION

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Sent by Email only

Dear Sir / Madam,

East Riding Local Plan Strategy Document: Schedule of Modifications

1. Thank you for consulting the Home Builders Federation (HBF) on the proposed Main Modifications to the East Riding Local Plan Strategy Document.
2. The HBF is the principal representative body of the house building industry in England and Wales and our representations reflect the views of our membership of multinational PLCs, through regional developers to small, local builders. Our members account for over 80% of all new housing built in England and Wales in any one year including a large proportion of the new affordable housing stock.
3. The HBF would like to submit the following comments upon the main modifications, these comments should be read in conjunction with our previous submissions upon the plan, examination hearing statements and comments upon additional evidence submitted after the close of the hearing sessions. It should be noted that the HBF still has a number of outstanding issues from our previous comments which remain unaddressed.

Modification number SM13: Policy S3 and paragraph 4.15

4. The HBF support the removal of the prioritisation of previously developed land and its replacement with encouragement. This is in conformity with our previous comments upon this issues and is consistent with paragraph 111 of the NPPF. It should, however, be noted that this amendment has not been replicated within Policy H4 which still refers to the prioritisation of previously developed land. This policy therefore remains unsound (see further comments against SM58 and SM59 below).

Modification number SM20: Policy S4(A2)

5. The HBF support the removal of the prioritisation of previously developed land and its replacement with encouragement. This is in conformity with our previous comments upon this issues and is consistent with paragraph 111 of the NPPF. The other amendments to the policy set out within modification SM20 are considered to provide further clarity and as such are also supported.

Modification number SM29: Policy S5(B), (C), paragraphs 5.7, 5.11 and table 2

6. Our comments upon the proposed modifications to this policy and the supporting paragraphs are broken down into their constituent parts which are set out below;

Policy S5(b)

The proposed amendments to the table within part 'b' of policy S5 are considered unsound as they are not justified or soundly based.

7. Whilst the HBF does not wish to comment upon the appropriateness of the distribution of housing numbers we still contend that the overall housing requirement is too low and will not meet the objectively assessed needs of the area. Our reasoning for these conclusions are set out within our comments upon the submission version of the plan and subsequent hearing statements. In addition the NPPF requires plans to be positively prepared and provide a significant boost to housing supply. In this regard it should be made clear that the distribution of dwellings figures within the table represent minimum targets over the plan period. The HBF recognise and support the proposed amendments to paragraph 5.7 (modification SM35), it is considered this statement should be mirrored within the policy to avoid any confusion.

Policy S5(c)

8. The HBF supports the amendments to part 'c' of the policy which deletes the caps on development within Rural Service Centres and Primary Villages this is considered to be consistent with the NPPF requirement to boost significantly housing supply.

Paragraph 5.11

9. The HBF supports the amended text which removes the word 'managed' and replaces this with 'supported' and also deletes the imposition of a cap in Rural Service Centres and Primary Villages. These amendments are considered more positive and are more likely to boost housing supply. In this regard they are considered to better reflect the requirements of the NPPF.

Modification number SM30: Policy S5(D), paragraph 5.15

10. The HBF supports the amendments which delete all reference to a managed release mechanism for housing sites. These amendments are in conformity with our previous comments upon the plan and are considered consistent with the NPPF.

Modification number SM32: Policy S5(E), paragraph 5.18 & new supporting text

The proposed amendments are not considered sound as they will not be effective.

11. The proposed amendments are considered an improvement upon the previous policy text and supporting paragraphs as it provides clarification that monitoring will take place over both plan areas to ensure the needs are being met and that a review will take place if the outcome from the Hull Local Plan identifies a significant change in the objectively assessed housing needs. The plan does not, however, indicate what would constitute a 'significant change' nor does it identify any strategy to deal with under-delivery across the HMA. Given that the HMA covers both Hull and East Riding of Yorkshire it is considered that a mechanism for additional site release should be built into both plans should one area fail to deliver. For example if Hull failed to deliver its housing requirement and could not demonstrate a five year supply, then East Riding should assist in rectifying the situation and vice-versa to ensure that the housing needs of the HMA are met.

12. It is recommended that the text be amended as follows;

'The Council will work with Hull City Council to monitor the overall level of housing delivery in Hull and the East Riding in totality, and determine whether the needs of the area are being met in accordance with the Plan. Where the housing requirements of either Hull or East Riding fail to be met and if a five year housing land supply cannot be demonstrated in either authority the Council will seek to provide additional sites to ensure the needs of the whole housing market area are met. Should the process....'

13. The HBF also considers the objectively assessed housing needs of the HMA to be greater than 2,100dpa as described in the amendments. Our reasoning for this is covered in our comments upon the submission version of the plan and within our hearing statements.

Modification number SM34: Policy S5(G) and paragraph 5.19

The proposed amendment is considered unsound as it will not be effective and is not justified.

14. Whilst the HBF support the change of wording indicating that the 20% target for previously developed land is across the plan period rather than an annual requirement it is still not considered justified. The '*Local Plan Viability Assessment Residential Analysis, 2014*' indicates that across East Riding the majority of previously developed land remains unviable under current market conditions. The imposition of this policy requirement is therefore likely to have a significant impact upon plan deliverability. The target is based upon possible future uplifts in value, whilst this may occur it is not guaranteed and as such it may lead to failings within the plan.

15. The HBF recommends the text be amended to read;

'The Council will encourage the use of previously developed land, over the plan period it is envisaged that approximately 20% of new dwellings could be built on such land'

Modification number SM35: Paragraph 5.7

16. The HBF support the proposed amendment which identifies that the overall housing requirement and that of the separate tiers are considered a minimum. This is consistent with the NPPF and the need to boost significantly housing supply.

Modification numbers SM48 / SM49: Policy H1(B)

The amendments to the policy are considered unsound as they are not justified or consistent with national policy.

17. Whilst it is noted that modification SM48 has been previously consulted upon it is included within our comments upon policy H1(B) as the overall amendments (SM48 and SM49) are not considered sufficient to overcome our objections to this policy. The HBF does, however, consider that the introduction of the economic viability aspects (SM48) are an improvement upon the submitted policy.

18. Within our comments upon submitted Local Plan Strategy document and matter 4 hearing statement we set out our concerns with this policy in relation to viability and the lack of evidence to justify the policy. Further to these comments the recent ministerial statement (25th March 2015) has indicated that the Lifetime Homes standard is no longer relevant and that optional standards will be introduced through the Building Regulations. It is noted that the Council intend to retain paragraph 6.13 of the plan which explicitly refers to Lifetime Homes and infers that this would meet the requirements of the policy. This is inconsistent with the national standards.

19. The introduction of the optional standards can only be done through the Local Plan process and that to do so a number of criteria must be satisfied. The PPG (ID 56-007-20150327) identifies the relevant criteria. The HBF maintain that the Council has not supplied sufficient evidence to implement the optional Building Regulations and as such the policy cannot require developments to meet these standards.

20. The HBF therefore recommends that the policy and supporting text be further modified to indicate that whilst there is no policy requirement to do so the Council will encourage and support such provision.

Modification number SM52: Policy H2(A), paragraphs 6.20 & 6.21

21. The HBF concerns, set out within our previous comments, upon the affordable housing targets are still relevant. Whilst the proposed amendments do not overcome our fundamental concerns with the targets, they are considered to reflect the ministerial statement (28th November 2014) and subsequent amendments to the PPG.

Modification number SM54: Policy H2(F)

The proposed amendments are unsound as they are not consistent with national policy.

22. The proposed amendments to part F, whilst an improvement, are still considered unsound as it retains reference to alternative standards. Whilst it is recognised the Council is only encouraging such standards are achieved this runs contrary to the Government's push to reduce the proliferation of additional standards in local plans and the ministerial statement (25th March 2015).

23. Paragraph 6.28 of the plan, which is not the subject of a modification but aids interpretation of the policy, still states;

'Proposals should aim to meet Homes and Communities Agency standards, currently the Design and Quality Standards (2007), whilst ensuring that the affordable housing is fully integrated into the development. The standards are mandatory for affordable housing funded by the Homes and Communities Agency and affordable homes that meet these standards are usually required by Registered Providers'.

24. This implies that developments will be expected to meet such standards, again this is contrary to the Government's requirements. It is therefore recommended part F of the policy and the relevant parts of paragraph 6.28 be deleted.

Modification numbers SM58 / SM59: Policy H4(B) and H4(C)

25. The HBF support the amendments within SM58 and SM59 which provide additional flexibility to the policy. This will ensure that developments can respond to particular site characteristics as well as the wider context in which they are set.

26. Policy H4 does, however, remain unsound as part A refers to the prioritisation of previously developed land. Whilst it is recognised that this does not form part of the main modifications consultation the lack of an appropriate modification is inconsistent with the proposed amendments to policy S5 (see SM13 and SM20). Therefore to ensure the plan is sound and that consistency is maintained the following amendment to Policy H4(A) is recommended;

A. Proposals for new residential development will be supported where they make the most effective use of land or buildings. This will be achieved through ~~prioritising~~ **encouraging** the re-use of suitable previously developed land.....

Modification number SM195

27. The deletion of the text within the monitoring section is supported. This is in conformity with our previous comments upon the plan and is considered consistent with the NPPF.

Information

I would like to be informed of the following;

- Publication of the inspectors' recommendations; and
- Adoption of the Local Plan

Yours sincerely,

MJ Good

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