



High Peak Borough Council  
Planning Policy  
Town Hall  
Market Place  
Buxton  
Derbyshire  
SK17 6EL

SENT BY E-MAIL AND POST

15 October 2015

Dear Sir / Madam

## **HIGH PEAK LOCAL PLAN – FURTHER 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 comments and in due course attend the resumed Examination Hearing Sessions to discuss these matters in greater detail.

### **X5 – Proposed Modifications to Policy H5 Affordable Housing**

It is disappointing that the Council wishes to revert to the lower threshold of 5 units as set out in the submitted Plan rather than 10 units proposed to align with the Written Ministerial Statement (WMS) dated 28<sup>th</sup> November 2014. The Council's proposal to revert to the lower threshold will make development more expensive for the small and medium sized housebuilding companies, custom builders and self-builders that the Government was seeking to unshackle from the burden of unviable policy obligations. Whilst it is acknowledged that Policy H5 enables developers to negotiate lower affordable housing provision on the grounds of viability such negotiations incur additional costs in terms of both time and money which impairs housing delivery. Although paragraphs of the NPPG were withdrawn as a consequence of the High Court Judgement it is noted that the WMS itself was not quashed by the Judgement. Moreover it is confirmed that the Government

is appealing against this Judgement. It is also noted that other Council's namely Herefordshire and North Dorset with Local Plans in examination at the same time as High Peak District Council have chosen to retain the thresholds as set out in the WMS. It is contended that the Council should retain the 10 unit threshold.

### **X6 – Proposed Modification to Policy CF6 on Parking Standards**

It is agreed that the Council's proposed modifications accord with the WMS dated 25<sup>th</sup> March 2015.

### **X8 – Proposed Modifications on Optional Housing Standards for Space and Access**

The Government wishes to streamline the planning system into a simpler system which will reduce policy burdens and deliver more housing. The Deregulation Bill 2015, which received Royal Assent in March 2015, specifies that Councils should not set any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings except the nationally described space standard, an optional requirement for water usage and optional requirements for adaptable / accessible dwellings.

The WMS dated 25<sup>th</sup> March 2015 confirmed that "*the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG*". Paragraph ID: 56-020-20150327 of the NPPG sets out that where a need for internal space standards is identified, the Council should provide justification for requiring internal space policies. In this context the Council should provide evidence 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. The Council should also provide evidence on the impact of adopting the space standard as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply and affordability (also cross reference to X13 & X14 section below).

In the submitted evidence the Council has not justified its proposed adoption of the nationally described space standard nor the optional higher standard of M4(2) for accessible and adaptable housing. Many authorities in England have ageing populations the Council has not demonstrated any unique circumstances in High Peak that justify the proposed modifications. In particular the proposal for M4(2) standards on all housing is disproportionate. Moreover as set out above the Council has not provided any data on the existing stock or proposals for monitoring the effectiveness of the policy. Therefore it is suggested that these proposed modifications are removed.

### **X9 – Proposed modifications on Optional Housing Standards for Water Efficiency**

Please refer to previous HBF submission.

### **X13 & X14 – Viability Testing of Optional Housing Standards**

There are a number of concerns relating to the Council's latest viability evidence on testing proposals for inclusion of Optional Housing Standards in Local Plan policies :-

- sites of less than 25 units have not been tested ;
- apartments have not been tested in the dwelling typologies ;
- no adjustment to housing densities as a consequence of larger dwelling sizes.

It is also unclear if the costs associated with energy performance which remain in Building Regulations at Code Level 4 equivalent are included or excluded from the cost deductions for the Code for Sustainable Homes.

Moreover the up-dated viability pre-dates changes to affordable home rents proposed in the Productivity Plan published in July 2015 which decrease revenue and increase risk profiles.

The Council should provide further clarification on these anomalies. Until clarification is provided the positive impacts set out in the Council's evidence are questionable indeed the cumulative effect of the Council's proposals on affordable housing thresholds and optional standards for space, accessible & adaptable homes and water efficiency are more likely to make development unviable. Therefore it is recommended that these modifications are excluded from the Local Plan.

### **Conclusions**

For the High Peak Local Plan to be found sound under the four tests of soundness as defined by Paragraph 182 of the NPPF, the Plan must be positively prepared, justified, effective and compliant with national policy. It is the HBF's opinion that the Council's proposed modifications do not pass these four tests of soundness for the reasons outlined above.

We trust that our comments will be helpful in informing the next stages of the High Peak Local Plan. In the meantime if the Council requires any further assistance or information 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