



Policy & Research Team
LH Box 52
Loxley House
Station Street
Nottingham
NG2 3NG

SENT BY E-MAIL AND POST

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Dear Sir / Madam

**NOTTINGHAM CITY LOCAL PLAN PART 2 - PRE SUBMISSION PUBLICATION
STAGE CONSULTATION**

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 appear at the Local Plan Part 2 Examination Hearing Sessions to discuss these matters in greater detail.

The Local Plan Part 2 sets out the site allocations and development management policies for the city of Nottingham in accordance with the strategic policies and vision of the Nottingham, Gedling & Broxtowe Aligned Core Strategy (ACS) adopted in September 2014. Policy 2 of the ACS determined the overall housing requirement for the three authorities in the Greater Nottingham Housing Market Area (HMA) as 30,550 dwellings between 2011 – 2028 of which 17,150 dwellings are proposed in Nottingham City. Accordingly the Local Plan Part 2 proposes 85 site allocations to accommodate this housing requirement. However it is noted that the Inspector's Final Report on the ACS referred to a review of the adopted ACS if the latest household projections published in February 2015 indicated higher household growth the Council should confirm whether or not its housing requirement remains unchanged.

The total proposed land supply is 17,199 dwellings which provides no headroom (only 49 dwellings) above the housing requirement and therefore provides no flexibility for the Council to respond to changing circumstances. **Appendix 3 - Housing Delivery** provides an updated housing trajectory, which takes preference to the adopted ACS. Although the HBF would not wish to comment on the merits or otherwise of individual sites contained within the Council's housing trajectory given the lack of headroom it is critical that the Council's assumptions on lapse rates / non implementation allowance, lead in times and delivery rates contained within its calculations are correct and realistic to provide sufficient flexibility in its land supply.

If it is determined that the Council's housing land supply should be increased, when allocating sites the Council is reminded that to maximize housing supply the widest possible range of sites, by size and market location are required so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to increased housing supply is the number of sales outlets. Whilst some sustainable urban extensions (SUEs) may have multiple outlets, in general increasing the number of sales outlets available means increasing the number of housing sites. So for any given time period, all else being equal, overall sales and build out rates are faster from 20 sites of 50 units than 10 sites of 100 units or 1 site of 1,000 units. The maximum delivery is achieved not just because there are more sales outlets but because the widest possible range of products and locations are available to meet the widest possible range of demand.

It is also noted that if the Nottingham Local Plan Part 2 is adopted by the middle of 2017 as envisaged only circa 11 years will remain before the end of the plan period rather than the 15 year time horizon specified in the NPPF (para 157). It is suggested that in order for the Council to positively plan for new housing development and its longer term housing needs there should be a review of the adopted Aligned Core Strategy sooner rather than later and an amalgamation of the Part 1 and 2 Plans into one document as preferred by Government.

With regards to the Local Plan Part 2 development management policies the HBF submits the following responses :-

Policy CC1 in Bullet Point (3) proposes the higher optional water consumption standard of 110 litres per person per day. As set out in the NPPG (ID 56-015) the need for and viability of opting for a water consumption standard higher than that required by Building Regulations should be fully justified. From the Council's evidence set out in the Greater Nottingham & Ashfield Water Cycle Strategy 2010, which is now somewhat dated, and the viability summary contained within the Infrastructure Delivery Plan 2016 it is not possible to conclude if the Council has properly justified this policy requirement. It is suggested that the Water Study is subject to an up-date and detailed rather than summarised viability evidence is presented for examination.

Policy CC1 in Bullet Point (4) refers to supporting energy generation and use over and above the National Housing Standards. This Bullet Point is confusing in particular the wording "National Housing Standards" the Council should clarify if it means Building Regulations. The Council should also clarify if the reference is for energy performance or the use of energy generated from renewable or low carbon sources. It is accepted that the Council can specify the proportion of energy generated from on-site renewables and / or low carbon energy sources but the Council cannot set a local standard for energy efficiency above the current 2013 Building Regulations standard. The Deregulation Act 2015 specifies that no additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings should be set in Plans other than the nationally described space standard, an optional requirement for water usage and optional requirements for adaptable / accessible dwellings. The Deregulations Act removed the power of authorities to require residential developments to exceed the energy performance requirements of Building Regulations therefore the Council should not be setting any additional local technical standards or requirements relating to the performance of new dwellings.

Policy HO1 – Housing Mix in Bullet Point (4) refers to consideration of serviced plots for self-builders / custom builders on sites of more than 10 units. The HBF

supports self-builders and / or custom builders in principle for its potential additional contribution to overall housing supply where this is based on a positive policy approach by the Council to increase the total amount of new housing development and to meet an identified and quantified self-build / custom build housing need. However the Council's proposed approach risks becoming a restrictive policy requirement for the inclusion of such housing on sites of more than 10 units. This approach provides no additionality to land supply but merely changes production from one to another type of builder. It is suggested that further consideration is also given to the practicalities of implementing this policy such as the health & safety implications, working hours, length of build programmes, etc. The Council should refer to the East Devon Inspector's Final Report which expresses reservations about the implementation difficulties associated with this sort of policy. Therefore it is recommended that any policy to encourage self-builders and / or custom builders is based on evidence of demand for such housing and includes the policy wording "subject to viability considerations and specific site circumstances".

It is acknowledged that as a consequence of the Housing & Planning Bill and other recent Government consultations **Policy HO3 - Affordable Housing** may change before the Local Plan Part 2 is submitted for examination. If so at that time the HBF may wish to submit further comments on any changes proposed by the Council.

Policy HO4 in Bullet Point (1) proposes that 10% of all houses are built to the higher optional standard of M4(2) adaptable / accessible homes of the Building Regulations on all sites of 10 or more units. As set out in the NPPG (ID 56-007 and ID 56-003) this policy requirement should be justified based on need and viability tested. Again from the available summary data on viability assessment it is not possible to conclude if the impact of this policy requirement has been properly tested.

Policy DE1 introduces the nationally described space standard. If the Council wishes to adopt this standard it should be justified by meeting the criteria set out in the NPPG (ID 56-020) including need, viability and impact on affordability. The Council should provide further supporting evidence to justify this policy.

Under **Policy IN4 - Developer Contributions** it is not obvious if the Council has considered the impact of S106 contributions pooling restrictions on the implementation and therefore effectiveness of this policy.

Appendix 1 - Parking Standards sets maximum car parking spaces per dwelling. It is suggested that the Council re-checks Appendix 1 – Parking Standards for compliance with national policy as set out in the Written Ministerial Statement dated 25th March 2015 which states *"This government is keen to ensure that there is adequate parking provision both in new residential developments ... The imposition of maximum parking standards under the last administration lead to blocked and congested streets and pavement parking. Arbitrarily restricting new off-street parking spaces does not reduce car use, it just leads to parking misery. It is for this reason that the government abolished national maximum parking standards in 2011. The market is best placed to decide if additional parking spaces should be provided. However, many councils have embedded the last administration's revoked policies. Following a consultation, we are now amending national planning policy to further support the provision of car parking spaces. Parking standards are covered in paragraph 39 of the NPPF. The following text now needs to be read alongside that paragraph: "Local Planning Authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network."*

For the Nottingham Local Plan Part 2 to be found sound under the four tests of soundness as defined by paragraph 182 of the NPPF, the Plan should be positively prepared, justified, effective and consistent with national policy. It is suggested that the Council gives due consideration to the above mentioned matters in order to produce a sound Local Plan. Of particular concern are :-

- shortened plan period with only circa 11 years remaining post adoption;
- no flexibility in land supply ;
- overly burdensome policy requirements relating to water efficiency standards, energy use, adaptable / accessible homes and space standards.

It is considered that these aspects of the Plan are unsound because of inconsistencies with national policy, not positively prepared, unjustified and therefore ineffective.

We hope that these initial comments are helpful in informing the next stages of the Nottingham Plan. In the meantime if you require 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
Mobile : 07817 865534