



Local Plan Consultation  
Forward Planning Team  
Cotswold District Council  
Council Offices  
Trinity Road  
Cirencester  
GL7 1PX

SENT BY E-MAIL AND POST

27 February 2017

Dear Sir / Madam

## **COTSWOLD LOCAL PLAN – FOCUSSED 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.

The HBF submits the following comments in response to the Council's focussed changes consultation document.

### **FC042 – Nationally Described Space Standards**

The HBF object to the insertion of the wording "*Developers will be required to comply with the Nationally Described Space Standards*" into **Policy H1**.

The Written Ministerial Statement dated 25<sup>th</sup> March 2015 confirms 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*". So if the Council wishes to adopt the nationally described space standard the Council should only do so by applying the criteria set out in the NPPG. The NPPG sets out 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” (ID: 56-020-20150327).*

The Council’s evidence does not set out any justification for adopting the nationally described space standard in Cotswold. It is incumbent on the Council to provide a local assessment evidencing the specific case for Cotswold which justifies the inclusion of the nationally described space standard in its Local Plan policy. If it had been the Government’s intention that generic statements justified adoption of the nationally described space standards then the logical solution would have been to incorporate the standards as mandatory via the Building Regulations which the Government has not done. The nationally described space standards should only be introduced on a “need to have” rather than a “nice to have” basis.

There is no assessment of size of dwellings currently built in Cotswold. The Council has presented no evidence of harm caused by the size of new dwellings in the District. It is insufficient to conclude that housing below the nationally described space standard is poor housing. The identification of a need for the nationally described space standard must be more than simply stating that in some cases the standard has not been met it should identify the harm caused or may be caused in the future. If customers were dissatisfied with the market offer then they have option of purchasing from the second hand market. However the HBF annual customer satisfaction survey of new home buyers shows that nationally 92% of respondents are happy with the internal layout of their new home.

Furthermore the impact on viability should be considered in particular an assessment of the cumulative impact of policy burdens. Although the Cotswold District Council Whole Plan Viability & Community Infrastructure Levy (CIL) Viability Assessment by HDH Consultants dated April 2016 makes provision for the cost of the nationally described space standard in its calculations other factors have not be taken into consideration. There is a direct relationship between unit size, cost per square metre, selling price per metre and affordability. The Council cannot simply expect home buyers to absorb extra costs in a District where there exists severe affordability pressures.

There is also an impact of larger dwellings on land supply. The requirement for the nationally described space standard would reduce site yields or the number of units on a site. Therefore the amount of land needed to achieve the same number of units must be increased. The efficient use of land is less because development densities have been decreased. At the same time the infrastructure and regulatory burden on fewer units per site intensifies the challenge of meeting residual land values which determines whether or not land is released for development by a willing landowner especially in lower value areas and on brownfield sites. Alternatively it may undermine delivery of affordable housing at the same time as pushing additional families into affordable housing need because they can no longer afford to buy a nationally described space standard compliant home. The Council has made no assessment of these impacts.

The Council has not taken into consideration any adverse effects on delivery rates of sites included in its housing trajectory. The delivery rates on many sites will be predicated on market affordability at relevant price points of units and maximising absorption rates. An adverse impact on the affordability of starter home / first time buyer products may translate into reduced or slower delivery rates. The Council has not put forward any transitional arrangements. The land deals underpinning the majority of identified sites will have been secured prior to the Council's proposed introduction of nationally described space standards. These sites should be allowed to move through the planning system before the proposed requirements of **Policy H1** are enforced. The nationally described space standards should not be applied to any outline or detailed approval prior to the specified date and any reserved matters applications should not be subject to the nationally described space standards.

### **FC043 & FC045 – Self Build / Custom Build**

The principle that if there is no demand then no plots will need to be provided is acceptable. If the Council proposes to use its Self Build Register as evidence of need it must provide an accurate and up to date measure of demand. It is noted that the Council has confirmed that the Register will be reviewed every 12 months. The Self Build Register data 1<sup>st</sup> April – 31<sup>st</sup> October 2016 Report confirms 66 eligible expressions of interest. However the report identifies that only 20 out of 66 would consider a self build plot on a site of more than 10 dwellings. This evidence does not justify the 5% figure on sites of 20+ dwellings. The Register also fails to provide any supporting evidence on specific locations wanted with over 50% choosing the anywhere option because they are not familiar enough with the District to select a Parish (47% of eligible expressions of interest are from outside the Cotswold). The HBF's overriding objection to the Policy remains. It is noted that the majority of expressions of interest are for single plots or plots on sites of less than 10 units the HBF believes that the Council should be identifying and allocating small sized sites specifically for self build / custom build demand.

### **FC044 – Housing Mix**

The removal of the wording from Policy H1 to the explanatory text is welcomed. However this text places an onerous burden onto developers. It is noted that a detailed analysis of incomes by District is not contained in the Gloucestershire SHMA 2014 or 2016 update by HDH Consultants or the Cotswold OAN Report dated December 2016 by Neil McDonald so the Council is asking developers to provide a level of information to justify a planning application housing mix which the Council itself has not provided during the preparation of its Local Plan.

### **FC046 & FC047 – Affordable Housing thresholds**

It is agreed that the proposed site thresholds comply with the Written Ministerial Statement. However in the case of sites of 6 dwellings in the settlements defined under the S175 of the Housing Act it should be specified

that any financial contribution is payable on completion of the development as set out in the Written Ministerial Statement.

### **FC088 – Water efficiency standard**

The HBF objects to the requirement for the higher optional water efficiency standard set out in para 12.5.2 of this consultation document. There is no justification for this requirement as para 12.5.4 confirms that there is adequate water supply provision to achieve the Local Plan forecast growth. The Water Cycle Study does not identify an area of water stress. It appears that the Council is seeking to reduce water demand in new development in order to reduce the risk of worsening phosphate levels and the subsequent deterioration in water quality standards.

It is the HBF's opinion that the Council is misapplying the optional requirement for a higher water efficiency standard in its Local Plan policies as set out in FC088 because the Council's own evidence acknowledges that the District is not an area classified as subject to serious water stress. The Housing Standards Review was explicit that reduced water consumption was solely applicable to water stressed areas. The acceptable approach is set out in the NPPG - Housing Optional Technical Standards – Water Efficiency Standards section (ID 56-013-20150327 to 56-017-20150327) :-

- *“helping to use natural resources prudently ... to adopt proactive strategies to ... take full account of water supply and demand considerations ... whether a tighter water efficiency requirement for new homes is justified to help manage demand” (our emphasis).*

The provision of infrastructure is also covered under the Water Supply, Waste Water and Water Quality section of the NPPG (ID 34-001-20140306 to ID 34-014-20140306).

The application of the optional water efficiency standard to deal with water quality as proposed by the Council is inappropriate. It is incumbent on the Council to determine the facts through consideration of the potential impact on water quality of all forms of development including established agricultural uses. It may be that surface water run off created by agricultural practises is compromising water quality rather than residential development therefore a reduction in water usage in new residential developments is not be an appropriate mitigation measure. The issue is not one of water usage in a water stressed area.

Furthermore the requirement was not included in the cost assumptions of the Cotswold District Council Whole Plan Viability & Community Infrastructure Levy (CIL) Viability Assessment by HDH Consultants dated April 2016. The Written Ministerial Statement dated 25<sup>th</sup> March 2015 confirms 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”*.

## Conclusions

For the Cotswold Local Plan to be found sound under the four tests of soundness defined by the NPPF the Local Plan must be positively prepared, justified, effective and consistent with national policy (para 182). It is recommended that the Council re-considers the following matters :-

- FC042 - delete the requirement for nationally described space standard because not been justified as set out in national policy ;
- FC043 & FC044 - delete the requirement for 5% self build / custom build ;
- FC044 – delete housing mix justification ;
- FC046 & FC047 – amend timing of financial contribution payments ;
- FC088 - delete the requirement for higher optional water efficiency standard.

It is noted that these focused changes as proposed by the Council do not address concerns raised in the HBF representations to the Cotswold Local Plan pre submission consultation (ended on 8 August 2016) therefore those objections remain in particular the under estimation of OAHN.

It is hoped that these representations are of assistance to the Council in informing the next stages of the Cotswold Local Plan. In the meantime if any further information or assistance is required please contact the undersigned.

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



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