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28th August 2018

Dear Sir / Madam

SOUTH EAST LINCOLNSHIRE LOCAL PLAN MAIN MODIFICATIONS 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 to specific Main Modifications (**PMM**) proposed by the Councils.

The HBF is supportive of proposed main modifications which address concerns raised in our previous representations including :-

- **PMM011 to Policy 10 : Meeting Assessed Housing Requirements** – the 5% (+750 dwellings) uplift to increase the overall housing requirement to 19,425 dwellings subdivided as 7,744 dwellings (310 dwellings per annum) in Boston and 11,681 dwellings (467 dwellings per annum) in South Holland between 2011 – 2036 which will help support the delivery of affordable housing. The addition of separate housing trajectories for Boston Borough Council and South Holland District Council respectively as the 5 YHLS will be calculated independently for each authority ;
- **PMM012 to Policy 11 : Distribution of New Housing** – the update of housing numbers ;
- **PMM013** – the introduction of a new **Policy 12 : Release of Reserve Housing Sites**. This new Policy provides additional flexibility to the Councils housing land supply in case development on allocated and



consented sites stall. 13 sites for circa 823 dwellings are identified which will be triggered for release by measuring the separate performance of each respective authority against the Housing Delivery Test ;

- **PMM018 to Policy 17 : Mix of Housing** – the removal of the percentage housing mix requirements in order to be less prescriptive ;
- **PMM019 to Policy 18 : Affordable Housing** – the revision of the affordable housing needs figures and the amendment to the policy provision requirement for “about” 20% in Boston and “about” 25% in South Holland ;
- **PMM035** – under Monitoring & Review the addition of the reference to 5 yearly review from the date of adoption of the Joint Local Plan and ;
- **PMM036** – the introduction of a new Appendix 4 : Expected Housing Delivery tabulations.

The HBF have no comments on proposed amendments to site specific allocations / policies such as **PMM014 – PMM017** and / or policies relating to non-residential matters such as **PMM033 & PMM034**.

However the HBF have the following remaining concerns :-

- **PMM006** – the additional requirement for increased education provision to **Policy 5 : Meeting Physical Infrastructure & Service Needs**,
- **PMM007** – the additional list of contributions to **Policy 6 : Developer Contributions** which are also cross referenced to other policies and
- **PMM038** – the introduction of other new Appendices on Infrastructure & Mitigation Requirements and Developer Contributions for Education, Health Care, etc. The full extent of these requirements were not proposed at pre submission stage of the Joint Local Plan and therefore have not been subject to whole plan viability testing by the Councils which means that the cumulative impact on viability and deliverability of development has not been fully assessed or considered. At pre submission stage the HBF raised concerns about the Councils viability evidence which demonstrated viability challenges particularly on brownfield sites and the policy trade-offs required between affordable housing provision and infrastructure delivery ;
- **PMM011** – the retention of the Liverpool approach rather than the Sedgefield approach to recouping past shortfalls in the 5 YHLS calculation. The HBF’s preferences for the calculation of 5 YHLS are the Sedgefield approach to shortfalls as set out in the National Planning Practice Guidance (NPPG) (ID 3-035) with a 20% buffer applied to both the annualised housing requirement and any shortfall. There should be no departure from the Government’s preferred approach as currently set out in the NPPG. The Draft NPPG published in March 2018 also states that the Council should deal with shortfalls against planned requirements within the first five years of the plan period. The Councils should be doing

everything possible to deliver previous housing shortfalls as soon as possible. Further delays in meeting housing needs is failing those households in housing need. It is important to remember that this is not just a theoretical mathematical numbers exercise. It is unreasonable and unequitable to expect households to wait until later in the plan period before their housing needs are addressed ;

- **PMM018 to Policy 17 : Mix of Housing** – the introduction of 10% adaptable homes requirement. The Councils should define if M4(2) or M4(3) optional higher housing standards are required. The Written Ministerial Statement dated 25th March 2015 stated 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*”. If the Councils wish to adopt standards for accessible / adaptable homes then the Councils should only do so by applying the criteria set out in the NPPG. All new homes are built to Building Regulation Part M standards. Therefore it is incumbent on the Councils to provide a local assessment evidencing the specific case for Boston and South Holland which justifies the inclusion of optional higher standards for accessible / adaptable homes and the proposed quantum of 10%. An ageing population is not unusual and is not a phenomenon specific to Boston and South Holland. If it had been the Government’s intention that generic statements about an ageing population justified adoption of accessible / adaptable standards then the logical solution would have been to incorporate the standard as mandatory via the Building Regulations which the Government has not done. The optional higher standards should only be introduced on a “need to have” rather than “nice to have” basis ;
- **PMM018** – the introduction of new supporting text which states that developers “will be advised to meet minimum space standards”. The Joint Local Plan should contain policies and supporting text that are clearly written and unambiguous. It is the HBF’s opinion that this text should be deleted. The Written Ministerial Statement dated 25th 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*”. If the Councils wish to adopt the Nationally Described Space Standard (NDSS) as a policy requirement then the Councils 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) ;

- **PMM030 to Policy 31 : Climate Change** – the introduction of the higher optional water efficiency standard of 110 litres per person per day rather than the mandatory Building Regulation standard of 125 litres per person per day. The Written Ministerial Statement dated 25th 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”*. If the Councils wish to adopt the higher optional standard for water efficiency the Councils should only do so by applying the criteria set out in the NPPG. The Housing Standards Review was explicit that reduced water consumption was solely applicable to water stressed areas. The NPPG (ID 56-013 to 56-017) refers to *“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”*. Planning policy requirements should be underpinned by relevant and up to date evidence which supports and justifies the policy concerned.

Conclusion

For the South East Lincolnshire Joint Local Plan to be found sound under the four tests of soundness as defined by the NPPF (para 182), the Plan should be positively prepared, justified, effective and consistent with national policy. The Plan is considered unsound because of **PMM006, PMM007, PMM011, PMM018, PMM030** and **PMM038** which are considered to be inconsistent with national policy, not positively prepared, unjustified and ineffective. It is hoped that these representations are of assistance to Boston Borough Council, South Holland District Council and the Inspectors in preparing the final stage of the South East Lincolnshire Joint 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**


Susan E Green MRTPI
Planning Manager – Local Plans



JOINT COMMITTEE RESPONSE FORM

REP: MM37(1)

PMM REF: PMM011

The Home Builders' Federation's (HBF) letter supports some of PMM011's provisions (5% uplift to the housing requirement and the setting out of separate housing trajectories for Boston Borough and South Holland District Councils). The support for these aspects of PMM011 is noted, and the Joint Committee has no comments on these matters.

The HBF's letter also objects to one of PMM011's provisions (the inclusion of a new paragraph 5.2.6 which explains that past shortfalls are intended to be dealt with using the 'Liverpool' method). The Joint Committee does not agree that the inclusion of this paragraph is unsound. This matter was discussed at the Examination Hearings, and the Joint Committee considers that the use of the Liverpool method is appropriate because the Local Plan's housing provisions (both commitments and allocations) rely heavily on Sustainable Urban Extensions, which will help to deliver important new infrastructure. As a consequence of their scale and complexity, these Sustainable Urban Extensions are not expected to deliver new dwellings until later in the Local Plan period. Thus, the provisions of the Local Plan are significantly 'back-loaded' and the shortfalls from the Local Plan's first six years will therefore be met over all the remaining years of the Plan period.