

Home Builders Federation

Matter 6

TENDRING LOCAL PLAN EXAMINATION

Matter 6 – Living Places and Design

6.1 Sustainable Design (SPL3)

Are the criteria in SPL3 justified and consistent with national policy? Are the requirements of the policy reasonable and clearly articulated and would the policy be effective?

Do the requirements of part (a) reflect the guidance in paragraph 32 of the Framework? Are the requirements of Part B (d) reasonable and in line with the Housing: Optional Technical Standards?

Since the Council submitted this local plan the Government have been clear that Councils can seek higher energy efficiency measures from new development. Therefore, our concern regarding the consistency of part B(d) with national policy has been addressed. However, the Council are proposing to modify part B(d) to include a specific requirement for all homes to be fitted with electric vehicle charging points (EVCPs) and solar panels. Our first comment on these modifications is that they are not necessary for the soundness of the local plan. The approach taken to improving energy efficiency should be for the developer to decide. This might be in the form of solar panels, but other mechanisms may also be appropriate. The Council should not specify in this policy the approach developers should take.

Secondly, the proposed modifications have not been tested in the viability study nor has the potential impact on electricity capacity of EVCPs been considered as part of the preparation of the local plan. It is important that such testing does take place as part of the preparation of the local plan. The HBF is supportive of encouragement for the use of electric vehicles, however, it is our members preference that this should be via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. We consider such an approach is necessary to allow research and development and supply chains to focus upon responding to agreed national targets, and for training providers to plan their programmes to equip the labour force to meet these new requirements. It is fundamentally inefficient to create a plurality of standards.



The Government has recognised in recent consultations the possible impact of any requirement to provide electric vehicle charging points on housing supply especially where the requirements are not technically feasible. As such the Government proposals in this consultation include the introduction of exemptions for such developments. It is also important to recognise that the costs of installing the cables and any charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment.

Where such costs are high the Government are proposing that any potential negative impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. The consultation proposes that the threshold for the exemption is set at £3,600. In the instances the additional costs are likely to make developments unviable, it is the Government's view that the EVCP requirements should not apply and only the minimum Energy Performance of Buildings Directive requirements should be applied.

As such we would suggest that the requirement for EVCPs in all homes should not be included in the local plan as their impact has not been tested and because the Government's proposed changes to Building Regulations will provide a more effective framework for the delivery of charging points for electric vehicles. Similarly, the requirement for roof solar panels should also be deleted. It should be for the developer to decide how best to meet the requirements for energy improvement and efficiency. This might be met through solar panels but equally it could be achieved through other solutions that would reduce energy consumption.

6.2 Housing Density and Standards (LP3) and Housing Layout (LP4)

Is the requirement to meet minimum standards of internal space clearly articulated and supported by clear evidence?

It is important to recognise that the optional technical standards can, as set out in paragraph 56-002 of Planning Practice Guidance (PPG), only be introduced where they are needed and where they do not impact on the viability of development. The application of space standards has been considered in the viability assessment, however, the only evidence put forward to support space standards is set out in EB5.4.1 which was first published in August 2013 which sets out an assessment of housing size from a range of different eras but does not provide any evidence as to whether the new homes that are being built in Tendring are below space standards. This evidence does not provide any evidence that there is a pressing need for the introduction of space standards in new homes within Tendring.

Whilst the HBF share the Council desires to see good quality homes delivered within Tendring we also consider that space standards can, in some instances, have a negative impact upon affordability issues and reduce customer choice. In terms of choice, for example, some developers will provide entry level two, three and four-bedroom properties which may not meet the optional nationally described space standards, but which would allow on lower incomes can afford a property which has their required number of bedrooms. Given the poor affordability of property in the area it is important that the Council can provide, in line with PPG, robust evidence that there is a need to introduce the optional space standards – that these standards are a must have rather than a nice to have policy.

The HBF is also not aware of any evidence that market dwellings in Tendring that do not meet the NDSS remaining unsold or that those living in these dwellings consider that their housing needs are not met. There is no evidence that the size of houses built are considered inappropriate by purchasers or dwellings that do not meet the NDSS are selling less well in comparison with other dwellings. The HBF in partnership with National House Building Council (NHBC) undertake an annual independently verified National New Homes Customer Satisfaction Survey. The 2019 Survey demonstrates that 91% of new home buyers would purchase a new build home again and 89% would recommend their housebuilder to a friend. The results also conclude that 93% of respondents were happy with the internal design of their new home, which does not suggest that significant numbers of new home buyers are looking for different layouts or house sizes to that currently built.

Given that there is little to suggest that development below space standards is an endemic concern within Tendring we would suggest that the policy is deleted from the plan. This would give the Council greater flexibility to maximise the number of sites that are developable as well as extending consumer choice to more households.

Are the criteria in LP3 and LP4 justified and consistent with national policy? Are they clearly articulated, and would the policy be effective? Is the Council's proposed modification to the policy and supporting text necessary for soundness?

We note that the Council are proposing to move the requirements relating to the optional technical standard for accessibility from SPL3 to LP3. Whilst this would seem sensible, we would suggest that clarification be provided with regard to the application of part M4(3) wheelchair accessible housing. It is important to distinguish in policy that wheelchair accessible homes and wheelchair adaptable homes given that paragraph 56-009 of PPG states that the former can only be required on dwellings where a local authority nominates the person to live in that dwelling.

Affordable and Council Housing (LP5)

Are the criteria in LP5 justified and consistent with national policy? Are the requirements of the policy reasonable and clearly articulated and would the policy be effective?

(a) Are the policy's requirements justified by evidence of need?

(b) Does the policy take appropriate account of viability?

(c) Is the policy sufficiently flexible?

Does the Council's propose modifications to these policies and if so, are they necessary for soundness?

The policy that was submitted for examination stated that the requirements in this policy were subject to viability testing. This provided some flexibility within the application of this policy to ensure that viability considerations are taken into account. However, it is noted that the Council's proposed amendments to LP5 in SM1 omits this key phrase from the policy. No strikethrough of this phrase is included in the proposed modification indicating that these have been deleted so it is not clear whether this is intentional or an error. However, regardless of the reason for omission, without this statement policy LP5 is unsound as it removes the flexibility in the policy to amend affordable housing requirements where such policies make a development unviable – a key principle of both the 2012 and 2019 NPPF. Whether this was intentional or a drafting error it is important that this phrase be retained in policy LP5.

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