



Broxtowe
Borough
COUNCIL

Broxtowe Borough Council

Response to Matter 5:

Housing Size, Mix and Choice

November 2018

BROXTOWE LOCAL PLAN PART 2 EXAMINATION

MATTERS, ISSUES AND QUESTIONS

Matter 5 Housing Size, Mix and Choice (Policy15)

ISSUE: Whether the approach to the delivery of housing is justified, effective and consistent with national policy in the NPPF.

i) Affordable housing

1. The ACS in Policy 8.5a sets down an affordable housing requirement of 30% for Broxtowe. What evidence is there to support the local variations proposed in Policy 15

- 1.1. The evidence (as described in paragraph 15.7 of the Plan) is in the ['Nottingham Core Viability Update Study' \(VI/01\)](#). This Study updated the earlier 'Nottingham Core Affordable Housing Viability Assessment' and provides support (at Table 6.1, etc) for the local variations proposed in policy 15, indicating that the percentage figures used in the policy are likely to be appropriate.
- 1.2. The Update Study was published in 2013 and the HBF (representor 119) suggested that it is "somewhat out of date". However there have been no relevant changes in circumstances since the Update Study was produced. In her recent [Report on Gedling's Examination \(RD/09\)](#) (paragraphs 197-200) the inspector concluded that the Update Study justifies the percentage targets for affordable housing that are included in Gedling's equivalent policy, given the wide range of land prices and affordability within the borough. Similar circumstances apply in Broxtowe and the evidence is equally relevant in both boroughs.
- 1.3. The Council has recently commissioned GL Hearn to prepare a 'Social and Affordable Housing Need Study'. This is currently in draft form and the final version will be added to the examination library when it is available. Whilst not providing affordable housing targets, this Study endorses the submarkets which are identified in the 2009 Assessment and the 2013 Update Study, and which are used in policy 15 and paragraph 15.1 of the Plan. The draft GL Hearn Study also confirms that there is a notable need for affordable housing in the borough and it recommends that affordable housing delivery should be maximised where opportunities arise
- 1.4. The Council also commissioned Nationwide CIL Service (NCS) to undertake a ['Whole Plan & Community Infrastructure Levy Viability Assessment' \(BBC/05\)](#). This broadly supports the policy; paragraph 1.14 states that "Affordable Housing delivery is viable across the Borough subject to differential approaches to delivery in different sub-market areas".

- 1.5. Representor 73 disagreed with the percentage figure for Stapleford; however this did not appear to be based on clear evidence. Other representors did not raise significant issues about the proposed local variations (other than the question of the age of the document, mentioned above).

2. Is it sufficiently clear what would form ‘an exceptional circumstance’ to justify off site provision of affordable housing referred to in part 5 of the policy?

- 2.1. The Council generally prefers not to detail ‘exceptions’ within a policy itself, because it risks making unclear whether the circumstances referred to are genuinely ‘exceptional’ or whether they are simply ‘unexceptional’ clauses of the policy. However we agree that it would be helpful to provide, within the ‘justification’ text, examples of potential ‘exceptional circumstances’. Therefore it is proposed to add the following after paragraph 15.3:

Proposed additional paragraph:

With regard to part 5 of the policy, examples of potential exceptional circumstances might include those where:

- On-site provision of affordable housing would undermine other housing or regeneration objectives;
- The type of affordable housing that is needed would not reflect the character of the area;
- There is already a high proportion of affordable housing within the immediate area;
- Specialist forms of affordable housing could be provided off-site but not on-site;
- There would be only a modest number of affordable housing units provided and there would be resultant difficulties for on-going management.

3. In part 6 of the policy is it sufficiently clear whether the reference to ‘house size’ relates to number of bedrooms or to minimum floor areas set down in the Nationally Described Space Standards?

- 3.1. Yes, it is sufficiently clear. There is nothing to suggest that the ‘word ‘size’ is being used with anything other than its normal meaning (i.e. number of bedrooms) and there is no reference in the policy or the justification text to the Nationally Described Space Standards.

ii) **Accessible and Adaptable dwellings**

4. What local evidence is there to support the requirement for 10% of dwellings in development of 10 or more units to comply with M4 (2) of the Building Regulations? What would be the impact on viability?

- 4.1. As mentioned at paragraph 5.5 of the Plan, there is a relatively high proportion of elderly people in the borough. In 2017 (the latest published data) 21% of Broxtowe’s population was aged 65 or over, compared with a national figure for England of 18% (ONS mid-year population estimates). In the same year, over 10% of applicants on the Council’s housing waiting list stated that they required adaptations within their home and/or were over the age of 85. So far in 2018, the Council has let 69 properties to applicants with a medical priority. The draft ‘Social and Affordable Housing Need Study’ (referred to above) indicates that there is a clear need to increase the supply of accessible and adaptable dwellings
- 4.2. National policy recognises this as an important issue and the Council considers it important, through the Local Plan and through initiatives of our Housing department, to try to make local progress on this issue. For example, paragraphs 58 and 69 of the NPPF refer to the importance of creating “safe and accessible environments” and “safe and accessible developments”, whilst paragraph 159 refers to the need to plan for the needs of older people and people with disabilities and paragraph 171 emphasises the importance of understanding and taking account of the health status and needs of the local population. The policy is consistent with the Practice Guidance on ‘Housing: optional technical standards’, including the requirement (at paragraph 008, reference ID 56-008-20160519) that authorities “should clearly set out in their Local Plan what proportion of new dwellings should comply with the requirements”.
- 4.3. In the [‘Whole Plan & Community Infrastructure Levy Viability Assessment’ \(BBC/05\)](#), consultants NCS took specific account (at paragraph 4.29) of the policy on accessibility standards and concluded (at paragraph 1.14, etc) that the Plan’s policies are “broadly viable across all forms of housing development”. Having clear policies, such as this, can help to improve viability by making clear to landowners and developers what the policy expectations will be, so that (as indicated at paragraph 15.3) they can be factored into discussions about land values well before planning applications are made.
- 4.4. With regard to the representations of McCarthy and Stone (representor 403), the Council recognises that this policy alone will not wholly meet the needs of the elderly population of the borough. However it will make a useful contribution towards meeting these needs.

iii) **Self-build/custom build**

5. Is the requirement for 5% of dwellings in schemes over 20 units to form serviced plots for self-build or custom build justified by the evidence? What level of demand is indicated by the Council's Register? How has scheme viability been assessed?

- 5.1. Evidence on these issues is inevitably somewhat uncertain as registers may include people who in practice have little commitment to self/custom-build, either in general or in the area where they are registered, and the registers may also involve a substantial element of 'double counting' of people who are included on several registers. The Greater Nottingham register (which includes Broxtowe) has recently been revised in order to help address these issues.
- 5.2. Self/custom-build is recognised as an important issue by the government. For example, paragraph 50 of the NPPF expects authorities to have policies for meeting the needs of people wishing to build their own homes. Despite uncertainties around the issue, the Council aims to make a local contribution towards helping with this issue through the Local Plan.
- 5.3. The threshold of 20 dwellings and the percentage of 5% are both similar to those used elsewhere and are the same as those used at Teignbridge DC, the first adopted policy on the issue. The emerging Local Plan of neighbouring Nottingham City has a considerably lower threshold of 10 dwellings, suggesting that Broxtowe's threshold is not unduly onerous.
- 5.4. The Council's Register contained 83 entries at April 2018. The Council has recently amended its approach across the HMA to include a 'Local Connections Test'¹. This is a recent change but the early indication is that there has been a very significant reduction in demand.
- 5.5. In the ['Whole Plan & Community Infrastructure Levy Viability Assessment' \(BBC/05\)](#), consultants NCS concluded (at paragraph 1.14, etc) that the Plan's policies are "broadly viable across all forms of housing development". Having clear policies, such as this, can help to improve viability by making clear to landowners and developers what the policy expectations will be, so that (as indicated at paragraph 15.3) they can be factored into discussions about land values well before planning applications are made.

¹ <https://www.broxtowe.gov.uk/for-you/planning/planning-policy/self-build-and-custom-register/>

iv) **Viability**

6. Having regard to the requirement for affordable housing, accessible homes and self-build/custom build on larger schemes, what is the evidence that cumulatively such provision would maintain scheme viability? In particular in the weaker sub market areas of Eastwood and Stapleford, where a reduced affordable housing requirement is proposed, what evidence is there to demonstrate scheme viability would be maintained ? In a similar way to affordable housing, should a proposal for lesser provision of accessible homes and self-build/custom build also be accompanied by a viability assessment?

- 6.1. The ['Whole Plan & Community Infrastructure Levy Viability Assessment' \(BBC/05\)](#) takes account of the cumulative effects on scheme viability of all the Plan's policies (see, for example, paragraphs 4.24-4.29). The Assessment concludes (at paragraph 1.14) that the Plan's policies are "broadly viable across all forms of housing development" and a "key finding" (at paragraph 7.1) is that "housing development proposed in all locations in the Broxtowe Borough Local Plan is broadly viable". This includes the weaker sub markets of Eastwood and Stapleford.
- 6.2. With regard to the final part of the question, the Council agrees that it would be helpful for part 4 of the policy (regarding proposals for lesser provision) to also apply to parts 7 and 8 (accessible homes and self/custom-build), as well as to parts 1-3 (affordable housing). The following changes are therefore proposed:

Proposed amendment to policy 15.4:

Any applications which propose less affordable housing, [fewer 'accessible and adaptable dwellings' or fewer self-build or custom-build homes](#) than is indicated in parts ~~1, 2 and 3~~ [1, 2, 3, 7 and 8](#) of this policy must be accompanied by a viability assessment.

Proposed amendment to final sentence of paragraph 15.3:

Any permission granted contrary to part ~~1, 2 or 3~~ [1, 2, 3, 7 or 8](#) of the policy will be subject to a clause requiring viability to be reviewed in the future.

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