HEARING STATEMENT

Examination of the Suffolk Coastal District Local Plan

On behalf of:
Hopkins Homes

In respect of:
Matter 4 Policies (Policy SCLP5.8 Housing Mix)

Date:
July 2019

Document Reference:
GA/DJ/05017/S0012
1.0 INTRODUCTION

1.1 This Hearing Statement has been prepared on behalf of our client Hopkins Homes in respect of Matter 4 Policies (Policy SCLP5.8 Housing Mix) of the Inspector’s Matters, Issues and Questions for the Examination of the Suffolk Coastal District Local Plan.

1.2 The Statement is intended to assist the Inspector’s consideration of the legal compliance and soundness of the Plan and will form the basis of the discussion at the Examination Hearing session on 18th September 2019.

2. ISSUE – ARE THE INDIVIDUAL POLICIES CLEAR, JUSTIFIED AND CONSISTENT WITH NATIONAL POLICY AND WILL THEY BE EFFECTIVE?

Question 4.4
The Framework in paragraph 61 states that the size, type and tenure of housing needed for different groups in the community should be assessed and be reflected in planning policies. Has the size, type and tenure of properties needed for the Plan area been adequately assessed and would the Policy be effective in meeting needs?

2.1 Policy SCLP5.8 requires proposals for more than 5 dwellings to provide a mix of sizes based on that shown in table 5.1 of the supporting text and at least 40% 1 and 2 bedroom properties representing a very significant quota of small homes. Hopkins Homes consider that this requirement has been inadequately assessed with respect to market evidence and that it will be ineffective in meeting actual housing needs due to its lack of flexibility with respect to market conditions and changes in need over time and by location.

2.2 The biggest issue with the effectiveness of this policy is its lack of flexibility. While Hopkins Homes recognise the requirement at NPPF paragraph 61 for local plan policies to “reflect” the size of housing needed for different groups in the community, this requirement does not negate the need for policies to recognise the limitations of their evidence base and to be sufficiently flexible to adapt to rapid change (as required by NPPF paragraph 11). Flexibility is needed for the following three reasons:

a. Market demand: As set out in our representations to the Final Draft plan, the demand for small households actually wanting to live in small houses to the extent the policy demands is unproven. In their own experience of building new homes in the District, Hopkins Homes and Hopkins & Moore have found that many small households do not wish to live in small houses. There is
therefore an inherent risk in requiring 40% of new homes to be 1 and 2 bedroom without evidence to demonstrate that this is what the market demands. It is considered that such a strict policy requirement may serve to discourage planning applications coming forward where the specified mix would not meet market demand or would impact on project viability, adversely affecting the delivery of housing. The strict requirements of this policy could require housebuilders to build homes for which there is little demand, slowing down the delivery of much needed housing;

b. Changes over time: The housing mix provided in table 5.1 simply provides a snap-shot of forecast needs at the time of the SHMA (i.e. August/September 2017 and updated January 2019 – Examination Document References D14, D15 and D16). It is a best estimate based on a statistical methodology using 2011 census data to forecast the required housing mix for development up to 2036. It provides a useful guide on likely housing requirements, but should not be interpreted as an exact requirement from which no deviation will be allowed. To do so renders the policy incapable of responding to changes in need over time.

c. Differences in Local Need: The housing mix provided in table 5.1 provides the forecast need for the District as a whole and does not allow for differences in need across this wide geographic area. The supporting text to the policy does recognise at paragraph 5.38 that, “depending on the character of the area, some sites may present a greater opportunity to secure smaller properties”, but this recognition is not sufficiently factored in to the policy wording. The first sentence of the policy does appear to allow for alternative local evidence on need to be used (if supported by the Council), but the second sentence then strongly states that the mix should be in accordance with table 5.1. This in effect removes any allowance for housing mix to be tailored to local circumstances and renders the policy incapable of providing for the needs of specific geographic locations.

2.3 To ensure Policy SCLP5.8 allows for suitable flexibility to respond to market evidence and changes in need over time and by location, Hopkins Homes consider a change to the policy is necessary. As set out in our previous representations (Comment ID: 1255), this change should allow proposals to be considered on a site by site basis having regard to specific local housing need and market demand at the particular time in which a planning application is made, while also seeking to reflect the mix identified in the SHMA.

**Question 4.5**

Is it justified to apply the housing size requirements as set out in Table 5.1 to all proposals of 5 or more dwellings? Have the viability implications of such requirements been assessed?
2.4 No, as set out under Question 4.4 above, Hopkins Homes do not consider Policy SCLP4.8 to be justified as currently worded as it inflexibly requires a set housing mix that fails to take account of changes in the specific housing need over time and in different locations. It would also fail to account for market demand for different sizes of properties that could slow down the delivery of much needed new homes. It is not therefore an appropriate strategy and cannot be considered justified or sound against the test set out at NPPF paragraph 35(b).

2.5 Hopkins Homes also consider the trigger of 5 or more dwellings to be unreasonably low. Not only is it impossible for a site of 5 dwellings to provide the required mix (e.g. it would require half a 1 bedroom home), but it would also be impractical for small sites to deliver such a varied mix of homes and would therefore impact on the deliverability and viability of small scale housing developments. To be considered reasonable and therefore justified, the trigger for this policy should be changed to 10 or more dwellings.

2.6 The viability implications of the housing mix requirement are tested in the Plan Viability Assessment (Examination Document Reference D38) which, coupled with the requirement for 50% of dwellings to meet Part M4(2), finds that the housing mix requirements set by Policy SCLP5.8 would have a high-impact on viability. This raises further important doubts on the justification for the prescriptive mix set out in this policy and highlights the need for flexibility to respond to market signals.

Question 4.6
Is Policy SCLP5.8 justified and consistent with national policy in applying M4(2) standards to at least 50% of dwellings and on developments of more than 10 units?

2.7 On 26th June 2019, the government issued a new section of Planning Practice Guidance (PPG) on Housing for older and disabled people. This guidance builds on the requirements of NPPF paragraph 61 for planning policies to reflect the needs of older people. At ID: 63-003, the PPG recognises that a diverse range of needs exist for older people that can range from accessible and general needs housing to specialist housing with high levels of care and support. It then states at ID: 63-009 that "Where an identified need exists, plans are expected to make use of the optional technical standards ... to help bring forward an adequate supply of accessible housing" [emphasis added].

Identifying Need

2.8 Planning Practice Guidance (PPG) is clear at ID: 56-007 that local authorities should present clear evidence to demonstrate a need to apply this optional higher standard for accessibility and adaptability of new homes. It guides local authorities to consider the following factors in setting their proposed level of requirement:
• the likely future need for housing for older and disabled people (including wheelchair user dwellings).
• size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).
• the accessibility and adaptability of existing housing stock.
• how needs vary across different housing tenures.
• the overall impact on viability.

2.9 As set out in our previous representations (Comment ID: 1255), the Council’s justification for requiring 50% of new homes to meet Part M4(2) is contained at paragraph 5.43 of the Final Draft Plan which, referring to the evidence contained in the SHMA, states that:

"there will be an increase of 3,120 people over 65 in Suffolk Coastal with a limiting long term illness by 2030. Considered alongside the number of adaptations made annually to the existing stock and the scale of projected growth in population aged over 65, it is considered that there is a clear need for a significant proportion of new dwelling stock to be built to higher accessible and adaptable standards".

2.10 This statement is, however, contradicted by a statement at paragraph 5.42 that identifies a need for a total of 1,287 units of specialist accommodation (i.e. sheltered housing, enhanced sheltered housing and extra care housing) and 1,118 spaces in Registered Care (i.e. nursing and residential care homes) by 2036. In this respect, SCDC has failed to recognise that the provision of a total of 2,405 specialist units and Registered Care places would reduce the need for adaptable homes to just 715 adaptable homes.

2.11 It is also clear from the justification provided that there has been very little joined up thinking in assessing the most appropriate policy response to a forecast increase in people aged over 65 with a limiting long term illness.

2.12 The Council has forecast the likely future need for housing for older and disabled people, but not considered in any depth how this need should best be met. There has been little regard paid to the type of dwellings needed (i.e. whether adaptable, specialist or care homes), no assessment of the accessibility and adaptability of the existing housing stock, no consideration of how the need is likely to vary across different housing tenures and no assessment of the impact of such a high requirement on the viability of housing delivery and the impact such provision may have on the ability of the Council to secure other much needed contributions such as affordable housing. Indeed, as set out above, the
Council’s own Plan Viability Assessment (Examination Document Reference D38) finds that the housing mix requirements set by Policy SCLP5.8 would have a high-impact on viability.

2.13 It is clear from the assessment above that the Council has failed to conduct an adequate assessment to identify their need for the higher standard of accessible and adaptable new homes, contrary to the national policy contained in the NPPG and PPG.

**Adequate Supply**

2.14 In the context of the Council’s failure to adequately assess their need for highly accessible and adaptable homes, the proposed requirement for 50% of all new dwellings to meet this standard is shown to be ridiculous. 50% of all new homes planned to 2036 equals 5,238 accessible dwellings. This is two thirds higher than the total identified requirement for all types of elderly accommodation and seven times higher than the indicative actual need for highly accessible and adaptable homes, once need for specialist housing and care homes are taken into account.

2.15 It is clear from paragraph 5.43 of the supporting text to Policy SCLP5.8 that the Council do not actually consider there to be a need for 50% of all dwellings to be highly accessible and adaptable. This paragraph states that “Such dwellings are not only beneficial to older people but may also help to meet the needs of other groups for example families with young children”. The PPG is clear that Councils are expected to use the optional technical standards to bring forward an adequate supply of accessible housing. At no point does the guidance allow for authorities to require significantly more highly accessible and adaptable homes than are required simply because they think they may be beneficial to other groups. Not to mention the fact that while these groups may benefit from certain features of M4(2) (e.g. level access on all external doors and not just one door), they would be highly unlikely to ever use most of the adaptable features (e.g. hidden drainage to ground floor toilets to enable easy conversion to a wet room) and other features may be less desirable (e.g. oversized hallways and bathrooms that reduce available space in living areas).

2.16 There is no justification in national policy to require homes with higher accessibility and adaptability standards to meet the needs of families with young children, nor any evidence that these homes effectively meet the needs of such families. It is clear that the high proportion of Part M4(2) homes sought by the Council is unjustified and therefore unsound. Hopkins Homes therefore consider that this requirement should either be deleted or, if sufficient evidence can be presented, amended down to reflect the true need for such homes.

**Question 4.7**

Would the Policy be effective in meeting the housing needs of older people?
2.17 No. As set out above, the supporting text to the policy clearly states at paragraph 5.42 that there is a need for: 1,287 units of sheltered housing, enhanced sheltered housing and extra care housing; and an additional need for 1,118 spaces in nursing and residential care homes. These needs are, however, somehow combined with the need for highly accessible and adaptable dwellings that the policy focusses on delivering. The policy makes no provision for the need for specialist accommodation (i.e. sheltered housing, enhanced sheltered housing and extra care housing) aside from stating that “sheltered and extra-care housing will be supported”. The policy fails to secure any provision of specialist housing for the elderly for which there is a larger need identified than that for highly accessible and adaptable dwellings which it greatly overprovides for.

2.18 The only other reference in the Policy to the specific need for specialist housing for the elderly is at paragraph 5.42 of the supporting text which states that “Provision of sheltered and extra care housing and registered care will be secured through larger residential allocations where feasible, as part of a mix of housing types”. If this statement were true, one could be forgiven for concluding that Policy SCLP5.8 was effective in meeting the housing needs of older people (in so far as it delegates to other polices). However, as set out in the table below the site allocation policies fail to meet even 20% of the District’s need for specialist housing for the elderly.

<table>
<thead>
<tr>
<th>Policy</th>
<th>Size of Allocation</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Policies that Allocate Specialist Housing:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Policy SCLP12.3: North of Felixstowe</td>
<td>Up to 2,000</td>
<td>Allocation includes provision of unspecified number of extra care / sheltered dwellings</td>
</tr>
<tr>
<td>Policy SCLP12.27: Land rear of Rose Hill, Aldeburgh</td>
<td>Care Home and 10 dwellings</td>
<td>Allocation is for a modestly sized Care Home and 10 dwellings on 3ha site</td>
</tr>
<tr>
<td><strong>Total = 2 sites comprising 1 dedicated care home on a 3ha site and an unspecified proportion of a 2,000 home allocation</strong></td>
<td></td>
<td></td>
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<tr>
<td><strong>Policies that Include a Generic Older Person Requirement:</strong></td>
<td></td>
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<tr>
<td>Policy SCLP12.5: Land at Brackenbury Sports Centre</td>
<td>Approximately 80</td>
<td>All these policies include a requirement for a mix of housing, including housing for older people. N.B. Housing suitable for older people is defined at Paragraph 5.44 as including bungalows and smaller properties with larger than standard living and</td>
</tr>
</tbody>
</table>
Policy SCLP12.51: South of Primary School, Eyke 65
Policy SCLP12.52: Chapel Road, Gundisburgh 70
Policy SCLP12.59: Swiss Farm, Otley 60
Policy SCLP12.61: High Street, Pettistree 150
Policy SCLP12.66: Reeve Lodge, Trimley St Martin 150
Policy SCLP12.69: Land West of the B1125: Westleton 20

**Total = 11 sites totalling 885 dwellings, of which an unspecified proportion of dwellings will be required to be suitable for the elderly (e.g. bungalows)**

2.19 This table shows that just two policies specifically allocate specialist elderly housing, comprising:

- one relatively small care home on a 3ha site that is unlikely to provide even 20% of the identified need for 1,118 places; and

- an unspecified proportion of sheltered / extra care dwellings as part of the mix of housing at the 2,000 home allocation to the North of Felixstowe which again is unlikely to provide even 20% of the identified need for 1,287 dwellings.

2.20 The only other site allocations that are required to provide any form of elderly accommodation are 11 allocations totalling 885 dwellings that require a mix of housing that includes an unspecified proportion of housing suitable for the elderly. The Council’s definition of housing suitable for the elderly is contained at Paragraph 5.44 and includes bungalows and smaller properties. It is clear therefore that these requirements would not secure the provision of ‘specialist’ housing, but rather generic housing that is suitable for older people. Further, no specific figures are given for the number of dwellings suitable for the elderly required as part of the housing mix on these sites, but even if they were to provide a generous 10% bungalows, this would only equal 89 dwellings which would represent a very modest contribution to the total need.

2.21 It should be clear from the above that the policy’s unjustified focus on providing highly accessible and adaptable homes has rendered it ineffective in meeting the true needs of older people for specialist housing. The policy fails to secure the delivery of any specialist accommodation and the statement that specialist housing will be secured through larger residential allocations is clearly not true. The policy would therefore be ineffective in meeting the housing needs of older people and should be considered unsound.
HEARING STATEMENT

Examination of the Suffolk Coastal District Local Plan

On behalf of:
Hopkins Homes

In respect of:
Matter 4 Policies (Policy SCLP5.9 Self Build and Custom Build)

Date:
July 2019

Document Reference:
GA/DJ/05017/S0013
1.0 INTRODUCTION

1.1 This Hearing Statement has been prepared on behalf of our client Hopkins Homes in respect of Matter 4 Policies (Policy SCLP5.9 Self Build and Custom Build) of the Inspector’s Matters, Issues and Questions for the Examination of the Suffolk Coastal District Local Plan.

1.2 The Statement is intended to assist the Inspector’s consideration of the legal compliance and soundness of the Plan and will form the basis of the discussion at the Examination Hearing session on 18th September 2019.

2. ISSUE – ARE THE INDIVIDUAL POLICIES CLEAR, JUSTIFIED AND CONSISTENT WITH NATIONAL POLICY AND WILL THEY BE EFFECTIVE?

Question 4.8
Is the policy justified in terms of need, threshold and minimum target and how would it be effective in encouraging and providing for self-build and custom-build housing?

2.1 A detailed response to the issues raised by this question is contained in our previous representations to the Final Draft Plan (Comment ID: 1261). We do not intend to repeat that response here, but rather to highlight a few key points.

2.2 In terms of the need for self-build and custom build housing, the response received to Hopkins Homes Freedom of Information request in August 2018 highlighted that: there was only one registered self-builder specifically looking to have a custom build house on a developer led site in Suffolk Coastal; that the Council do not know how many registered self builders are registered on multiple Self Build Registers for other authorities; and that the greatest demand for self-build plots is in countryside and village locations and not on large development sites. The Council’s own evidence therefore clearly demonstrates that the policy requirement for developments of over 100 dwellings to provide 5% self-build and custom homes is unjustified and ineffective for the following reasons:

- there is little to no demand for self-build and custom build plots on large development sites and the policy is therefore unjustified in terms of need for this type of plot and the threshold for provision on sites of greater than 100 dwellings;

- the number of people on the self-build register is likely to be an overestimate as people may have expressed an interest in several areas, rendering the minimum target unjustified; and
• the greatest demand for self-build plots is in countryside and village locations meaning that the policy would not be effective in encouraging and providing for self-build and custom-build housing as it would not provide plots where there is demand for them.

2.3 As set out in our previous representations (Comment ID: 1261), we again wish to highlight to the Inspector that in examining a similar policy requiring larger developments to provide at least 5% as plots for self-build/custom build, the Inspectors Report into the Cornwall Local Plan confirmed at paragraph 168 (see extract at Appendix 1) that this approach was too prescriptive without the evidence to justify the level of prescription and that there must be considerable uncertainty as to whether plots on large new housing estates would be attractive to self-build/custom builders.

**Question 4.9**

**Would self-build and custom build housing be provided through Policy SCLP5.4?**

2.4 No. There is no specific provision at Policy SCLP5.4 for self-build or custom build properties to be provided in housing clusters in the countryside. It is of course possible that self-build and custom build development could come forward through this policy, but there is no added incentive or allowance for such developments meaning that landowners and developers would be highly unlikely to restrict the development of their site to self-build and custom homes. Policy SCLP5.4 is designed to allow housing developments of a suitable size to come forwards to meet local housing needs and support rural services and facilities. It is important that no undue restrictions are placed on the delivery of such sites and we do not therefore consider this policy to be the right mechanism to secure the delivery of self and custom build dwellings.

2.5 If the Council are serious about encouraging genuinely self-build and custom-build housing in rural areas where there is a demand, Hopkins Homes consider that the only way to achieve this would be to allow single dwelling exception sites to come forwards on the edge of villages subject to detailed site suitability and design criteria.
Appendix 1

Cornwall Local Plan Inspectors Report, 23 September 2016
PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

REPORT ON THE EXAMINATION INTO THE CORNWALL LOCAL PLAN
STRATEGIC POLICIES

Document submitted for examination on 5 February 2015
Examination hearings held between 18-22 May 2015 and 16-24 May 2016

File Ref: PINS/D0840/429/12
### Abbreviations Used in this Report

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Description</th>
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<tbody>
<tr>
<td>AONB</td>
<td>Area of Outstanding Natural Beauty</td>
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<tr>
<td>CIL</td>
<td>Community Infrastructure Levy</td>
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<tr>
<td>CNAs</td>
<td>Community Network Areas</td>
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<td>DCLG</td>
<td>Department of Communities and Local Government</td>
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<tr>
<td>DPD</td>
<td>Development Plan Document</td>
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<tr>
<td>FTE</td>
<td>Full time equivalent</td>
</tr>
<tr>
<td>HMA</td>
<td>Housing Market Area</td>
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<tr>
<td>HR</td>
<td>Headship Rates</td>
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<tr>
<td>HRA</td>
<td>Habitat Regulations Assessment</td>
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<td>LDS</td>
<td>Local Development Scheme</td>
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<td>LEP</td>
<td>Local Economic Partnership</td>
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<td>MM</td>
<td>Main Modification</td>
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<tr>
<td>NE</td>
<td>Natural England</td>
</tr>
<tr>
<td>NP</td>
<td>Neighbourhood Plan</td>
</tr>
<tr>
<td>NPPF</td>
<td>National Planning Policy Statement</td>
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<td>OAHN</td>
<td>Objectively assessed housing need</td>
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<td>OBR</td>
<td>Office for Budget Responsibility</td>
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<td>ONS</td>
<td>Office for National Statistics</td>
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<td>PF</td>
<td>Preliminary Findings</td>
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<tr>
<td>psm</td>
<td>Per square metre</td>
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<td>RCH</td>
<td>Royal Cornwall Hospital</td>
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<tr>
<td>RS</td>
<td>Regional Strategy</td>
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<tr>
<td>SA</td>
<td>Sustainability Appraisal</td>
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<tr>
<td>SAC</td>
<td>Special Area of Conservation</td>
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<tr>
<td>Sq m</td>
<td>Square metre</td>
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<tr>
<td>SHLAA</td>
<td>Strategic Housing Land Availability Assessment</td>
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<tr>
<td>SHMA</td>
<td>Strategic Housing Market Assessment</td>
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<tr>
<td>SNPP</td>
<td>Sub National Population Projections</td>
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<tr>
<td>SPA</td>
<td>Special Protection Area</td>
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<tr>
<td>SPD</td>
<td>Supplementary Planning Document</td>
</tr>
<tr>
<td>WHS</td>
<td>World Heritage Site</td>
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<tr>
<td>WMS</td>
<td>Written Ministerial Statement</td>
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</table>
166. Within the figure of 5,500, I continue to have reservations about the projection of 2,700 dwellings to be delivered from rural exceptions sites as this may still be reflecting the Council’s previous departure approach rather than a truly rural exceptions policy. But I have no basis to substitute an alternative figure. In addition, there must be some uncertainty about capital funding to 2030 for other elements of the projected uplift. Accordingly, even without any other changes, the Council’s projections might not be achieved. As already noted, making policy 8 accord with the WMS will result in a reduction in delivery of about 1,100 affordable dwellings as projected by the Council. (Comparing the expected delivery from small site windfalls in MCC.HS.1.2 with that in L1.CC.10.1.)

167. Notwithstanding the above, it remains the case that affordable housing delivery will be greater than solely from the application of the policies in the Plan. I have taken this into account under issue 2 when considering whether any further uplift is required to overall housing provision. Accordingly, I consider that the Plan should indicate the sources of the anticipated uplift so that they can be monitored to check delivery against expectations. A summary table of affordable housing need and an explanation of the various sources of uplift above the policy 8 requirements should therefore be included in the Plan, otherwise this important wider element of the strategy will be obscured – MM59A.

168. As submitted, policy 6 Housing Mix is unsound because it does not refer to the full range of types of housing and needs that developments should seek to meet. This has been addressed in MMs 43, 44, 45 and 46. The Council’s published change on this policy (J.1, 46) was too prescriptive in requiring larger developments to provide at least 5% of development as serviced plots for self-build/custom-build. There is not yet the evidence to justify this level of prescription and there must be considerable uncertainty as to whether plots on large new housing estates would be attractive to self-build/custom-builders. There are substantial opportunities for self-build/custom-build from the anticipated small site windfalls and the modification to policy 8 to apply the WMS would ensure that plots for 1-5 dwellings do not have to contribute to affordable housing, thus making gaining permission and implementation more straightforward.

169. The introduction of the Optional Technical Standards for Housing which were published in March 2015 came too late for the Council to refer to them in the submitted Plan. As part of the Further Significant Changes the Council proposed changes to policy 14 Development Standards to require adherence to the nationally described space standards and for developments of 10 or more dwellings to provide 25% of dwellings as adaptable and accessible homes (Building Regulations M4(2)). The Council subsequently accepted that the viability implications of the space standards had been assessed only in the context of affordable housing (as currently defined). In addition, such standards were particularly required for the affordable sector as potential occupiers have little freedom of choice in terms of internal space standards. As amended the Council’s approach is justified. I am not convinced that the application of the space standards to affordable housing only would seriously disadvantage Registered Providers in delivering affordable housing.

170. In relation to adaptable and accessible homes, the Council accepted that there
HEARING STATEMENT

Examination of the Suffolk Coastal District Local Plan

On behalf of:
Hopkins Homes

In respect of:
Matter 4 Policies (Policy SCLP5.10 Affordable Housing)

Date:
July 2019

Document Reference:
GA/DJ/05017/S0014
1.0 INTRODUCTION

1.1 This Hearing Statement has been prepared on behalf of our client Hopkins Homes in respect of Matter 4 Policies (Policy SCLP5.10 Affordable Housing) of the Inspector’s Matters, Issues and Questions for the Examination of the Suffolk Coastal District Local Plan.

1.2 The Statement is intended to assist the Inspector’s consideration of the legal compliance and soundness of the Plan and will form the basis of the discussion at the Examination Hearing session on 18th September 2019.

2. ISSUE – ARE THE INDIVIDUAL POLICIES CLEAR, JUSTIFIED AND CONSISTENT WITH NATIONAL POLICY AND WILL THEY BE EFFECTIVE?

Question 4.10
Is the requirement for 1 in 3 dwellings on sites of ten units or more to be affordable units and the split between affordable/social rent, shared ownership and discounted home ownership justified and consistent with national policy? Are these requirements deliverable and viable?

2.1 As set out in our representations to the Final Draft Plan (Comment ID: 1264), NPPF paragraph 64 and footnote 29 expect at least 10% of the homes on major sites to be affordable home ownership as part of the overall affordable housing contribution from the site. The 10% should be calculated against the total number of dwellings on the site which is then discounted from the affordable requirement.

2.2 The Council’s proposed requirement is for 1 in 3 homes to be provided as affordable housing in a tenure split that requires 50% Affordable / Social Rent, 25% Shared Ownership and 25% Discounted Home ownership. Hopkins Homes welcomes the reference to Discounted Home Ownership in the Council’s proposed tenure split and supports the proposal for 50% of dwellings to be either Shared Ownership or Discounted Home Ownership, but objects to the equal split between Shared Ownership and Discounted Home ownership (i.e. 25% each) as it would not meet the NPPF requirement for 10% of the total number of dwellings to be affordable home ownership as demonstrated in the table below.

<table>
<thead>
<tr>
<th>Tenure Split</th>
<th>Percentage of Total Number of Dwellings</th>
</tr>
</thead>
<tbody>
<tr>
<td>50% Affordable / Social Rent</td>
<td>16.66%</td>
</tr>
<tr>
<td>25% Shared Ownership</td>
<td>8.33%</td>
</tr>
<tr>
<td>25% Discounted Home Ownership</td>
<td>8.33%</td>
</tr>
</tbody>
</table>
2.3 To ensure compliance with national policy, the required tenure split should be amended as follows. This will ensure that 50% of properties remain as either Shared Ownership or Discounted Home Ownership, while meeting the government’s requirement for 10% of the total number of dwellings to be for affordable home ownership:

<table>
<thead>
<tr>
<th>Tenure Split</th>
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<tr>
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<td>20% Shared Ownership</td>
<td>6.66%</td>
</tr>
<tr>
<td>30% Discounted Home Ownership</td>
<td>10%</td>
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</table>
HEARING STATEMENT

Examination of the Suffolk Coastal District Local Plan

On behalf of:
Hopkins Homes

In respect of:
Matter 4 Policies (Policy SCLP9.2 Sustainable Construction)

Date:
July 2019

Document Reference:
GA/EW/05017/S0015

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1.0 INTRODUCTION

1.1 This Hearing Statement has been prepared on behalf of our client Hopkins Homes in respect of Matter 4 Policies (Policy SCLP9.2 Sustainable Construction) of the Inspector’s Matters, Issues and Questions for the Examination of the Suffolk Coastal District Local Plan.

1.2 The Statement is intended to assist the Inspector’s consideration of the legal compliance and soundness of the Plan and will form the basis of the discussion at the Examination Hearing session on 20th September 2019.

2. ISSUE – ARE THE INDIVIDUAL POLICIES CLEAR, JUSTIFIED AND CONSISTENT WITH NATIONAL POLICY AND WILL THEY BE EFFECTIVE?

Question 4.27
Is the requirement that all new developments over 10 dwellings should achieve higher energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target CO2 Emission Rate set out in the Building Regulations justified?

2.1 The new requirement introduced by Policy SCLP9.2 for all new developments of more than 10 dwellings to achieve higher energy efficiency standards that result in a 20% reduction in CO2 emissions below the Target Emission Rate set out in the Building Regulations is considered to be unjustified.

2.2 The Whole Plan Viability Study (Examination Document Reference D38) which identifies the viability impacts of the emerging policies to ensure that the Plan, when taken as a whole, is viable and deliverable identifies that Policy SCLP9.2 as one of the most relevant policies having a direct impact on viability. The Study states that the policy would amount to 3% of BCIS build costs and concludes that the Policy would therefore have a ‘high impact’ on development viability. The requirement is therefore considered to introduce an unnecessary burden leading to increased costs which in turn could impact adversely on development viability and housing delivery over the Plan period.

2.3 The policy notes that the Council will consider altering the sustainable construction requirements where applicants can demonstrate that it is not viable or feasible to meet the standards. However, the Planning Practice Guidance (PPG) is clear that the role for viability assessment is primarily at the plan making stage. Viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative cost of all relevant policies will not undermine deliverability of the plan (Paragraph: 002 Reference ID: 10-002-20190509). It is therefore inappropriate to impose an onerous requirement through the policy and then request a viability assessment at the
decision making stage which will serve to delay significantly proposals coming forward while matters are agreed.

2.4 The Council has provided no specific evidence to demonstrate that all types of housing development on sites over 10 dwellings can viably achieve these standards. There is no proportionate evidence suggesting why Building Regulations should be bettered and the policy is not considered to be justified in this respect and therefore unsound.

2.5 The policy should be amended so that it aligns with national Building Regulation requirements in terms of the reduction in CO2 emissions.
HEARING STATEMENT

Examination of the Suffolk Coastal District Local Plan

On behalf of:
Hopkins Homes

In respect of:
Matter 4 Policies (Policy SCLP9.7 Holistic Water Management)

Date:
July 2019

Document Reference:
GA/EW/05017/S0016
1.0 INTRODUCTION

1.1 This Hearing Statement has been prepared on behalf of our client Hopkins Homes in respect of Matter 4 Policies (Policy SCLP9.7 Holistic Water Management) of the Inspector’s Matters, Issues and Questions for the Examination of the Suffolk Coastal District Local Plan.

1.2 The Statement is intended to assist the Inspector’s consideration of the legal compliance and soundness of the Plan and will form the basis of the discussion at the Examination Hearing session on 20th September 2019.

2. ISSUE – ARE THE INDIVIDUAL POLICIES CLEAR, JUSTIFIED AND CONSISTENT WITH NATIONAL POLICY AND WILL THEY BE EFFECTIVE?

Question 4.30
Is the requirement for phasing of development justified?

2.1 Policy SCLP9.7 states that all development will be expected to demonstrate that water can be made available to support the development and that adequate foul water treatment and disposal already exists or can be provided in time to serve the development. Development will be phased to allow water and water recycling infrastructure to be in place where needed.

2.2 The requirement for development to be phased to allow water and water recycling infrastructure to be in place has the potential consequence of delaying the delivery of housing unnecessarily and there appears to be no evidence or reasoning to underpin the policy requirement. Such matter is not addressed in national planning policy.

2.3 It is noted that Essex & Suffolk Water in commenting on the Policy at the Final Draft stage considered that it is unnecessary as water companies are obliged to provide relevant water supplies to residential development.

2.4 The policy is considered unjustified and should be deleted.
HEARING STATEMENT

Examination of the Suffolk Coastal District Local Plan

On behalf of:
Hopkins Homes

In respect of:
Matter 4 Policies (Policy SCLP11.9 Areas to be Protected from Development)

Date:
July 2019

Document Reference:
GA/EW/05017/S0017
1.0 INTRODUCTION

1.1 This Hearing Statement has been prepared on behalf of our client Hopkins Homes in respect of Matter 4 Policies (Policy SCLP11.9 Areas to be Protected from Development) of the Inspector’s Matters, Issues and Questions for the Examination of the Suffolk Coastal District Local Plan.

1.2 The Statement is intended to assist the Inspector’s consideration of the legal compliance and soundness of the Plan and will form the basis of the discussion at the Examination Hearing session on 20th September 2019.

2. ISSUE – ARE THE INDIVIDUAL POLICIES CLEAR, JUSTIFIED AND CONSISTENT WITH NATIONAL POLICY AND WILL THEY BE EFFECTIVE?

Question 4.41
What is the justification for the specific areas to be protected from development as shown on the Policies map?

2.1 The supporting text and policy confirm that the areas comprising local scale sites, gaps, gardens and spaces identified on the map make an important contribution to the setting or character of a settlement or surrounding countryside in their unaltered form and that the policy is necessary to resist infilling development that could be detrimental to the character, spacing or density of a particular area. It also confirms that in some locations these areas maintain settlement separation.

2.2 Policy SCLP11.9 is effectively a continuation of Policy AP28 of the 2001 Local Plan and Policy SSP39 of the adopted Site Allocations and Area Specific Policies Plan (2017). Paragraph 33 of the NPPF is clear that policies in Local Plans should be reviewed to assess whether they need updating at least once every five years, and should then be updated as necessary. Paragraph 31 states that this should be underpinned by relevant and up-to-date evidence focused tightly on supporting and justifying the policies concerned.

2.3 There appears to have been no comprehensive review of the policy and the sites identified or evidence provided to demonstrate the continuing role that each has in terms of the character and setting of a settlement in its undeveloped form in the context of the NPPF. As such there is considered to be no justification for the specific areas to be protected from development as shown on the Policies map.
Question 4.42
Is the Policy clear in respect of what development in the designated areas would be ‘severely restricted to’ and would it be effective?

2.4 The policy states that development within these areas will be ‘severely restricted’ to maintain the character of the area and ensure settlement coalescence is not compromised. However, it provides no clarity whatsoever as to what development within these areas will be severely restricted to, particularly in the context that many of the sites already contain residential development. The policy would not therefore be effective or deliverable.

2.5 The NPPF does recognise the intrinsic character and beauty of the countryside and the need to protect and enhance valued landscapes at paragraph 170. However, it has never and still does not exhort a restrictive approach to development outside settlements or seek to protect the countryside for its own sake. In contrast to the policy, the NPPF accepts that development may be permitted in such locations unless adverse impacts would significantly and demonstrably outweigh the benefits. Development can often be satisfactorily accommodated within gaps between settlements without compromising their position as separate settlements or result in any material harm. As such, the policy is considered to be significantly more restrictive than the more balanced approach exhorted in the NPPF and would serve to preclude otherwise sustainable development being delivered.

2.6 Many of the sites identified comprise recreation grounds, sports pitches, village greens, churchyards and sites within the settings of listed buildings which would be otherwise adequately protected against inappropriate development by other planning policies and legislation and as such it is questionable whether the policy is even necessary.