

Matter 10 – Housing Mix and Density (Policies H2, H3, H4 and H9)

10.1 Are the proposed densities in Policy H2 appropriate and will they result in the efficient use of land?

- 1 The HBF is concerned that the proposed densities in Policy H3 (100 dwellings per hectare (dph) to 35dph) may not be appropriate. The HBF generally supports the Council in setting a density policy and making efficient use of land in accordance with NPPF¹.
- 2 As has been set out in our previous comments, the HBF considers that development densities of 100 dwellings per hectare within the city centre combined with 50 dwellings per hectare within the York urban area is optimistically high. Whilst the NPPF, paragraph 47, does indicate local authorities can set out their own approach to housing density this should be based upon local circumstances and not harm the overall objective of boosting significantly housing supply. The HBF recommends the Council ensure that the appropriate evidence is available to support this policy.
- 3 The HBF considers that there will be a need to ensure that the local character is not lost due to the emphasis on establishing higher densities.
- 4 The HBF is concerned that sufficient consideration has not been given to other policy requirements which may also impact on density and site layout including the use of the M4(2) and M4(3) standards, the nationally described space standards (NDSS), provision of cycle and bin storage, the mix of homes provided, the availability of EV Charging alongside parking, any implications of design coding and the provision of tree-lined streets, highways requirements, and the requirements in relation to Biodiversity Net Gain, changes to the Building Regulations requirements in relation to heating and energy and the Future Homes Standard. The HBF is concerned that in order to achieve the densities proposed the Council may not be able to deliver on a number of these other policy requirements. The HBF considers that it would be beneficial to reconsider the reality of the density requirements alongside the impacts of all of the Council's policy requirements and Government policy.
- 5 The HBF is concerned that these elements of a successful and sustainable development are potentially going to be overlooked in order to provide a denser development. The Council will need to give significant consideration to whether this need for greater density is sufficient to overlook the need to protect resident's amenity or provision of normal residential facilities.
- 6 The high-density development proposed in this policy may also be difficult to market as it would be likely to result in small garden areas, no garages and little parking. It is considered that lower density developments would be more marketable, and the policy should be amended to allow for this flexibility, this flexibility could include allowing developers to take account of local site characteristics, market aspirations and viability.

¹ Paragraph 47 of NPPF 2012

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- 7 The HBF is also concerned that the use of higher densities has implications for the type, size and tenure of the homes provided and may mean that the Council is not always able to provide an appropriate housing mix across the Council area. This may mean that the homes delivered do not meet the housing needs of the local community or the market demand in the area.
- 8 HBF propose that the policy is modified as follows:
- That the expected net densities are reduced.
 - That further flexibility is included within the policy in relation to the mix of housing and the density of development.
 - That assumptions on development densities in the absence of specific developer information should err on the side of caution.

10.2 Is the approach to housing mix, and the ‘balancing of the housing market’, with reference to the SHMA, in Policy H3, based on sound principles?

- 9 Paragraph 50 of the NPPF 2012 looks for local planning authorities to plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community. The Council’s aim of seeking to balance the housing market across the Plan period and work towards a mix of housing is generally supported. The HBF acknowledges that this policy is based on the evidence set out in the SHMA. However, it should be noted that the SHMA will only ever identify current deficits and reflects a snap-shot in time, and that the SHMA is now quite dated. The HBF would like to ensure greater flexibility within this policy to acknowledge that the mix will vary both geographically and over the plan period.
- 10 The HBF considers that the use of the word “required” in relation to the need for residential development to balance the housing market is onerous and is not reflective of the tone of the policy. The HBF is also concerned by the requirement for applicants to provide sufficient evidence to support their proposals and what this will entail. The HBF considers that it is important that this policy is workable and ensures that housing delivery will not be compromised or stalled due to overly prescriptive requirements, requiring a mix that does not consider the scale of the site or the need to provide significant amounts of additional evidence. The HBF has concerns that the collection of evidence required by this policy will be very time-consuming and may require the need to employ different specialists.
- 11 The HBF would also like to ensure that flexibility is built into this policy to reflect market demand and aspirations, not just housing need. The HBF recommends a flexible approach is taken regarding housing mix which recognises that needs and demand will vary from area to area and site to site; ensures that the scheme is viable; and provides an appropriate mix for the location. The HBF also recommends that the evidence required to support the housing mix is proportionate to the development, the current requirement for evidence to support the mix appear particularly onerous and not necessarily proportionate to the level of development it is aimed at.
- 12 HBF propose that the policy is modified as follows:

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- ‘Proposals for residential development **should seek to** ~~will be required to~~ balance the housing market by including a mix of types of housing which reflects the **local market demand and the** diverse mix of need across the city’.
- ‘The housing mix proposed should have reference to the SHMA and be informed by:
 - Up to date evidence of need including at a local level;
 - **Market demand and local aspirations;** and
 - The nature of the development site and the character of the local surrounding area’.
- ‘Applicants ~~will be required to~~ **should** provide ~~sufficient~~ **proportionate** evidence to support their proposals’.

10.3 Does Policy H4 cater adequately for self and custom house building?

- 13 The HBF does not consider that Policy H4 adequately caters for self and custom house building. In principle, the HBF is supportive of self-build & custom build for its potential contribution to overall housing supply. However, the Council’s approach is restrictive rather than permissive by requiring the inclusion of such housing on strategic sites of 5ha and above. This policy approach only changes the house building delivery mechanism from one form of house building company to another without any consequential additional contribution to boosting housing supply.
- 14 The HBF would be keen to understand the evidence to support the need for custom and self-build housing in York, and how it has informed the requirements of Policy H4. PPG² sets out how custom and self-build housing needs can be assessed. The HBF does not consider that the Council has appropriate evidence to support the requirement for 5% of dwelling plots for sale to self and custom builders on strategic sites.
- 15 The HBF would be interested to see the evidence to support the idea that those wanting to self-build would actually consider building within a larger housing development.
- 16 There is no legislative or national policy basis for imposing an obligation on landowners or developers to provide plots for self & custom build housing. Under the Self Build & Custom Housebuilding Act 2015 and NPPF³, it is the Councils responsibility, not the landowner or developer, to ensure that sufficient permissions are given to meet demand. The Councils are not empowered to restrict the use of land to deliver self & custom build housing. The PPG⁴ sets out ways in which the Councils should consider supporting self & custom build by engaging with developers and landowners and encouraging them to consider self & custom build where they are interested.
- 17 The provision of self & custom build plots on strategic sites adds to the complexity and logistics of developing these sites. It is difficult to co-ordinate the provision of self & custom build plots with the development of the wider site. Often there are multiple contractors and large machinery operating on-site, the development of single plots by individuals operating alongside this construction activity raises both practical and health & safety concerns. Any differential between the lead-in times / build out rates of self &

² PPG ID: 67-003-20190722

³ Paragraph 50 of NPPF 2012

⁴ PPG ID: 57-025-20210508

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custom build plots and the wider site may lead to construction work outside of specified working hours, building materials stored outside of designated compound areas and unfinished plots next to completed and occupied dwellings resulting in consumer dissatisfaction.

18 The HBF believe that the provision of serviced self & custom build plots will have a bearing on the development economics of developments of strategic sites. It is unlikely that up front site promotion costs (including planning & acquisition costs) and fixed site externals, site overheads and enabling infrastructure costs will be recouped because the plot price a self & custom builder is able to pay may be constrained by much higher build costs for self-builders. There are also impacts of not recouping profit otherwise obtainable if the dwelling was built and sold on the open market by the site developer, disruption caused by building unsold plots out of sequence from the build programme of the wider site and a worst-case scenario of unsold plots remaining undeveloped.

19 HBF propose that the policy is modified as follows:

~~'On strategic sites (sites 5ha and above) developers will be required to supply at least 5% of dwelling plots for sale to self-builders or to small/custom house builders subject to appropriate demand being identified. **Developers will be able to provide dwelling plots for sale to self-builders or to small/custom house builders if demand is identified.** Plots should be made available at competitive rates, to be agreed through Section 106 agreements, which are fairly related to the associated site/plot costs. In **determining considering** the nature and scale of provision the Council will have regard to viability **considerations** and site-specific circumstances'~~

10.4 Will Policy H9 properly address specialist housing for older people?

20 It is not clear from the wording of Policy H9 whether the proposal for strategic sites (over 5ha) to incorporate appropriate provision of accommodation types for older persons refers to C2 or C3 provision. If a particular type of older persons housing is expected to be provided further clarity should be provided. It is also considered that the need for older persons accommodation should be demonstrated and that consideration should be given to the viability of development and the suitability of the site and location.

21 HBF propose that the policy is modified as follows:

- 'Strategic sites (over 5ha) should **consider incorporating** the appropriate provision of accommodation types for older persons within their site masterplanning, **where the need is demonstrated. The Council will give consideration to the viability of the development and to the suitability of the site to provide appropriate older persons housing.** For sheltered/extra care accommodations a mix of tenures will be supported.'
- If a particular type of older persons housing is expected to be provided further clarity should be provided.