



33/4.0/Q3-Q4
33/6.0/Q11-Q13, Q15
33/8.0/Q27
33/9.0/Q29-Q30
33/16.0/Q54-Q55

Mid Devon District Council
Forward Planning
Phoenix House
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EX16 6PP

SENT BY EMAIL ONLY TO
planmiddevon@middevon.gov.uk

28 March 2022

Dear Sir / Madam

MID DEVON LOCAL PLAN – ISSUES CONSULTATION

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. The following responses to specific questions in the Mid Devon Local Plan Issues document have been submitted via the Council's online consultation portal.

4. CLIMATE EMERGENCY

Question 3. Do you think that the Local Plan should introduce policies requiring that all developments which propose the construction of new homes or non-residential floorspace will be designed, constructed and will perform to deliver net-zero carbon emissions? (Yes / No - please provide your reasons)

No. The Local Plan should not introduce policies requiring all new homes to deliver net zero emissions. The HBF recognise the need to move towards greater energy efficiency via a nationally consistent set of standards and timetable, which is universally understood and technically implementable. It is the Government's intention to set standards for energy efficiency through the Building Regulations. The key to success is standardisation and avoidance of individual Council's specifying their own policy approach to energy efficiency, which undermines economies of scale for product manufacturers, suppliers and developers. The HBF support the Government's approach but there are difficulties and risks to housing delivery, which include the immaturity of the supply chain for the production / installation of heat pumps and the additional load that would be placed on local electricity networks in combination with Government changes to Part S of the Building Regulations for the installation of Electric Vehicle Charging Points in new homes. In autumn 2020, the HBF



established a Future Homes Task Force to develop workable solutions for the delivery of the home building industry's contribution to meeting national environmental targets and objectives on Net Zero. In September 2021, the Future Homes Delivery Hub supported by involvement from Government was launched. The Council does not need to set local energy efficiency standards to achieve the shared goal of net zero emissions because of the higher levels of energy efficiency standards for new homes set out in the 2021 Part L Interim Uplift, which are effective from June 2022, and proposals for the 2025 Future Homes Standard. The 2021 Interim Uplift to Part L (Conservation of fuel and power) Regulations will deliver homes that are expected to produce 31% less CO2 emissions compared to current standards. From 2025, the Future Homes Standard will ensure that new homes will produce at least 75% lower CO2 emissions than one built to current energy efficiency requirements. By delivering carbon reductions through the fabric and building services in a home rather than relying on wider carbon offsetting, the Future Homes Standard will ensure new homes have a smaller carbon footprint than any previous Government policy. In addition, this footprint will continue to reduce over time as the electricity grid decarbonises.

Question 4. Do you think that the Local Plan should introduce a policy to address the Whole Life-cycle carbon impacts of a development?

No. The Local Plan should not introduce a policy to address the whole life-cycle impacts of development.

6. HOUSING

Question 11. Do you think that the new Local Plan should introduce additional eligibility criteria in addition to the national criteria referred to above? (Yes / No / Not sure - please provide your reasons)

No. The Local Plan should not introduce additional eligibility criteria on First Homes. The Council should apply the national criteria. If any locally determined eligibility criteria relating to lower income caps, a higher minimum discount and / or a local connection / employment status test are applied, such criteria should be justified by robust evidence and viability assessment testing.

Question 12. Do you think that Plan Mid Devon should set minimum requirements for accessible and adaptable housing? (Yes / No / Not sure - please provide your reasons)

No. The Local Plan should not set minimum requirements for accessible and adaptable housing. If the Government implements proposed changes to Part M of the Building Regulations as set out in the "Raising Accessibility Standards for New Homes" consultation, which closed on 1 December 2020, the Council's proposed policy approach will be unnecessary. In the meantime, if the Council wishes to adopt the optional standards for accessible & adaptable dwellings, then this should only be done in accordance with the 2021 NPPF (para 130f & Footnote 49). The NPPG sets out evidence necessary to justify a policy requirement for optional standards. The Council should apply the criteria set

out in the NPPG (ID 56-005-20150327 to 56-011-20150327). A policy requirement for accessible and adaptable dwellings must be justified by credible and robust evidence. Not all health issues affect housing needs. All new homes are built to “visitable dwelling” standards, which are not usually available in the older existing housing stock. These standards benefit less able-bodied occupants and are likely to be suitable for most residents. Many older people already live in the District and are unlikely to move home. Those who do move may not choose to live in a new dwelling. Recent research by Savills “Delivering New Homes Resiliently” published in October 2020 shows that over 60’s households “*are less inclined to buy a new home than a second-hand one, with only 7% doing so*”. The existing housing stock is significantly larger than its new build component, therefore adaptation of existing stock will form an important part of the solution. Account should also be taken of site-specific factors such as vulnerability to flooding, site topography and other circumstances which may make a specific site less suitable (NPPG ID 56-008-20160519). Additional costs associated with accessible and adaptable dwellings should be included in an updated Viability Assessment. The Council is also reminded that the requirement for M4(3) should only be required for dwellings over which the Council have housing nomination rights (NPPG ID 56-008-20150327).

Question 13. Which types of specialist housing do you think we need more of and why?

All households should have access to different types of dwellings to meet their housing needs. More specialist housing for older people including retirement living or sheltered housing, extra care housing or housing-with-care and residential care / nursing homes should be provided. To ensure that specifically identified housing needs are met, the Council should allocate suitable sites for a wide range of different types of development across a wide choice of appropriate locations. To provide homes for older people, the Council should consider allocating sites for older persons housing subject to criteria such as the proximity of sites to public transport, local amenities, health services and town centres.

Question 15. In addition to requiring a percentage as custom and self-build on larger sites, what else can the Council do to support custom and self-build in Mid Devon?

The NPPG sets out the key role that the Council should play in bringing forward suitable land for self & custom build housing (ID 57-025-20210508). The adopted Local Plan policy requires 5% custom & self-build plots on sites of 20 or more dwellings. Before this policy requirement is carried forward, the Council should provide evidence on the effectiveness of this policy approach in delivering custom & self-build housing. The HBF believe that self & custom build serviced plots on larger residential sites are unlikely to appeal to individuals wishing to build their own home. The Local Plan should provide a wide range of different self & custom build housing opportunities across the District. Appropriate policy mechanisms include the allocation of small and medium scale sites specifically for self & custom build housing and permitting self &

custom build outside but adjacent to settlement boundaries on sustainable sites especially if the proposal would round off the developed form.

8. INFRASTRUCTURE

Question 27. Do you have any comments on how Plan Mid Devon can help the transition to electric vehicles?

It is not necessary for the Local Plan to set out a policy requirement for electric vehicle charging points (EVCPs) because of changes to Part S of the Building Regulations, which from June 2022, will require EVCPs in residential developments as confirmed in the Department of Transport Consultation Response : Electric Vehicle Charging Points (EVCP) in Residential & Non-Residential Buildings dated November 2021.

9. OUR BUILT ENVIRONMENT

Question 29. What do you think the minimum level of Biodiversity Net Gain (BNG) that the new Local Plan should set? (please select one)

- **Only the minimum mandatory national requirement for 10% BNG ; or**
- **More than 10% BNG.**

The Local Plan should set only the mandatory national requirement. The 2021 Environment Act requires development to achieve a mandatory 10% net gain for biodiversity. It is the Government's opinion that 10% strikes the right balance between the ambition for development and reversing environmental decline. 10% provides certainty in achieving environmental outcomes, deliverability of development and costs for developers. The mandatory requirement provides a level playing field across England for developers and reduces the risks of unexpected costs and delays. 10% is not a cap on the aspirations of developers who want to voluntarily go further. Locally derived variations on the percentage of BNG cause uncertainty and undermine the level playing field. Furthermore, there are significant costs associated with biodiversity net gain, which should be included and tested in the Council's updated Viability Assessment. If the Council pursue a locally derived variation for a requirement for more than 10% BNG, more additional costs will be incurred, which should be added to the cost assumptions in the Council's updated Viability Assessment.

Question 30. In addition to securing tree planting along new streets and walking / cycle paths and as part of green infrastructure, should Plan Mid Devon include a prescribed level of tree planting in new development? (Yes / No - if yes please tell us what level you think this should be and why)

No. The Local Plan should not include a prescribed level of tree planting in new development. The 2021 NPPF (para 131) sets out the Government's objective to incorporate more tree planting within development because trees make an important contribution to the character and quality of urban environments and

help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined and that opportunities are taken to incorporate trees elsewhere in developments (such as community orchards). The 2021 NPPF also sets out that the Council, applicants, tree officers and highway officers should work together to ensure that the right trees are planted in the right places, solutions are found that are compatible with highways standards and the needs of different users and to secure the long-term maintenance of newly planted trees. Footnote 50 identifies that in specific cases, there may be clear, justifiable and compelling reasons why tree planting would be inappropriate. The 2021 NPPF sets out a more collaborative, flexible, case by case policy approach than the Council's proposed prescriptive approach to tree planting in new developments. The Council should encourage the inclusion of more trees in development rather than impose arbitrary targets for tree planting.

16. SUSTAINABLE DEVELOPMENT

Question 54. What measures do you think we should take through Plan Mid Devon to support viable communities in the rural parts of the district?

The Council's proposed distribution of housing development should meet the housing needs of both urban and rural communities. The Council should not continue to restrict development to the currently designated 22 rural settlements based on their level of services. As set out in the 2021 NPPF "*to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services*" (para 79). The Council should identify certain settlements to grow as service centres for a local hinterland including nearby villages & hamlets. The new Local Plan should allow limited development at more villages and hamlets to help meet identified local housing need, where these have good digital communications (broadband / wireless internet / satellite).

Question 55. What other things do you think we should take into consideration in a strategy for the broad distribution of development in the new Local Plan for Mid Devon?

The adopted Local Plan distributes development as 50% in Cullompton (including Culm Garden Village), 30% in Tiverton, 10% in Crediton and 10% in Rural Areas. A continuation of this concentration of housing development in a few locations with good access to facilities and services may not optimise housing delivery, a wider range of sites by both size and market location provides small, medium and large housebuilding companies with access to suitable land to offer the widest possible range of products. A broader distribution of development will provide a more diversified portfolio of housing sites, which offers the widest possible range of products to households to access different types of dwellings to meet their housing needs. Housing delivery is maximised where a wide mix of sites provides choice for consumers,

allows places to grow in sustainable ways, creates opportunities to diversify the construction sector, responds to changing circumstances, treats the housing requirement as a minimum rather than a maximum and provides choice / competition in the land market.

Conclusions

In conclusion it is hoped that these responses are helpful to the Council in informing the next stages of plan-making. If the Council require any further information or assistance, please contact the undersigned.

Yours faithfully
for and on behalf of **HBF**

A solid black rectangular box redacting the signature of Susan E Green.

Susan E Green MRTPI
Planning Manager – Local Plans