

Planning Policy Team
Central Bedfordshire Council
Central Bedfordshire

15th March 2023

By email: localplan@centralbedfordshire.gov.uk

Dear Sir/Madam,

Re: Housing Policy Technical Guidance SPD

Introduction

This letter is submitted in response to the current consultation held by Buckinghamshire Council on the draft Housing Policy Technical Guidance Supplementary Planning Document (SPD). The report represents the first stages of preparing the SPD. Gladman at this stage only has general comments that will assist in the preparation of the SPD; these comments are made for the purpose of ensuring that the document is sound. Gladman requests to be kept up to date on the progress of this document moving forwards and any future consultation(s) on the proposed SPD.

Gladman specialises in the promotion of strategic land for residential development and associated community infrastructure and has considerable experience in contributing to the Development Plan preparation process and supporting documents having made detailed representations on numerous Local Plan consultations and having participated at Local Plan Examinations across England. It is on the basis of that experience that our comments are made in these representations. Gladman wishes to reiterate that the comments below are not designed to be critical but instead provide feedback that ensure the soundness of the SPD.

Purpose of Supplementary Planning Documents

Gladman takes this opportunity to remind the Council that SPDs cannot be used as a fast-track mechanism to set policies and should not be prepared with the aim of avoiding the need for examination or reinventing existing planning policy. As SPDs are not subject to the same degree of consultation and examination as policies contained in Local Plans, they should only be prepared to provide additional guidance to those bringing forward development proposals across the LPA. Gladman recognise at page 3 of the consultation document that the LPA understands this. The National Planning Policy Framework (NPPF 2021) confirms this where it defines SPDs as:

'documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary Planning Documents are capable of being a material consideration in planning decisions but are not part of the development plan'.¹

Scope of the draft Housing Policy Technical Guidance SPD

The SPD provides further explanation of the Central Bedfordshire Local Plan policies below, which Gladman will use to provide structure to this policy response.

1. Policy H1 Housing Mix: specifies that all major housing developments must include a mix of housing types and sizes and deliver a mix of tenure types.
2. Policy H2 Housing Standards: specifies the standards required to deliver adaptable and accessible homes from all future developments.
3. Policy H3 Housing for Older People: specifies requirements for delivery of bungalows and level access accommodation and extra care facilities.
4. Policy H4 Affordable Housing: specifies the detailed requirements and conditions relating to both on-site and off-site affordable housing provision from qualifying sites.
5. Policy H5 Rural Exception Sites: sets out the circumstances under which housing will be permitted through the development of rural exception sites.
6. Policy H6 Self Build and Custom Housing (SBCH): specifies the requirements for the provision of SBCH plots.

Gladman welcomes the preparation of the SPD as it provides additional clarity beyond the policy wording contained within the Local Plan in relation to matters such as housing mix and affordable housing provision. The SPD seems to be clearly related to policies within the Central Bedfordshire Local Plan or within national policy under which the Local Plan was created (NPPF 2012).

Policy H1 Housing Mix

Policy H1 relates to the housing mix to be allocated to new residential developments of ten dwellings and over. The starting point detailed in the policy to determine the appropriate mix of housing is the Strategic Housing Market Assessment of 2017. Gladman would like to draw attention to the interpretation of the following policy wording, 'or other more up-to-date evidence'. Section 3.5 gives two examples of how this policy wording could be interpreted i.e. undertaking a Housing Needs Survey, or a viability assessment – both in relation to affordable housing. It is agreed that at paragraph 3.10.1

¹ NPPF (2021, pages 72-73). Available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1005759/NPPF_July_2021.pdf.

that the SHMA 2017 is a 'practical guide' that can only be seen as such as it is six years old – the housing market has changed significantly in that timeframe. Indeed, due to this 'a pragmatic approach' will be required to secure an appropriate mix of housing. With this in mind, it would be useful to expand on what else constitutes up-to-date evidence beyond the future updates to the SHMA or a SHMA replacement so as to further add to the interpretation of Policy H1 using this SPD.

Policy H2 Housing Standards

In relation to paragraphs 4.5.4 and 4.5.5, Gladman support the thrust of seeking confirmation of compliance with NDSS and Part M regulations, but the practical implications are problematic. The exact layout and distribution of NDSS and M4(2) and M4(3) will be determined through RM applications; indicative site layout can only, for instance, be conditioned in general terms and so it is impractical to denote distribution at this stage. Further, it is not for the planning statement of outline applications to comment on this. Not only this, but as CBC note, Part M is covered by building regulations which developers must adhere to.

Policy H4 Affordable Housing

Information accompanying outline applications

In reference to the above paragraph, the same general point applies to paragraph 6.7.6 of the consultation document. Gladman note that the SPD only 'encourages' information on the specified points; while again Gladman support providing as much detail as possible, this is impractical at outline stage for certain matters such as location of affordable plots. Discussions with Strategic Housing (as requested at paragraph 6.8.1) would take place through consultation responses to outline applications and subsequent correspondence.

Commuted sums

Gladman welcome the points made by CBC at 6.16.5, 6.16.7 and 6.16.8 with respect to commuted sums. Given the purpose of securing commuted sums is to provide affordable housing provision to make a development justifiable in terms of land use planning, the sums themselves must be necessary and for a use that is not unconnected or too remote from the development. Given this, it should be clear that a restriction should be added into S106 agreements to a) ensure that commuted sums are used for affordable housing projects (as at 6.16.5), b) ensure that the 10 year spend period and repayment clause applies, and c) that the monies are used for affordable housing projects justifiably related to the site. This should be made clear in the SPD; while location at 6.16.6 is not a determinative factor for spend of commuted sums, their spend *must* be necessary and connected to the development (for the LPA to justify).

First Homes

While CBC state at 9.1.4 that applications 'may still be submitted that propose the delivery of First Homes', the Council goes on to explain that transitional arrangements for the definition of affordable

housing applies to policies in their jurisdiction. While Gladman accepts that adopting the 2012 NPPF definition follows policy direction², appreciating the wider context of affordable housing is important to enable those in need to be better supported. For instance, through the Build to Rent scheme, affordable housing can be delivered without Registered Providers. Gladman underline to CBC that their Local Plan Update must take account of First Homes, as set out in the Written Ministerial Statement that the consultation document refers to:

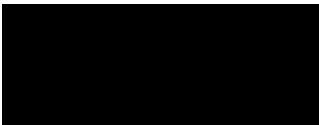
'Where local and neighbourhood plans are adopted under the aforementioned transitional arrangements, the First Homes requirements will also not need to be applied when considering planning applications in the plan area until such time as the requirements are introduced through a subsequent update.'

Conclusion

Gladman welcomes the opportunity to comment on the Central Bedfordshire Council Housing Policy Technical Guidance SPD and would like to be kept informed as this document is progressed.

Gladman would like to reiterate that the points made above are to ensure that the text in the SPD are in compliance with Local Plan policies, the NPPF or legislation. I hope you have found these representations constructive and should you wish to discuss any of the points raised in detail, please do not hesitate to get in contact.

Yours faithfully,



Oliver Lloyd
Planner
Gladman Developments Ltd



² NPPF (2012, Annex 2, p. 50). Available at <https://webarchive.nationalarchives.gov.uk/ukgwa/20180608095821/https://www.gov.uk/government/publications/national-planning-policy-framework--2>