

# East Northamptonshire Local Plan Part 2 (2011-2031) Examination

## **Matter 7 – Meeting Housing Needs**

Matter Statement by North Northamptonshire  
Council

March 2022

Introduction	
Matter 7 – Question 1: Is Policy EN29 which requires all new housing development to include a proportion of Category 3 wheelchair accessible housing consistent with JCS Policy 30 and the advice at paragraph 130 (f) of the Framework including footnote 49 concerning the Government’s optional standards for accessible and adaptable housing?	
Matter 7 – Question 2: What evidence is there of identified need for such properties and where can this be found? What is the justification for the 5% requirement? Is the policy intended to apply to all new housing developments or those over a particular size threshold? Has the impact of this requirement on viability been assessed?	
Matter 7 – Question 3: Is Policy EN30 justified, effective and consistent with national policy and the JCS?	
Matter 7 – Question 4: Is the approach to older persons housing justified, effective and consistent with national policy and the JCS? Is there any overlap with JCS Policy 30?	
Matter 7 – Question 5: Are the various thresholds that constitute ‘larger sites’ justified and do they relate to an identified need? What is the justification for the 10% and 20% requirements?	
Matter 7 – Question 6: Is there any evidence that the requirements of the policy would affect the viability or deliverability of housing sites? (see MM30)	
Matter 7 – Question 7: Does the policy provide a clear indication of how a decision maker should react to a development proposal? How will the type of housing provision required be determined in practice? Should the examples of the types of housing be in the supporting text rather than in the Policy itself?	
Matter 7 – Question 8: Are the requirements for extra care housing in the SUEs reflected in the MFD (c i)? Is the requirement for extra care housing at St Christopher’s Drive Oundle (EN27) included in the site specific policy for that site? Is it appropriate to include requirements for sites already allocated in NPs (c ii)?	
Matter 7 – Question 9: In practical terms, how will older persons housing be ‘encouraged’ (c iii) and supported (d). Is it clear what is expected of a developer or are these statements of intent/support?	

Matter 7 – Question 10: Should the site selection and design principles in Appendix 5 be included in the Policy? Is a policy which requires compliance with criteria or standards that are set out elsewhere effective or justified?	
Matter 7 – Question 11: Is the approach to self-build and custom building housing justified, effective and consistent with national policy and the JCS? Where is the need for this type of housing established and is this a sound basis from which to seek provision?	
Matter 7 – Question 12: In practical terms how will proposals for self-build be ‘supported’?	
Matter 7 – Question 13: Is the 50 dwellings threshold for custom build housing justified? Is the requirement for 5% of plots to be made available as serviced custom build plots reasonable?	
Matter 7 – Question 14: Why has a 12 month marketing period been chosen and is this justified?	
Matter 7 – Question 15: What is the timescale for the intended SPD?	
Matter 7 – Question 16: Is there any evidence that the requirements of the policy would affect the viability or deliverability of housing sites?	
Matter 7 – Question 17: Is the Plan effective in delivery the affordable housing requirements of the JCS and does it meet national policy? Where is this evident?	
Matter 7 – Question 18: In terms of First Homes, does the Plan provide appropriate support for entry level exception sites suitable for first time buyers in accordance with paragraph 72 of the Framework? If not, should it?	
Matter 7 – Question 19: Is the approach to meeting this requirement through the existing criteria based policy (JCS Policy 31), and the preparation of the forthcoming North Northamptonshire Gypsy and Traveller Site Allocation Policy DPD, along with a review of the JCS justified and effective and consistent with national policy? (See Initial Question 5 and the Council’s response)	
Matter 7 – Question 20: Can the production of this DPD be ensured? What is its timeline? Has the LDS been prepared? Can the review of the JCS be ensured? What is its timeline?	

Matter 7 – Question 21: Is proposed MM30a required for soundness?	

## 1. Introduction

1.1. This statement sets out the Council's response to Matter 7: Meeting Housing Needs, questions 1 - 21, in respect of the following issue(s):

- Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national policy and the JCS in relation to the provision of housing and whether it adequately address the needs for all types of housing and the needs of different groups in the community (as set out in paragraph 62 of the Framework).

1.2. The statement also addresses any representations which the Council considers are of particular significance or concern, where this is the case the relevant respondent number and comment ID are provided.

1.3. All documents referred to in this statement are either hyperlinked, or refer to specific references contained in the Index of Submission Documents which can be accessed as follows:

1.4. [https://www.east-northamptonshire.gov.uk/downloads/file/12227/index\\_of\\_evidence\\_base\\_and\\_supporting\\_documents](https://www.east-northamptonshire.gov.uk/downloads/file/12227/index_of_evidence_base_and_supporting_documents)

## 2. Matter 7 – Question 1: Is Policy EN29 which requires all new housing development to include a proportion of Category 3 wheelchair accessible housing consistent with JCS Policy 30 and the advice at paragraph 130 (f) of the Framework including footnote 49 concerning the Government's optional standards for accessible and adaptable housing?

2.1. Paragraph 130 (f) of the NPPF requires planning policies to ensure that developments 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience'. Footnote 49 states that planning policies for housing should make use of the Government's optional technical standards for accessible and adaptable housing, where this would address an identified need for such properties.

2.2. Policy 30 (c) of the JCS requires all new dwellings to meet Category 2 of the National Accessibility Standards as a minimum and states that the local planning authorities will negotiate a proportion of Category 3 (wheelchair accessible) housing based on evidence of local need.

2.3. Policy EN29 builds on Policy 30 of the JCS by setting out a minimum proportion for the provision of Category 3 (wheelchair accessible) housing.

2.4. Policy EN29 is thus broadly consistent with Policy 30 of the JCS and provides additional local detail for the provision of Category 3 housing within the East

Northamptonshire area. Policy EN29, alongside Policy 30 of the JCS, are consistent with the advice contained in paragraph 130 (f) of the NPPF and footnote 49 and seek to ensure that developments are inclusive and accessible through utilising the optional technical standards for accessible and adaptable housing to meet needs for wheelchair accessible housing. It also provides for greater certainty over what will be expected.

**3. Matter 7 – Question 2: What evidence is there of identified need for such properties and where can this be found? What is the justification for the 5% requirement? Is the policy intended to apply to all new housing developments or those over a particular size threshold? Has the impact of this requirement on viability been assessed?**

3.1. Policy EN29 was informed by evidence of need for accessible housing identified on the housing waiting list and also evidence of the number/proportion of people living in East Northamptonshire with a disability, mobility issue or who are a wheelchair user.

3.2. In July 2018 there were 157 households on East Northamptonshire Council's housing register with a mobility need, with 37 needing wheelchair accessible accommodation. There are very few fully wheelchair accessible properties in the affordable housing stock. A recent review of the East Northamptonshire based applicants on the Keyways Housing allocation register shows 98 households with a mobility need and 11 specifically requiring accommodation suitable for a wheelchair.

3.3. In addition, there are likely to be considerably more people in the East Northamptonshire area requiring wheelchair accommodation who either do not require, or do not qualify for, affordable housing.

3.4. Using apportionment of national and regional numbers of people with a disability, mobility issue and wheelchair uses from the Department of Work and Pensions Family Resources Surveys 2015/16 and 2016/17 and NHS England and applying these to the population of East Northamptonshire, which was estimated at 93,135 in 2017, it was estimated there are:

- 23,284 people with a disability (25% of the population)
- 10,803 with a mobility issue (11.6%)
- 1,676 wheelchair users (1.8%) of whom 1,116 (66%) are regular users.

3.5. Further evidence of the need for wheelchair adapted properties is provided in the [Rushden East Housing Need Study](#) (2019). This study provides evidence for the size and tenure of dwellings required and considers wider issues around housing need in Rushden East. This document will be added to the Examination library. This study identified around 11,400 households in East Northamptonshire with one or more persons with a limiting long-term illness or disability, 3,567 of which affects their housing need. This study concludes that

an additional 580 wheelchair adapted properties are required across East Northamptonshire between 2019 and 2031, of which 100 are for people aged under 75 and 480 for people aged 75 and over, the study concludes that many of these could be in specialist housing for older people. Paragraphs 6.71 to 6.77 of the study address housing for wheelchair users.

- 3.6. The [Tresham Garden Village Housing Needs Study](#) (2021) provides evidence for the size and tenure of dwellings required and considers wider issues around housing need in relation to the Tresham Garden Village. This document will also be added to the Examination library. The study includes the whole of the former Corby Borough and parts of former East Northamptonshire District and Kettering Borough. While the area of this study does not coincide with the boundary of the East Northamptonshire area this study indicated that at least an additional 2,950 adaptable homes will be required across the study area between 2020 and 2035, and more detailed analysis indicates that at least 540 wheelchair dwellings will be required between 2020 and 2035, a proportion of which will be within the area of East Northamptonshire covered by the study.
- 3.7. Many wheelchair users will find their own solutions to their housing needs either by purchasing suitable properties or adapting existing accommodation. However, given the ageing population in the East Northamptonshire area with increasing levels of frailty it is important to both plan for current and future needs and to redress the lack of wheelchair accessible housing in the current stock.
- 3.8. The Council is committed to providing housing for people who have specialist needs. The Rushden East SUE, Irthlingborough West SUE and other site allocations account for 1,050, 200 and 671 dwellings respectively to be provided in the remaining plan period (see response to Matter 3, Question 3), if 5% of these were provided as Category 3 housing this would deliver approximately 96 wheelchair accessible homes. This would make an important contribution towards meeting need for wheelchair accessible homes in the area. A requirement of 5% Category 3 housing has therefore been included in the Plan, this will contribute to meeting current and future needs as well as redressing the lack of wheelchair housing in the current stock.
- 3.9. The policy is intended to apply to all new housing developments. However, it is recognised that on sites of less than 20 dwellings the 5% requirement would (mathematically) be less than 1 dwelling. On sites of less than 20 dwellings the provision of wheelchair accessible housing would be encouraged where possible, with the 5% requirement applying to all developments over 20 dwellings. The Council would support a main modification to the policy and the supporting text to clarify how the policy is intended to apply dependent on whether the site size is above or below 20 dwellings. Where housing for older people is included in a development, the requirement for Category 3 housing can mostly be provided in this accommodation and so may not be additional to the requirement to provide older people's housing. However, there will also be

a small need for wheelchair accessible properties for younger adults and children. Through the application process the Council's Housing Strategy Team will provide evidence of needs on a site-by-site basis.

3.10. The impact of the requirement on viability has been assessed in the [East Northamptonshire Local Plan Viability Assessment](#) (January 2021), document reference B-13. The key findings of this assessment are set out under paragraph 1.7, for Part M(3) accessibility standards it concludes that the requirement set out in Policy EM29 has a limited impact on viability, with residual land values typically reducing by around 0.5%. Paragraph 4.22 of the Viability Assessment sets out the assumptions made in relation to accessibility standards. The assessment of the impacts of Part M(3) standards is set out in paragraphs 6.20, 6,21 and table 6.20.1.

3.11. There were a number of representations made on Policy EN29. Response reference 23/04 from the Home Builders Federation considered that the Viability Assessment under-estimated the cost of providing M3(3) housing; Response reference 26/07 from Bellway Homes states that the standard should only be adopted if it complies with the JCS and NPPF and is only required for housing which the Council has nomination rights over and states that it is unclear how viability has been taken into account.

Response reference 23/02 from the Home Builders Federation states that if proposed changes to Part M are implemented, Policy EN29 will be unnecessary and optional standards should only be adopted if this is done in accordance with the NPPF.

Response reference 50/04 from Persimmon Homes states that no information on size, location and quality of dwellings needed for Category 3 has been put forward and accessibility standards in mandatory Building Regulations have improved in recent years. It also states that need should be varied across different housing tenures.

Response reference 57/06 from Taylor Wimpey UK Ltd objects to the policy and considers it is not justified or consistent with national policy and requests a change to the policy arising from a more detailed assessment of need and that the policy only applies to affordable housing.

Response reference 58/06 from Vistry Homes objects to the policy and considers that evidence of local need has not been provided.

3.12. The Council's response to these representations is set out in the [Regulation 19 Representations by Section](#) spreadsheet. The Council considers that the Policy is consistent with Policy 30 of the JCS and meets the requirements of the NPPF, as discussed above, there is clear evidence of need for Category 3 housing and Policy EN29 provides the basis for negotiating wheelchair accessible housing through the development management process. A viability assessment has been undertaken and the Council considers this to provide a robust assessment which has been undertaken in line with Government best practice guidance and the best/ most recent evidence.

3.13. A Position Statement has been agreed with Bellway Homes ([EXAM 15](#)), this acknowledges that the representation received on Policy EN29 remains an area of disagreement between the parties.

**4. Matter 7 – Question 3: Is Policy EN30 justified, effective and consistent with national policy and the JCS?**

4.1. Policy EN30 is justified, effective and consistent with national policy and the JCS. Policy EN30 provides additional local policy to address local housing needs and demands across East Northamptonshire.

4.2. The NPPF requires that planning policies reflect an assessment of the size, type and tenure of housing needed for different groups in the community. Policy 30 of the JCS sets out requirements for the mix and tenure of housing across North Northamptonshire, these requirements are based on the findings of the [Strategic Market Housing Assessment](#) (2015 Update). Policy EN30 provides additional detail to address the specific requirements of the East Northamptonshire area.

4.3. Paragraphs 8.50 to 8.60 of the [Pre-Submission Draft East Northamptonshire Local Plan Part 2](#) set out the approach to developing the locally specific requirements of Policy EN30. In addition to the mix and tenure requirements needed to address the findings of the SHMA the Plan aims to address aspirational requirements of demand which are discussed in paragraph 9.26 of the JCS.

4.4. The '[Informing East Northamptonshire's Housing Mix – Evidence to support Planning for Larger Residential Properties](#)' (June 2017) was prepared to inform the local approach to housing mix. This report found significant spatial differences in housing need, in the rural north there is a general need for smaller houses, while in the south the need is for predominantly larger properties. Conclusions of the report are set out in paragraphs 8.57 to 8.60 of the Plan, these provide local evidence to support the locally specific requirements set out in parts a), b) and c) of Policy EN30.

4.5. The [Study of Housing and Support Needs of Older People across Northamptonshire](#) (March 2017) recognises the benefits of downsizing in releasing starter homes for those entering the housing market and suggests Councils may wish to encourage downsizer housing, this provides support to criteria a) and c) of Policy EN30.

4.6. Further evidence of housing need is provided in the Rushden East Housing Need Study (2019). This assessment concluded that there is a need for around

2,414 additional specialist older person housing units across East Northamptonshire, comprising owner, and rented sheltered housing and extra care. This provides further support for criteria a) and c) of Policy EN30.

4.7. Policy EN30 seeks to address locally specific housing needs and is supported by local evidence of need, it is therefore consistent with the requirements of national policy and the JCS.

**5. Matter 7 – Question 4: Is the approach to older persons housing justified, effective and consistent with national policy and the JCS? Is there any overlap with JCS Policy 30?**

5.1. The NPPF, paragraph 62, requires planning policies to reflect the size, type and tenure of housing needs for different groups, including older people. Policy EN31 seeks to ensure the needs of older people are met and therefore the policy is consistent with national policy.

5.2. Policy 30 (f) of the JCS encourages the provision of housing to meet the specialised housing requirements of older households and requires SUE's and other strategic developments to make provision to meet these needs. Policy EN31 provides additional local policy which sets thresholds for different scales of development - dependent on location - above which developments will be required to deliver a minimum of 10% or 20% of housing to meet the needs of older people. The policy also provides detail on the type of housing provision required and provides detailed requirements for specific sites. Appendix 5 of the Plan also sets out requirements which will need to be taken account in relation to site selection and design principles.

5.3. The [Strategic Market Housing Assessment](#) (2015 Update) identifies that one of the most pressing issues facing North Northamptonshire is the growth in older person households with the largest growth forecast in the East Northamptonshire Area, Table 19 of the Plan sets out the projected housing requirements for older persons 2011 to 3031. The [Study of Housing and Support Needs of Older People across Northamptonshire](#) (March 2017) provides more recent information on the housing needs of older people, and identifies an annual requirement for retirement housing in East Northamptonshire of 103 dwellings per annum, of which 70 are outright sale and 33 shared ownership. In addition to this the Rushden East Housing Need Study (2019) provides further evidence of need for older persons housing as set out in paragraph 4.6 above.

5.4. The approach to older persons housing is considered to be justified, effective and consistent with national policy and the JCS. It is considered that Policy EN31 does not overlap with Policy 30 of the JCS but provides additional local detail to support the delivery of housing to meet the needs of older people.

**6. Matter 7 – Question 5: Are the various thresholds that constitute ‘larger sites’ justified, and do they relate to an identified need? What is the justification for the 10% and 20% requirements?**

- 6.1. The thresholds set out in policy EN31 have been developed to reflect the scale of development opportunities within settlements and the existing provision for older people within towns and villages. East Northamptonshire has a high requirement for housing for older people and, particularly in the north of the area and in the villages, there is little provision. The thresholds in Policy EN31 seek to redress this balance and reflect the nature of the area.
- 6.2. A 50-dwelling threshold has been applied at the towns of Rushden, Higham Ferrers, Irthlingborough and Raunds. A threshold of 50 dwellings for the provision of housing to meet the needs of older people has been used within the Adopted Plan for the Borough of Wellingborough (Policy H3), the Adopted Kettering Site Specific Part 2 Local Plan (Policy HOU2) and the Adopted Corby Local Plan Part 2 (Policy 15). This threshold is considered appropriate for the growth and market towns listed, because in these settlements, where larger developments are expected, a larger site is defined in the policy as 50 or more dwellings. This reflects the scale of development expected in these towns and will ensure that provision is made for housing for older persons.
- 6.3. Thrapston and Oundle are smaller towns where less development is expected, and where sites will generally be smaller. There is also a lack of existing provision for older persons within these towns. The scale of development expected has been used to inform the threshold at which provision for older persons will be required. Within these towns a larger site is defined in the policy as a site for 25 or more dwellings, this will ensure that although the scale of development is expected to be smaller, provision for housing for older persons can still be required.
- 6.4. Within the growth town and market towns, qualifying sites are expected to deliver a minimum of 10% of housing for older persons. Paragraphs 8.64 to 8.66 identify the projected needs for older persons housing, and table 20 sets out the shortfall in specialist older persons’ housing. The Rushden East SUE, Irthlingborough West SUE and other site allocations account for 1,050, 200 and 671 dwellings respectively to be provided in the remaining plan period (see response to Matter 3, Question 3), if 10% of these were provided as housing for older persons this would deliver approximately 192 homes for older people. This would make an important contribution towards meeting older persons housing need in the East Northamptonshire area. It is therefore reasonable to require sites above the thresholds identified to make 10% provision to contribute towards meeting need.
- 6.5. In the villages, opportunities for development are more limited, development will tend to be smaller in scale and there is also little existing provision for older persons housing. The policy seeks to address this by requiring provision to be made on developments of 5 dwellings or more, to reflect the scale of development in the rural area, and through requiring 20% provision rather than 10% on sites which qualify. This would mean, for example, on a site of 5

dwellings, one could be provided as a bungalow or smaller dwelling to facilitate downsizing.

6.6. There were a number of representations made on Policy EN31. Representation 61/19 from Hollins Strategic Land states that Policy EN31 fails to target specific areas of need, particularly in rural areas.

Representation 29/01 from the Retirement Housing Consortium suggests the plan should encourage this form of development and recognise opportunities for such developments to assist the regeneration of settlement centre high streets.

6.7. Responses to these representations are set out in the [Regulation 19 Representations by Section](#) spreadsheet. As set out above, the thresholds and requirements in the policy reflect the characteristics and needs of different locations within the area and provide a justified approach to meeting older person housing needs.

**7. Matter 7 – Question 6: Is there any evidence that the requirements of the policy would affect the viability or deliverability of housing sites? (see MM30)**

7.1. The impact of the requirement for housing for older people on viability has been assessed in the [East Northamptonshire Local Plan Viability Assessment](#) (January 2021), document reference B-13. The key findings of this assessment are set out under paragraph 1.7, for older persons housing it concludes that the requirements can be readily accommodated by developments across the District, although this depends upon the form of housing provided. The provision of bungalows only has a marginal impact on viability whereas the impact of extra care schemes is greater. The Viability Report recommends that the Council may need to apply a flexible approach to the form of older person's housing where viability issues are already present, including on the Sustainable Urban Extensions.

7.2. The assessment of the impacts of the requirement for the provision of housing for older people are set out in paragraphs 6.27, 6.18, table 6.17.1 and table 6.18.1 of the Viability Assessment.

7.3. Paragraph 8.73 of the Plan clarifies that in determining the appropriate proportion of provision, the Council will have regard to evidence of local need, the scale and location of the site and the viability of development. This will ensure that the requirement does not affect the viability or deliverability of housing sites.

7.4. Representations 29/02 and 29/03 from the Retirement Housing Consortium note that the viability testing is restricted to extra care housing and does not consider viability of retirement or sheltered housing; and set out their experience of what the inputs should be.

Representation 58/07 from Vistry Homes objects to Policy EN31 and states that to justify the 10% requirement the viability should be evidenced through specific local assessment and the onus should not be on the applicant to justify viability on a case by case basis.

7.5. Representation 26/08 from Bellway Homes Ltd states that the policy should be amended to reflect the more flexible approach set out in paragraph 8.73 of the Plan. A Position Statement has been agreed with Bellway Homes ([EXAM 15](#)), and MM30 is proposed to address this representation.

7.6. It is considered that the Viability Assessment provides a robust assessment which has been undertaken in line with Government best practice guidance and the best/ most recent evidence. The modification proposed in MM30 will ensure that the requirements of Policy EN31 would not have an adverse impact on the deliverability and/ or viability of schemes.

**8. Matter 7 – Question 7: Does the policy provide a clear indication of how a decision maker should react to a development proposal? How will the type of housing provision required be determined in practice? Should the examples of the types of housing be in the supporting text rather than in the Policy itself?**

8.1. The policy provides a clear indication of which developments should make provision for older persons housing and sets out the minimum proportion of housing to be delivered. The policy recognises that the type of housing provision will vary dependent on the scale and location of development. The type of housing provision will be considered on a case-by-case basis, this flexible approach will ensure that consideration is given to the type of housing required to meet local need, the scale and location of the site and any effects on viability.

8.2. The examples of the types of housing have been included in the policy to provide a clear indication on the type of housing which should be considered and to set out the specific requirements for certain developments, for example the SUE's and allocations at Oundle. However, the Council would support a Main Modification to move some of this detail to the supporting text if the Inspector considered this necessary.

**9. Matter 7 – Question 8: Are the requirements for extra care housing in the SUEs reflected in the MFD (c i)? Is the requirement for extra care housing at St Christopher's Drive Oundle (EN27) included in the site-specific policy for that site? Is it appropriate to include requirements for sites already allocated in NPs (c ii)?**

9.1. The requirements for Extra Care housing in the Rushden East SUE are reflected in the Masterplan Framework Document. Paragraphs 2.4.9 and 2.4.10 of the [Rushden East SUE Masterplan Framework Document](#) (MFD) address the mix and tenure of new homes, this states that in addition to the provision of a policy compliant level of affordable homes, each neighbourhood will need to contain an appropriate mix of larger executive homes, homes for older people including Extra Care, and plots for custom build and self-build homes. The planning application requirements of page 42 of the MFD require any planning application to include details of the indicative housing mix and

tenures for the whole SUE and for each phase, this includes the number and location of homes for older people (including Extra Care).

9.2. The requirement of Policy EN31 which supports the delivery of Extra Care housing as part of the scheme at Land at St Christopher's Drive, Oundle is included in Policy EN27 (b) which sets out the approach to the provision of specialist housing to meet older persons' needs. Further explanation is also provided in paragraph 8.31 of the Plan which explains that an outline application for the site (reference 19/1355/OUT) submitted in summer 2019 included a care facility of up to 65 units. This application was approved on 20/11/20. Two reserved matters applications are currently pending (reference no's NE/21/01309/REM and NE/21/01330/REM).

9.3. Part c) (ii) of Policy EN31 sets out requirements for two sites, Hayway, Northampton Road, Rushden (65 dwellings), which is allocated by Rushden Neighbourhood Plan Policy H2F and East of Ferrers School, Higham Ferrers (300 dwellings), which is allocated by Higham Ferrers Neighbourhood Plan Policy HF.H4. Appendix 5 of the Plan sets out site selection criteria for specialist and older persons housing provision. These sites have been identified as suitable locations for the provision of Extra Care housing because they are situated well in relation to services and facilities and are of a scale which could accommodate Extra Care provision. Policy EN31 therefore seeks to recognise this opportunity by supporting the provision of Extra Care housing on these sites, recognising the opportunity these sites provide for meeting need for Extra Care housing is considered to be appropriate, alongside the Neighbourhood Plan policies allocating these sites. While the Neighbourhood Plans allocate these sites, it is appropriate for the Local Plan Part 2 to provide further requirements where there are reasons to do so, for example in this case to recognise the opportunity for these sites to make provision for Extra Care housing.

**10. Matter 7 – Question 9: In practical terms, how will older persons housing be 'encouraged' (c iii) and supported (d). Is it clear what is expected of a developer or are these statements of intent/support?**

10.1. Part c) iii. seeks to encourage the provision of Extra Care accommodation in sustainable locations. This encouragement will take place through the pre-application advice and planning application process. Where there are opportunities for Extra Care accommodation in sustainable locations, this will be encouraged through the negotiation process. In addition, the support identified in the policy will lead the way for neighbourhood plans to identify sites locally.

10.2. Part (d) seeks to encourage the provision of residential and nursing homes on strategic, allocated and windfall sites where a need for care homes has been identified and is supported by Social Care and Health. This encouragement will again take place through the pre application advice and planning application processes and provides guidance for Neighbourhood Plans wishing to identify local provision. The requirement for identified need to be supported by Social Care and Health will help ensure that proposals are

tailored to meet detailed requirements and gives clear direction to the developer that proposals need to meet needs. It is more than a statement of intent and provides direct guidance that evidence from Social Care and Health is required to support applications and to ensure provision is made where it is needed.

**11. Matter 7 – Question 10: Should the site selection and design principles in Appendix 5 be included in the Policy? Is a policy which requires compliance with criteria or standards that are set out elsewhere effective or justified?**

- 11.1. Appendix 5 includes site selection and criteria and design principles. These have been included in an appendix due to the amount of information set out, it is considered that the approach is effective as the policy requires developments to meet the requirements set out and provides guidance on the more relaxed application in the rural area. However, the Council would support a main modification if the Inspector considers the criteria should be included in the policy.
- 11.2. Policy EN31 currently refers to Appendix 3 rather than Appendix 5, a main modification is therefore proposed to ensure the correct Appendix is referred to in the Policy.

**12. Matter 7 – Question 11: Is the approach to self-build and custom-building housing justified, effective and consistent with national policy and the JCS? Where is the need for this type of housing established and is this a sound basis from which to seek provision?**

- 12.1. The Self-build and Custom Housebuilding Act 2015 and the associated Regulations place a duty on the Council to grant sufficient land to meet the demand for self-build and custom build housing identified on the register within 3 years.
- 12.2. Paragraph 62 of the NPPF states that planning policies should reflect an assessment of the housing needs for different groups in the community, including those people wishing to commission or build their own homes.
- 12.3. Policy 30 (g) of the JCS supports proposals for individual and community Custom build developments that are in line with the spatial strategy and states that SUE's and other strategic developments should make available serviced building plots to facilitate this sector of the market. Policy EN31 seeks to add greater clarity and local detail to the requirements set out in JCS Policy 30 to ensure that the Council meets its responsibilities for meeting the demand for self-build and custom build housing.
- 12.4. In accordance with the Self Build and Custom Housebuilding Act 2015, the Council prepares and maintains a register of individuals and associations who are seeking to acquire serviced plots of land. The register provides an indication of the level of demand for serviced plots. In addition to this, to further understand the demand for self-build and custom build housing, Three

Dragons were commissioned to prepare the [East Northamptonshire Custom and Self Build Demand Assessment Framework](#) (December 2018).

- 12.5. [Background Paper 11 – Self-build and Custom Build housing](#) explains the legal framework for delivering self-build and custom build housing, explains the current policy framework and develops an appropriate spatial framework for maintaining a deliverable supply of self-build and custom build sites. Information on the demand for self and custom build housing is set out in paragraphs 5.10 to 5.17.
- 12.6. A number of representations have been made on Policy EN32.  
Representation 26/09 from Bellway Homes Ltd considers part b) of EN32 to be too onerous and risks delaying housing development, issues highlighted include contracts, site management and viability. A Position Statement has been agreed with Bellway Homes ([EXAM 15](#)), this acknowledges that the representation received on Policy EN31 remains an area of disagreement between the parties.  
Representation 23/03 from the Home Builders Federation states that the distinction between self-build and custom build set out in the Background paper should be included in the policy and the policy is unjustified and disproportionate to the shortfall.  
Representation 41/01 from Landowners of Millers Field state it is unfortunate that community-led housing is not referenced.  
Representation 50/05 from Persimmon Homes considered the wording unclear and suggests the background paper fails to consider other delivery mechanisms.  
Representation 57/08 from Taylor Wimpey considers the policy is not justified or consistent with national policy and evidence is not available for the 5% requirement.  
Representation 58/08 from Vistry Homes objects to Policy EN32 as it is not justified and effective and the practicalities of delivery have not been adequately considered.
- 12.7. Responses to these representations are set out in the [Regulation 19 Representations by Section](#) spreadsheet. As set out above, the approach to self-build and custom build housing is justified, effective and consistent with national policy. A clear need has been established for this type of housing and Policy EN32 provides a sound basis for seeking this provision. Further justification for the threshold and % requirement is set out under question 13.

### **13. Matter 7 – Question 12: In practical terms how will proposals for self-build be ‘supported’?**

- 13.1. Support for proposals for self-build will be provided through the planning application process. Where a proposal meets the requirements of the policy the provision of self-build housing will weigh in favour of the proposal in the decision-making process.

**14. Matter 7 – Question 13: Is the 50 dwellings threshold for custom build housing justified? Is the requirement for 5% of plots to be made available as serviced custom build plots reasonable?**

- 14.1. The justification for the 50 dwelling threshold and the requirement for 5% of plots to be made available as serviced custom plots is provided in [Background Paper 11 – Self-build and Custom Build housing](#) (January 2021), document reference G-16 and [Consideration of the 5% target of plots being made available for self and custom build housing on sites of 50 or more dwellings \(Draft Local Plan Part 2, Policy EN32\)](#), document reference G-15.
- 14.2. Paragraphs 5.13 to 5.17 of Background Paper 11 provide an analysis of the demand identified through the Three Dragons Assessment compared with monitoring data, while permissions for single dwellings could be anticipated to meet a significant proportion of the demand, this identified a shortfall of supply against demand. In response to the Three Dragons Assessment the Council assessed the application of Policy EN31 using different % requirements to assess the amount of self-build and custom build housing which could be delivered on housing developments above 50 dwellings anticipated to come forward between 2018 and 2031. This analysis is set out in document reference G-15, the 5% requirement was selected because this would address the shortfall in provision outlined and would provide flexibility if in some instances there was a slight drop the 5% requirement would ensure the shortfall could still be met.
- 14.3. Representation 56/05 from Gladmans suggests evidence is required to demonstrate the percentage requirements represent a justified approach.
- 14.4. As set out above, the threshold and requirement are supported by a robust evidence base and provide a reasonable approach to meeting need for custom build plots.

**15. Matter 7 – Question 14: Why has a 12-month marketing period been chosen and is this justified?**

- 15.1. Paragraph 4.8 of the [Background Paper 11 – Self-build and Custom Build housing](#) (January 2021) explains that following representations received through the 1<sup>st</sup> Draft Local Plan Part 2 consultation (November 2018-February 2019) consideration was given to a six month requirement. This was considered by the Council's Planning Policy Committee; however, it was considered important that every encouragement should be given for schemes to succeed and so the 12-month time limit was retained.
- 15.2. A 12-month period enables the plots to be offered for sale through the entire annual housing cycle and provides greater opportunity for the plots to be sold for custom-build so that they are contributing to meeting the need than a shorter time period would.

**16. Matter 7 – Question 15: What is the timescale for the intended SPD?**

16.1. The Self and Custom Build SPD will be prepared on a North Northamptonshire wide basis. The Self and Custom Build SPD is included in the Council's work programme, preliminary work has been undertaken and discussions are ongoing on the preparation of this SPD.

**17. Matter 7 – Question 16: Is there any evidence that the requirements of the policy would affect the viability or deliverability of housing sites?**

17.1. Appendix 1 of the [East Northamptonshire Local Plan Viability Assessment](#) (January 2021), document reference B-13 provides a review of policies in the plan and their costs. The review of Policy EN32 is provided on page 64. For Custom Build plots this concludes that the requirement should be cost neutral for developers as they will receive an equivalent residual value for the plots than they would have received had they built and sold the houses themselves. This review also indicates that the 12-month marketing period can be readily accommodated within the overall development program without delaying construction of the wider development.

17.2. The requirement will not therefore affect the viability of deliverability of housing sites.

**18. Matter 7 – Question 17: Is the Plan effective in delivering the affordable housing requirements of the JCS and does it meet national policy? Where is this evident?**

18.1. The NPPF, paragraph 62, states that planning policies should reflect an assessment of size, type and tenure of housing needed for different groups within the community, including those who require affordable housing. Where there is a need for affordable housing, paragraph 63 of the NPPF requires planning policies to specify the type of affordable housing required and expect it to be met on-site unless the criteria set out are met.

18.2. Policy 30 of the JCS sets out affordable housing requirements, this is set out in Policy 30 (d) and criterion (e) requires provision to be made onsite unless the requirements set out are met.

18.3. Paragraphs 8.49 of the [Pre-Submission Draft East Northamptonshire Local Plan Part 2](#) explains the role of Policy 30.

18.4. The site allocations included in the Plan will contribute towards meeting the affordable housing requirements set out in the JCS where the sites are above the threshold set out in Policy 30.

18.5. The Plan, alongside Policy 30 of the JCS, is effective in delivering affordable housing requirements of the JCS and meets the requirements of national policy.

**19. Matter 7 – Question 18: In terms of First Homes, does the Plan provide appropriate support for entry level exception sites suitable for first time buyers in accordance with paragraph 72 of the Framework? If not, should it?**

- 19.1. Paragraph 72 of the NPPF requires local planning authorities to support the development of entry-level exception sites, suitable for first time buyers (or those looking to rent their first home), unless the need for such homes is already being met within the local authority's area. Paragraph 72 specifies that these sites should be on land which is not already allocated for housing, these sites should a) comprise of entry-level homes that offer one or more types of affordable housing as defined in Annex 2 of the Framework, and b) be adjacent to existing settlements, proportionate in size to them, not compromise the protection given to areas or assets of particular importance in the Framework, and comply with any local design policies and standards.
- 19.2. Policy 13 of the JCS sets out policy for the provision of Rural Exceptions sites, this policy enables the development of sites adjoining established settlements to meet affordable housing needs arising in that settlement, provided the criteria set out in the policy are met, and Policy 30 of the JCS sets out affordable housing requirements.
- 19.3. The National Planning Practice Guidance specifies that 25% of all affordable units delivered by developers through planning obligations should be First Homes. [Paragraph: 013 Reference ID: 70-013-20210524](#) of the NPPG states that Plans should set out contributions expected from development including setting the level and types of affordable housing, this should include First Homes. The NPPG also enables local authorities, as part of the plan making process, to increase the minimum discount level to either 40% or 50%, to set local price caps or to set local connection/ key worker requirements. The method for doing this depends on local circumstances and could include publication of an interim policy statement or updating relevant development plan policies.
- 19.4. The approach to First Homes has moved on since the Local Plan Part 2 was submitted for Examination and policy on First Homes is not included in the plan, although policy EN30 supports the provision of smaller dwellings, including starter homes and paragraph 8.49 of the Plan states that the Council welcomes the provision of low-cost home ownership initiatives. [Paragraph: 018 Reference ID: 70-018-20210524](#) of the NPPG sets out a transitional arrangement for plan making. This states that Local Plans submitted before 28 June 2021 will not be required to reflect the First Homes Policy Requirement. The Plan was submitted on 29 March 2021 and is therefore not required to reflect the First Homes policy requirement.
- 19.5. To support the preparation of the North Northamptonshire Strategic Plan a Housing and Economic Needs Assessment (HENA) is being undertaken, this will provide an up-to-date evidence base which will enable the preparation of First Homes policy through future plan making.
- 20. Matter 7 – Question 19: Is the approach to meeting this requirement through the existing criteria based policy (JCS Policy 31), and the preparation of the forthcoming North Northamptonshire Gypsy and Traveller Site Allocation Policy DPD, along with a review of the JCS justified and effective and**

**consistent with national policy? (See Initial Question 5 and the Council's response)**

- 20.1. The approach to meeting requirements for gypsy and traveller accommodation through use of a criteria-based policy and the preparation of the North Northamptonshire Gypsy and Traveller Site Allocation DPD is considered to be justified, effective and consistent with national policy as set out in paragraph 5.19 of the Council's Response to the Inspector's Initial Question 5 ([EXAM-09](#)).
- 20.2. The Council's Response to the Inspector's Initial Question 5 ([EXAM-09](#)) explains the findings and recommendations of the North Northamptonshire Gypsy and Traveller Accommodation Assessment for the East Northamptonshire area and explains why the use of a criteria based policy is appropriate for meeting the needs of undetermined households who subsequently demonstrate that they meet the planning definition, this also explains that there is no identified need for Gypsy and Traveller households that met the definition and therefore no need to identify new pitch allocations in the plan.
- 20.3. Paragraphs 5.15 to 5.17 of the Council's Response to the Inspector's Initial Questions explains the approach to meeting the need for additional plots for Travelling Showpeople through the North Northamptonshire Gypsy and Traveller Site Allocation Policy DPD.
- 20.4. The preparation of the North Northamptonshire Gypsy and Traveller Site Allocation Policy DPD will enable a North Northamptonshire wide approach to be taken to addressing Gypsy, Traveller and Travelling Showpeople accommodation needs. To support the preparation of this plan the Council is in the process of appointing consultants to undertake some follow up work to the GTAA, this work will include further survey work to better understand need and update the findings and to set out recommendations of a series of initiatives aimed at delivering against that need. This work will inform the preparation of the Northamptonshire Gypsy and Traveller Site Allocation Policy DPD.

**21. Matter 7 – Question 20: Can the production of this DPD be ensured? What is its timeline? Has the LDS been prepared? Can the review of the JCS be ensured? What is its timeline?**

- 21.1. The latest version of the Local Development Scheme (LDS) is currently progressing through the committee process. At the Executive meeting on 13<sup>th</sup> January 2022, it was agreed that the draft LDS be recommended to Full Council for adoption. The draft LDS will be considered by Full Council on 31<sup>st</sup> March 2022.
- 21.2. The North Northamptonshire Gypsy and Traveller Site Allocations DPD is included in the latest version of the LDS. The timeline for preparing this document is set out below.

<b>Stage in Preparation</b>	<b>Timetable</b>
Early stakeholder and community engagement	June 2022
Consultation on Draft Plan	April 2023
Consultation on Publication Plan	September 2023
Submission	February 2024
Adoption	December 2024

- 21.3. The North Northamptonshire Strategic Plan will be prepared to replace the JCS. This document is also included in the LDS. The timeline for preparing this document is set out below.

<b>Stage in Preparation</b>	<b>Timetable</b>
Issues/ Scope and Draft Plan consultation	March 2022 to June 2023
Consultation on Publication Plan	November to December 2023
Submission	April 2024
Adoption	September 2025

- 21.4. The Council is committed to the preparation of these two documents in line with the timetables set out in the LDS.

## **22. Matter 7 – Question 21: Is proposed MM30a required for soundness?**

- 22.1. Paragraph 5.17 of the Council’s Response to the Inspector’s Initial Question 5 ([EXAM-09](#)) explains that MM30a is required to reflect the findings of the GTAA and to set out clearly the approach to addressing requirements. It is considered that this modification is required for soundness to ensure the information provided in the Plan is accurate.