

**Matter 5: Are the SADMP's development management policies justified, effective, consistent with national policies and clearly and unambiguously written so it is evident how a decision maker should react to development proposals?**

*Issue (xi): Are the SADMP's housing development management policies soundly based?*

Questions:

**1. *Is the requirement in Policy DM1 for 20% of all new build dwellings to meet the Nationally Described Space Standard justified by local evidence? Have the viability implications of this requirement been adequately considered?***

1. This policy states that as a minimum 20% of all new build dwellings must meet the nationally described space standard (NDSS). The NDSS as introduced by Government, are intended to be optional and can only be introduced where there is a clear need and they retain development viability. As such they were introduced on a 'need to have' rather than a 'nice to have' basis. Adoption of optional NDSS should be done in accordance with the NPPF<sup>1</sup>, it states that '*policies may also make use of the NDSS where the need for an internal space standard can be justified*'. A policy requirement for NDSS should be justified by credible and robust evidence.
  
2. PPG<sup>2</sup> identifies the type of evidence required to introduce such a policy. It states that '*where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:*
  - **Need** – *evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
  - **Viability** – *the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
  - **Timing** – *there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions*'.
  
3. The Council will need robust justifiable evidence to introduce the NDSS, based on the criteria set out above. The HBF considers that if the Government had expected all properties to be built to NDSS that they would have made these standards mandatory not optional.

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<sup>1</sup> Paragraph 130f and footnote 49 of NPPF 2021

<sup>2</sup> ID: 56-020-20150327

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4. The Space Standards and Accessible or Adaptable Homes Evidence Base Paper (December 2020) identifies that 30 housing schemes were assessed as part of the evidence base. These sites had been granted permissions since 2013 and include 1,702 homes. The Council states that out of the 30 schemes, 10 were 100% NDSS compliant, including 53 homes. The HBF does not consider that this Evidence Base Paper provides sufficient evidence to justify the Council's requirement that at least 20% of homes should meet the NDSS, it has considered only a small number of sites where some had been granted prior to the introduction of the NDSS in 2015. The fact that a small number sites show dwellings were not constructed to NDSS is not sufficient evidence to justify the need for the NDSS.
5. The HBF has concerns that the introduction of the NDSS could lead to people purchasing homes with a smaller number of bedrooms, but larger in size due to the NDSS, which could therefore have the potential to increase issues with overcrowding and potentially lead to a reduction in quality of the living environment. In terms of choice some developers will provide entry level two, three and four bedroom properties which may not meet the optional nationally described space standards but are required to ensure that those on lower incomes can afford a property which has their required number of bedrooms. The industry knows its customers and what they want, our members would not sell homes below the enhanced standard size if they did not appeal to the market. It needs to be recognised that customers have different budgets and aspirations, and generally that is based on the number of bedrooms provided not the floorspace of the building. The HBF is concerned that the requirements of this policy may reduced choice and affordability and could in turn impact on delivery of homes. There is no evidence that the properties have not sold, or that those living within these properties consider that they do not meet their needs. There is no evidence provided that the size of the homes being completed are considered inappropriate by those purchasing them or that these homes are struggling to be sold in comparison to homes that do meet the standards.
6. The HBF in partnership with NHBC undertake a Customer Satisfaction Survey<sup>3</sup> annually to determine the star rating to be given to individual home builders. This is an independently verified survey and regularly demonstrates that new home buyers would buy a new build home again and would recommend their homes builder to a friend. The 2021 Survey demonstrates that 94% of respondents were happy with the internal design of their new home. No evidence has been presented to demonstrate any difficulties in selling non-NDSS compliant dwellings. Indeed, smaller units may have a valuable role in meeting specific needs for open market housing. An inflexible approach to imposing NDSS on all housing removes the most affordable for sale homes from the market and potentially denies some lower income households from being able to afford homeownership.
7. It is also noted that the Council's Viability Assessment highlights that the design requirement for new build housing in policy DM1 will have a significant impact on the cost of new development.

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<sup>3</sup> <https://www.hbf.co.uk/policy/policy-and-wider-work-program/customer-satisfaction-survey/latest-results/>

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8. The HBF notes that the New Homes from Old Places Supplementary Planning Document already includes spaces standards that the Council use during the determination of applications for conversions.
9. The HBF considers that this part of policy DM1 is not consistent with national policy, it is not justified by evidence of need and the impact on affordability is not considered. The 20% requirement for NDSS homes should be deleted. If retained, the Council should put forward proposals for transitional arrangements as set out in the PPG. The NDSS should not be applied to any outline or detailed approval prior to the specified date and any reserved matters applications should not be subject to the NDSS.

**2. *Is the requirement in Policy DM1 for sites of 10 dwellings or more to provide at least 10% of dwellings which meet technical standard M4(2) or M4(3) of the Building Regulations justified by evidence which shows this would address an identified need for such properties? Should the SADMP distinguish between M4(3)a and M4(3)b housing?***

10. Part 6 of the policy also looks for sites of 10 or more dwellings to provide at least 10% of dwellings at M4(2) or M4(3) standards. The HBF is generally supportive of providing homes that are suitable to meet the needs of older people and disabled people. However, if the Council wishes to adopt the higher optional standards for accessible, adaptable and wheelchair homes the Council should only do so where this would address an identified need for such properties as set out in the NPPF<sup>4</sup> and by applying the criteria set out in the PPG.
11. PPG<sup>5</sup> identifies the type of evidence required to introduce such a policy, including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability. It is incumbent on the Council to provide a local assessment evidencing the specific case for Blackpool which justifies the inclusion of optional higher standards for accessible and adaptable homes in its Local Plan policy.
12. The Space Standards and Accessible or Adaptable Homes Topic Paper (Dec 2020) sets out information in relation to the ageing population. It provides very limited information in relation to the likely future need in terms of the size, location and type of dwellings required or in relation to the accessibility and adaptability of the existing stock, or how the need varies across tenures. The report highlights that the viability work has led to the reduction in the requirements for the NDSS and the M4(2) and M4(3) standards, however, the paper still highlights that there are some sites which may have particular challenges with viability and that viability will need to be assessed on a case by case basis.
13. The HBF considers that the SADMP should definitely distinguish between M4(3a) and M4(3b), there are significant cost differences between the provision of homes for M4(3a) and M4(3b). The Government's consultation on Raising Accessibility Standards for New Homes (Sept 2020) estimates the additional cost per new dwellings for M4(2) is

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<sup>4</sup> Paragraph 130(f) footnote 49 of NPPF 2021.

<sup>5</sup> PPG ID: 56-007-20150327

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approximately £1,400, whilst the EC Harris Report (2014) looking into the costs of the optional housing standards suggested a cost of between £7,607 for an apartment and £10,568 for a detached 4-bed house to meet the M4(3a) standard and £7,764 for an apartment and £23,052 for a detached 4-bed house to meet the M4(3b), these figures would now need to be adjusted for inflation. The requirement for any homes to be provided to M4(3b) standard would have a significant impact on the viability of the development.

14. The PPG<sup>6</sup> also makes it clear that local plan policies for wheelchair accessible (M4(3b)) homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. The policy does not make this clear and therefore the HBF does not consider that it is appropriate for the Council to require any M4(3b) homes.
15. The HBF considers that the policy should only refer to M4(2) as a requirement as part of this policy, as it does not appear to have any evidence to require the M4(3) element and the impact on viability of this requirement is significant.
16. The HBF is also concerned that the Local Plan Viability Assessment (July 2020) identifies viability issues within the borough, and that this policy requirement will further impact on these issues and may lead to the non-delivery of homes. If the Council can provide the appropriate evidence and this policy is to be included, then the HBF recommends that an appropriate transition period is included within the policy.
17. The PPG<sup>7</sup> also identifies other requirements for the policy including the need to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, these will need to be included in the policy. The PPG also states that where step-free access can not be achieved or is not viable that Part M should not be applied.

**3. What is the justification for the requirement in Policy DM1 for outside space to be at least the size of the footprint of the house? Are the minimum internal dimensions for garages justified? Does the policy adequately deal with context?**

18. The HBF does not wish to comment on this question at this time.

**4. Are the requirements in Policy DM2 (1a-g) supported by local evidence? Is the requirement for a section 106 agreement tying any such development to the dwelling necessary and justified? Is this consistent with paragraph 57 of the NPPF?**

19. The HBF does not wish to comment on this question at this time.

**5. Are the limits to supported accommodation or housing for older people set out in Policy DM3 of no more 10% of any one block and no such accommodation where there is existing supported accommodation within 400 metres justified and effective? How will 400 metres be measured?**

20. The HBF does not wish to comment on this question at this time.

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<sup>6</sup> ID: 56-009-20150327

<sup>7</sup> ID: 56-008-20160519

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**6. *Is the requirement in Policy DM4 to demonstrate a need for student accommodation justified? Is the requirement for such proposals to be within 800 metres of a university or a sequential approach with preference for sites on or close to public transport routes justified? Is it clear what is required for the sequential approach? How would 800 metres be measured?***

21. The HBF does not wish to comment on this question at this time.

**7. *Are the limitations to residential conversions and sub-division set out in Policy DM5 underpinned by local evidence and justified? Is it reasonable to say that proposals for Houses in Multiple Occupation will not be considered acceptable anywhere in the Borough?***

22. The HBF does not wish to comment on this question at this time.

**8. *Is Policy DM6 consistent with national policy, particularly paragraph 86 of the NPPF? Is it clear how a developer is expected to respond to it? Are the locations specified justified?***

23. The HBF does not wish to comment on this question at this time.

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*Issue (xiv): Are the SADMP's environment development management policies soundly based?*

Questions:

**1. Is Policy DM31 consistent with Policy CS9 of the CS and national policy? Should the maximum surface water run-off rates specified in paragraph 3.286 of the SADMP be specified in the Policy?**

24. The HBF does not wish to comment on this question at this time.

**2. Is Policy DM32 consistent with Policy CS10 of the CS and national policy? Are all the criteria effective?**

25. The HBF does not wish to comment on this question at this time.

**3. Is Policy DM33 soundly based? Should it require proposals to also take account of marine plans where necessary?**

26. The HBF does not wish to comment on this question at this time.

**4. Is Policy DM34 soundly based? Does it make clear the distinction between countryside and Green Belt? Is the 33% limit on extensions and replacement dwellings in the countryside justified and consistent with national policy for planning and flood risk as expressed in the NPPF?**

27. The HBF does not wish to comment on this question at this time.

**5. Is Policy DM35 consistent with national policy? Does it take appropriate account of best and most versatile agricultural land, trees and woodland? Does it deal appropriately with biodiversity net gain? Have the requirements of Policy DM35 been fully considered in the Council's viability assessment?**

28. This policy states that development proposals will be required to minimise the impact on biodiversity and provide net biodiversity gains through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist. The Council will know that the Government is already looking at the most appropriate approach to biodiversity net gain. The HBF considers that the Council should not deviate from the Government's proposals on biodiversity gain as set out in the Environment Bill. This legislation will require development to achieve a net gain for biodiversity. This nationally required gain provides certainty in achieving environmental outcomes, deliverability of development and costs for developers. The mandatory national requirement, will not be a cap on the aspirations of developers who want to voluntarily go further. The mandatory requirement offers developers a level playing field nationally and reduced risks of unexpected costs and delays.

29. The Council's policy approach should also reflect the Government's proposals for a transition period of two years as set out in the Environment Bill. The Government proposes to work with stakeholders on the specifics of this transition period, including accounting for sites with outline planning permission, in order to provide clear and timely guidance on understanding what will be required and when.

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30. The Government will issue guidance to Councils on the importance of proportionality in their application of planning policy. So that sites without reasonable opportunities to achieve net gain through on-site habitat delivery will not face risks of delay through rigid or prescriptive requirements.
31. There are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council's viability assessment. The Government has confirmed that more work needs to be undertaken to address viability concerns raised by the housebuilding industry in order that net gain does not prevent, delay or reduce housing delivery.
32. The HBF are concerned that the Local Plan Viability Assessment (July 2020) identifies viability issues within the borough, and that this policy requirement will further impact on these issues and may lead to the non-delivery of homes. It is notes that the Urban Inner Core that development is unviable and that for the urban edge development is unviable where a policy<sup>8</sup> compliant 30% affordable homes is provided.
33. *The HBF considers that the policy should be modified as follows in order to make the document sound:*
- *Development proposals will be required to minimise the impact on biodiversity ~~and provide net biodiversity gains~~ through good design by incorporating biodiversity enhancements and habitat creation where opportunities exist.*

**6. *Is Policy DM36 consistent with national policy, particularly paragraph 186 of the NPPF? Has the effect of proposals in the SADMP on air quality been adequately assessed? Should Air Quality Management Areas be identified in the SADMP? Is it clear when air quality impact assessment will be required? Overall is this policy soundly based?***

34. The HBF does not wish to comment on this question at this time.

**7. *Is it clear when Policy DM37 would be applied? Are the uses that would be considered community facilities clearly explained? Overall is this policy soundly based?***

35. The HBF does not wish to comment on this question at this time.

**8. *Is Policy DM38 consistent with national policy and legislation, particularly paragraph 99 of the NPPF? Does this policy apply only to sites identified on the Policies Map?***

36. The HBF does not wish to comment on this question at this time.

**9. *Is Policy DM39 justified and effective? Is it clear what uses will be permitted at Blackpool Victoria Hospital? What is a supporting use and how would any applications for a supporting use be assessed?***

37. The HBF does not wish to comment on this question at this time.

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<sup>8</sup> Core Strategy Policy CS14.

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**10. *Is Policy DM40 soundly based? Is the detailed wording effective?***

38. The HBF does not wish to comment on this question at this time.

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*Issue (xv): Are the SADMP's transport development management policies soundly based?*

Questions:

**1. Is Policy DM41 soundly based? Are the parking standards and electric vehicle charging point requirements in Appendix D1 justified? Are the thresholds for transport assessments and travel plans in Appendix D2 justified? Have the requirements of Policy DM41 and Appendix D1 and D2 been considered in the Council's viability assessment?**

39. This policy requires development to provide parking in accordance with the standards set out in Appendix D1, including the provision of electric vehicle (EV) charging infrastructure. Appendix D1 states that for each house appropriate vehicle charging infrastructure within a garage or on the driveway, for all other development at least 10% of parking bays marked out for use by electric vehicles together with charging infrastructure and cabling. It also goes on to state that to future proof, the provision should be supplemented by the installation of groundwork/passive wiring as part of the development in order to enable further installation to match demand.
40. The HBF supports the use of electric and hybrid vehicles and the introduction of the necessary supporting infrastructure via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. It is the industry's preference for a national approach to the provision of charging points rather than local authorities setting their own standards.
41. The Government has recognised in recent consultations the possible impact of any requirement to provide electric vehicle charging points on housing supply, where the requirements are not technically feasible. The same consultation proposed introducing exemptions for such developments. The costs of installing the cables and the charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of Electric Vehicle Charging Points (EVCP) in new buildings will impact on the electricity demand from these buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment.
42. Where such costs are high the Government are proposing that any potential negative impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. The consultation proposes that the threshold for the exemption is set at £3,600. In instances where the additional costs are likely to make developments unviable, it is the Government's view that the EVCP requirements should not apply and only the minimum Energy Performance of Buildings Directive requirements should be applied.
43. As such we would suggest that the requirement for EVCPs should not be included in the local plan because the Government's proposed changes to Building Regulations will

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provide a more effective framework for the delivery of charging points for electric vehicles.

44. *The HBF considers that the policy should be modified as follows in order to make the document sound:*

- *Proposals must ensure that: car, cycle and motorcycle parking is provided in accordance with the parking standards set out in Appendix D1; ~~including the provision of electric vehicle (EV) charging infrastructure~~; and the layout provides for sufficient levels of servicing and operational space where required;*
- *That the requirement for EV Charging Points as set out in Appendix D should be deleted.*

**2. *Is Policy DM42 soundly based? Is the detailed wording effective? Should the policy or its explanation make specific reference to Warton Aerodrome?***

45. The HBF does not wish to comment on this question at this time.