

Leeds Local Plan Update Consultation
Policy & Plan Group
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Dear Planning Policy Team,

LEEDS LOCAL PLAN UPDATE: SCOPING DOCUMENT

1. Thank you for consulting with the Home Builders Federation (HBF) on the Leeds Local Plan Update: Scoping Document consultation.
2. 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.
3. The HBF would like to submit the following comments upon selected sections and questions within the Scoping document. These responses are provided to assist the Council in the preparation of the emerging Plan.

Carbon Reduction

Whole Life-Cycle Carbon Emissions

4. Whole life cycle carbon emissions refers to the carbon emissions resulting from the construction and use of a building over its entire life. The Council are considering options in relation to requiring a whole life cycle carbon assessment for development or looking to achieve zero carbon over the whole carbon life cycle.

Q1. Do you think that planning policy should seek to reduce the embodied carbon emissions across the whole life cycle of a development?

5. The HBF considers that if the Council is to introduce a policy in relation to embodied carbon it will have to closely consider how it will be monitored and what the implications are for the preparation are for any assessment, particularly in relation to how easily accessible any data is relation to the requirement, and the risk for double counting when assessing emissions from outside the development industry. Embodied carbon emissions are those that are caused by construction processes. They are related to the materials and products that go into making our buildings and infrastructure. These include emissions caused by: extraction, processing and manufacture; transport, assembly and installation on site; replacement, refurbishment and maintenance; demolition and disposal. Therefore, they are much wider than just the development



industry. The Council will also have to consider how the policy will interact with other policies for example in relation to energy efficiency or resilience to heat, as well as the viability of development.

Q2. Do you have any further thoughts on whole life-cycle carbon reduction, such as how quickly it should be used to require zero carbon development, or whether all developments should be required to carry out assessments?

6. The HBF believe the move towards carbon reduction should be set via a nationally consistent set of standards and timetable, which is universally understood and technically implementable. This prevents the potential risk to viability of development, which may see development being more forthcoming in other local authorities areas in the region, which could have implications for sustainability with increased commuting, vehicle congestion and associated emissions.
7. The HBF considers that a transitional period prior to introducing any policy in relation to the whole life cycle would be necessary to give the industry time to consider how assessment would be undertaken and how data would be collected and collated.
8. The HBF considers that the Council should provide a significant lead in time to any requirement for a zero-carbon development as it will take time for the supply chain to deliver the zero or negative carbon requirements, that would be required to achieve a net zero carbon development.
9. The HBF also considers that this requirement should not apply to all developments and should recognise the scale of development in relation to the significant requirements of this policy. The Council should not place unduly onerous requirements onto small sites and SME builders. The smallest companies may not have the in-house resources to carry out assessments. It is important that there is a diverse range of companies operating within the house building industry.

Operational Energy Carbon Reduction

10. The Council are considering options in relation to requiring all development to be built so that carbon emissions associated with the buildings operational energy are zero or negative or to gradually increase improvements in energy efficiency or to require the energy needs of the development to come exclusively from renewables or low carbon energy sources or to use carbon off-setting.

Q3. Do you think we should require new development to achieve a zero-carbon energy performance standard for the operational use of the buildings?

11. The Council will need to consider exactly how they are defining and measuring zero carbon energy performance, without this, this policy approach is likely to be ineffective.
12. Nevertheless, 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. The Government Response to The Future Homes Standard: 2019 Consultation on changes to Part L (conservation of fuel and power) and

Part F (ventilation) of the Building Regulations for new dwellings dated January 2021 provides an implementation roadmap, the Government's aim is for the interim Part L (Conservation of fuel and power), Part F (Ventilation) & Overheating Regulations to be regulated for in late 2021 and to come into effect in 2022. The 2021 interim uplift will deliver homes that are expected to produce 31% less CO2 emissions compared to current standards. To ensure as many homes as possible are built in line with new energy efficiency standards, transitional arrangements will apply to individual homes rather than an entire development and the transitional period will be one year. This approach will support successful implementation of the 2021 interim uplift and the wider implementation timeline for the Future Homes Standard 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.

13. The HBF supports the Government's approach to the Future Homes Standard but there are difficulties and risks to housing delivery given 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 proposals for the installation of EVCPs in new homes.
14. 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. Early collaborative work is focussed on tackling the challenges of implementing the 2021 and 2025 changes to Building Regulations successfully and as cost-effectively as possible, in particular providing information, advice and support for SME developers and putting the customer at the centre of thinking.
15. On 27 July 2021, the Future Homes Delivery Plan was published (see [The Future Homes Delivery Plan – Summary of the goals, the shared roadmap & the Future Homes Delivery Hub](#)). To drive and oversee the plan, the new delivery Hub will be launched in September, with the support and involvement of Government. The Hub will help facilitate a sector-wide approach to identify the metrics, more detailed targets where necessary, methods and innovations to meet the goals and the collaborations required with supply chains and other sectors. It will incorporate the needs of all parties including the public and private sector and crucially, consumers, such that they can all play their part in delivering environmentally conscious homes that people want to live in.
16. The HBF considers that the Councils should comply with the Government's intention of setting 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 Councils should not need to set local energy efficiency standards to achieve the shared net zero goal because of the higher

levels of energy efficiency standards for new homes proposed in the 2021 Part L uplift and the Future Homes Standard 2025.

Q4. Should developments still be required to include on-site renewable energy as well as meeting energy efficiency standards? If so, what proportion of the energy needs of the development should be met by renewable energy?

17. The HBF considers it is unnecessary for the developments to be required to provide on-site renewables as well as meeting energy efficiency standards.

Sustainable Construction

18. The Council are considering options to require all residential development to achieve a specific standard of sustainable construction such as BREEAM or to create their own standards across a range of construction measures equivalent to Code for Sustainable Homes 6.

Q6. Do you think that Leeds should set a standard for sustainable construction of new residential development?

19. The HBF does not consider that it is necessary for Leeds to set a standard for sustainable construction, the HBF considers that setting additional local standards will threaten site viability due to increased costs and also cause the slowing down of development along with the risk of developer migration to neighbouring authorities leading to increased commuter related emissions, congestion and health risks.

Q7. If so, do you think we should use one of the established sustainable construction rating systems such as BREEAM Residential or create our own set of standards?

20. The HBF does not consider that it is necessary to use the BREEAM residential standards or to create one of specific to Leeds.

Resilience to Heat

21. The Council is looking at the potential to increase the resilience of homes and buildings to the effects of over-heating, this could include the use of a cooling hierarchy, the use of passive design, using outside air to ventilate a building through natural non-powered methods and potentially air conditioning.

Q8. Do you agree that the Local Plan should contain a policy designed to increase resilience to the impacts of heat?

22. The HBF considers that the Council should not consider heat resilience alone, it is but one element of creating a successful development and can be impacted by a number of policies and approaches.

Q9. How do you think Leeds could ensure that homes are more resilient to overheating?

23. The HBF considers that a 'fabric first' approach (as proposed in Building Regulation changed) should be prioritised to minimise the heating and cooling requirement of a building. It is also likely that other policies such as those relating to location of development, open space, tree planting, density and design will feed into the ability of developments to be more resilient to overheating. It is also possible that technologies to address overheating will need to be considered alongside other policy proposals such as the carbon whole-life cycle, design and site viability.

Heat Networks

24. Leeds City Council and its partners Vital Energi are constructing a heat network, via underground pipes, around Leeds City Centre which re-uses the heat produced from the Recycling and Energy Recovery Facility (RERF) to supply a low carbon form of heat in the urban area to local homes and businesses.

Q11. Would you like to see more connections made to the heat network or are there other more effective ways to reduce emissions?

25. The HBF does not consider it is necessary to make more connections to the heat network. Heat networks are one aspect of the path towards decarbonising heat, however currently the predominant technology for district-sized communal heating networks is gas combined heat and power (CHP) plants. Over 90% of district networks are gas fired. As 2050 approaches, meeting the Government's climate target of reducing greenhouse gas emissions to net zero will require a transition from gas-fired networks to renewable or low carbon alternatives such as large heat pumps, hydrogen or waste-heat recovery but at the moment one of the major reasons why heat network projects do not install such technologies is because of the up-front capital cost. The Council should be aware that for the foreseeable future it will remain uneconomic for most heat networks to install low-carbon technologies.

26. Furthermore, some heat network consumers do not have comparable levels of satisfaction as consumers on gas and electricity networks, and they pay a higher price. Currently, there are no sector specific protections for heat network consumers, unlike for people on other utilities such as gas, electricity or water. A consumer living in a building serviced by a heat network does not have the same opportunities to switch supplier as they would for most gas and electricity supplies. All heat network domestic consumers should have ready access to information about their heat network, a good quality of service, fair and transparently priced heating and a redress option should things go wrong. Research by the Competition and Markets Authority (CMA) found that a significant proportion of suppliers and managing agents do not provide pre-transaction documents, or what is provided contains limited information, particularly on the on-going costs of heat networks and poor transparency regarding heating bills, including their calculation, limits consumers' ability to challenge their heat suppliers reinforcing a perception that prices are unjustified. The monopolistic nature of heat networks means that future price regulation is required to protect domestic consumers. The CMA have concluded that "a statutory framework should be set up that underpins the regulation of all heat networks." They recommended that "the regulatory framework should be designed to ensure that all heat network customers are adequately protected. At a minimum, they should be given a comparable level of protection to gas and electricity in the regulated energy sector." The Government's latest consultation on heating networks proposes a regulatory framework that would give Ofgem oversight and enforcement powers across quality of service, provision of information and pricing arrangements for all domestic heat network consumers.

Flood Risk

Surface Water Flooding and Sustainable Drainage

27. The Council are considering policy approaches to strengthen the requirement to deliver Sustainable Drainage Schemes (SuDS).

Q4. Do you agree that surface water flooding and use of SuDS should be within the scope of the Local Plan Update?

28. The NPPF¹ already looks for major developments to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. Therefore, it is not considered that it is necessary for SuDS to be included within the scope of the Local Plan Update.

Q5. Do you agree with our suggested approach to increasing the use of sustainable drainage systems in new development?

29. The HBF agrees that wherever practicable, it is important to incorporate SuDS within planned major development schemes in line with the NPPF. SuDS can improve the quality of life in a development by making them more visually attractive, sustainable and more resilient to change, by improving urban air quality, regulating building temperatures, reducing noise and delivering recreation and educational opportunities. The HBF considers that any additional information and evidence that the Council can make available to help developers to inform them and help them to determine the most appropriate form of drainage for their development may be beneficial.

Resilience

30. The Council are considering if it would be appropriate to include a policy regarding safe access and escape routes, and whether there should be any limitations on accommodation for more vulnerable groups in high flood risk areas.

Q7. Should the Local Plan set new standards for flood resilient housing?

31. The HBF does not consider it would be appropriate for the Council to new standards for flood resilient housing without considering the detail, the potential impact on viability and deliverability and the impact on the liveability of the development. Increasing the numbers of locally set standards reduces the opportunities for developers to use modern methods of construction (MMC) and increases the cost of development.

Q8. Should the Local Plan consider where accommodation for more vulnerable people is located?

32. The Council may like to consider where specialist accommodation for more vulnerable people is located, however, given the Councils policy for accessible housing standards the Council may also like to consider how these homes will be located in relation to flood risk and the potential implications or whether these requirements would be removed in these areas.

Green Infrastructure

Biodiversity

33. The Council are considering going beyond the provisions for biodiversity net gain within the Environment Bill and setting more ambitious targets for net gain.

¹ Paragraph 169

Q8. Do you agree that the Council should revise its policy on biodiversity and biodiversity net gain, linking to the Leeds Habitat Network? If so, what would you like updated policy/ies to contain?

34. The HBF considers that a policy in relation to biodiversity net gain is not necessary as the Government's proposals as set out in the Environment Bill include a mandatory national requirement for biodiversity gain. The Government also intends to make provision for a transition period of two years, the specifics of this transition period will provide clear and timely guidance on understanding what will be required and when. Furthermore, the Council's preferred policy approach should not compromise viability. There are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council's viability assessment, with the assessment updated to reflect any future changes to national guidance.

Place Making

Strategic Place-Making

35. The Council have considered the impact of Covid-19 and note that the physical, economic and social characteristics of housing, places and communities have an important influence over people's physical and mental health and well-being. The Council also note that the concept of locating development in sustainable locations is nothing new in Leeds, however, the Council have considered the twenty-minute neighbourhood concept.

Q1. Does Leeds need a local policy definition of sustainability?

36. The HBF does not consider that Leeds needs a local policy definition of sustainability.

Q2. What does a '20-minute neighbourhood' mean to you? Do you agree that Leeds should aim to create 20 minute neighbourhoods?

37. The 20-min neighbourhood is a concept that has been utilised in cities such as Paris and Melbourne and according to the TCPA² interest in creating 20-minute neighbourhoods is growing. The Council identify that the concept is intended to ensure that neighbourhoods support strong communities and local economies and recognise that easy walking and cycle access to services and facilities is good for health, and physical activity. The TCPA also include access by public transport within their definition. The HBF considers that the concept can be a useful consideration when determining the appropriate location of development. However, it will also be appropriate to consider the range and variety of development provided, it may be that additional development could help a smaller settlement support more services and therefore contribute to the creation of a 20 minute or a more sustainable neighbourhood. The Council may also want to consider that larger developments may also be able to contribute to the creation of improved active travel infrastructure or open spaces.

Q3. How might planning policy support living in a City where you do not need to own a car?

38. Planning policies to support living in a City where you do not need to own car, will need to ensure that there is an appropriate range and variety of homes to meet everyone's

² <https://www.tcpa.org.uk/the-20-minute-neighbourhood>

needs, that there are services, shops, education and childcare facilities, community services, health care facilities, places of work and greenspaces, available and accessible to everyone. The Council will also need to work on making active travel and public transport quick, easy to use, well maintained, safe and available to all, and therefore more appealing than using a car. The Council will also need to consider how these people that live in the City may travel to other places to visit friends, family, social and leisure activities or employment, which may not all be located within the city.

High quality, resilient and healthy places

39. The Council are considering updating policy P10 to provide relevant signposting to other Local Plan technical implementation policies and provide heightened references to health and well-being, climate change, high quality place making and sustainable active travel.

Q6. The Council's well established and well used Neighbourhoods for Living and Building for Today Tomorrow Sustainable Construction Supplementary Planning guides can also be refreshed as part of the LPU. Should these (or alternative document/policy) introduce the need for a Sustainable Development Assessment/checklist to ensure consideration of health and well-being and climate change issues are fully addressed in all development proposals?

40. The HBF considers that it should not be necessary to introduce or undertake a sustainable development assessment for development. Assuming that the Local Plan is prepared on the basis of creating sustainable development, any proposals that is in accordance with the Plan should be sustainable. Any sustainability checklist will just provide another unnecessary burden on the applicant.

Sustainable Infrastructure

Digital Connectivity

41. The Council have considered two options: one to do nothing as digital connectivity is high on the Government's agenda and national guidance may override the need for a policy, or two to introduce a policy setting a requirement for the provision of digital connectivity for new housing developments.

Q8. Do you agree that digital connectivity is essential infrastructure for new housing in Leeds?

42. The HBF generally considers that digital infrastructure is an important part of integrated development within an area. The house building industry is fully aware of the benefits of having their homes connected to super-fast broadband and what their customers will demand. However, the HBF considers that the Council should not impose new electronic communications requirements beyond the provision of infrastructure as set out in statutory Building Regulations. In the March 2020 Budget, the Government confirmed future legislation to ensure that new build homes are built with gigabit-capable broadband. The Government proposes to amend Part R "Physical Infrastructure for High-Speed Electronic Communications Networks" of the Building Regulations to place obligations on housing developers to work with network operators to install gigabit broadband, where this can be done within a commercial cost cap. The Department for Culture, Media and Sport (DCMS) has outlined its intentions on the practical workings of this policy, which will apply to all to new builds. Any type of technology may be used,

which is able to provide speeds of over 1000 Mbps. All new build developments will be equipped with the physical infrastructure to support gigabit-capable connections from more than one network operator. Furthermore, the delivery of broadband service connections is reliant on a third-party contractor over which a developer is unlikely to have any control.

Q9. Do you agree that a policy should be introduced on digital connectivity?

43. The HBF considers that a policy that would generally encourage and support the provision of digital connectivity could be appropriate, however, any requirements on developers should not go beyond the provision of infrastructure as set out in the statutory Building Regulations. The HBF considers that the Council should work closely with the providers of digital infrastructure, to ensure that appropriate provision is provided and that the onus is placed on those who can actually provide the appropriate infrastructure. The HBF does not consider that it is necessary to provide a policy to incentivise the development industry, the industry is already well aware of the benefits of infrastructure and the requirements of those looking to purchase a new homes and can self-police the cost/benefit of this provision with regards to site viability.

Q10. Should the policy focus on residential development only or commercial development too?

44. If a policy is included in relation to digital infrastructure this should apply to all development where digital infrastructure is likely to be required, this is likely to include both residential and commercial.

Q11. Should a digital connectivity strategy be a requirement for all planning applications?

45. The HBF does not consider that a digital connectivity strategy is likely to be appropriate for all planning applications. The Council may want to consider in more detail the circumstances where a strategy would be appropriate and beneficial.

Future Engagement

46. I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.

47. The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,



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