

Rutland Council  
Catmose House  
Catmose Street  
Oakham  
Rutland  
LE15 6HP



SENT BY EMAIL  
localplan@rutland.gov.uk  
15/09/2022

Dear Planning Policy Team,

### **RUTLAND LOCAL PLAN: ISSUES AND OPTIONS CONSULTATION**

1. Thank you for consulting with the Home Builders Federation (HBF) on Rutland's New Local Plan – Planning for Rutland's Future, Issues and Options 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 policies and questions within the consultation document. These responses are provided in order to assist Rutland Council in the preparation of the emerging local plan. The HBF is keen to ensure that the Council produces a sound local plan which provides for the housing needs of the area.

#### **Question 4a Local Plan Period**

4. The HBF considers that the proposed plan period of 2021-2041 should be appropriate and should allow for strategic policies to look ahead over a minimum of a 15year period from adoption.

#### **Question 5 Local Plan Issues**

5. The HBF agrees that meeting the identified current and future housing needs is a key issue to be addressed.

#### **Question 7 Reducing energy use and carbon emissions in new buildings**

6. The PPG<sup>1</sup> sets out that any local requirements for a building's sustainability and for zero carbon buildings should be based on robust credible evidence and tested for impacts on viability. The PPG<sup>2</sup> also clarifies that locally set energy performance standards for new

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<sup>1</sup> PPG ID: 6-009-20150327

<sup>2</sup> PPG ID: 6-012-20190315



housing should not exceed the equivalent of Level 4 of the Code for Sustainable Homes and any requirement for a proportion of used energy to be from renewable and / or low carbon energy sources should be reasonable.

7. Therefore, the Council should not undermine the Government's intention to set energy efficiency standards through the Building Regulations via the 2021 Part L Interim Uplift (effective from June 2022) / 2025 Future Homes Standard. The publication of the new Approved Documents for Part L (conservation of fuel and power) and F (ventilation) reflect the interim uplift to Building Regulations on the journey to the 2025 Future Homes Standard.
8. The HBF considers that tackling climate change by promoting greater energy efficiency via a nationally consistent set of standards and timetable, which is universally understood and technically implementable, is the most appropriate way forward. The Future Homes Standard will ensure that new homes will produce at least 75% lower CO2 emissions than one built to previous 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.
9. The HBF considers that the Council 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 Council should not need to set local carbon reduction 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.

### **Question 9 Sustainable Urban Drainage Systems**

10. The NPPF<sup>3</sup> already looks for major developments to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. 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. However, it will be important for the Council to be flexible in relation to how SuDs are provided as devising an appropriate layout is going to require a very careful balancing exercise of many competing factors, particularly in relation to other planning policy requirements, the efficient use of land and the individual site circumstances. There may also be examples where an above ground solution is not feasible and other alternatives from within the hierarchy are considered. This flexibility is a fundamental aspect of the Sustainable Drainage Hierarchy.

### **Question 11 Options for the scale of housing growth**

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<sup>3</sup> Paragraph 169

11. The NPPF<sup>4</sup> states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing needs assessment, conducted using the standard method set out in the PPG. The PPG sets out the method for calculating the minimum annual local housing need figure<sup>5</sup>. The PPG<sup>6</sup> also sets out when it might be appropriate to plan for a higher housing need figure than the standard method, these include where there are growth strategies for the area, where there are strategic infrastructure improvements, where an authority is taking unmet need from a neighbouring authority, and where previous levels of housing delivery, or previous assessments of need are significantly greater than the outcome from the standard method.
12. The HBF considers that the Council should review the housing requirement to ensure that it reflects the local housing need identified by the standard method and gives consideration to the circumstances where a higher figure would be appropriate. This is likely to include the evidence provided by the Strategic Housing Market Assessment (SHMA) and the affordable housing need. The HBF also considers that providing flexibility in the housing supply to ensure that the housing need is met is also appropriate.

### **Question 13 Options for the spatial strategy for new housing development**

13. The HBF considers that the most appropriate spatial strategy for new housing development is one that sees the spatial distribution of sites follows a logical hierarchy, provide an appropriate development pattern and support sustainable development within all market areas.

### **Question 16 Options for Housing Mix**

14. The HBF understands the need for a mix of house types, sizes and tenures and is generally supportive of providing a range and choice of homes to meet the needs of the local area. It is, however, important that any policy is workable and ensures that housing delivery will not be compromised or stalled due to overly prescriptive requirements, requiring a mix that does not consider the scale of the site or the need to provide significant amounts of additional evidence. The HBF considers that flexibility will be important in any policy in relation to housing mix, this allows developers to consider not only the identified need but also market aspirations, local and site characteristics and viability.

### **Question 17 Options for Affordable Housing**

15. The HBF considers that any affordable housing split will need to take into consideration the need to provide affordable home ownership products including First Homes in line with national policy. The NPPF<sup>7</sup> states that where major development involving the provision of housing is proposed, planning policies and decision should expect at least 10% of the total homes to be available for affordable home ownership. The PPG<sup>8</sup> states

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<sup>4</sup> NPPF 2021 Paragraph 61

<sup>5</sup> PPG ID:2a-004-20201216

<sup>6</sup> PPG ID: 2a-010-20201216

<sup>7</sup> Paragraph 65 of NPPF 2021

<sup>8</sup> PPG ID: 70-001-20210524

that First Homes are the Government's preferred discount market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. The HBF also considers that it is important that the Council considers the viability implications in relation to affordable housing provision, and ensure that the policy includes flexibility to allow the proportion of affordable housing or the tenure of affordable housing to be amended if needed due to viability issues or due to changes in demand in affordable housing provision.

#### **Question 18 Options for Self and Custom Build**

16. The HBF considers that a policy which encourages self and custom-build development and sets out where it will be supported in principle would be appropriate. The HBF also considers that allocating sites specifically for self and custom-build home builders could also be appropriate, however, this would need to be done through discussion and negotiation with landowners. The HBF does not consider that requiring a proportion of large housing sites to be available for self-builders is appropriate. The HBF would be interested to know whether any of the people on the self-build register have identified a preference to living on a large housing site, and whether the Council considers that there would be evidence of a demand for such sites. The HBF would also highlight the practical issues in terms of developing a large site where there are self-build plots on site, with potentially different builders and construction programmes. The Council will also need to consider the viability implications of this provision on larger housing sites.

#### **Question 19 Options for Older Person's Housing**

17. 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 by applying the criteria set out in the PPG. The PPG<sup>9</sup> identifies the type of evidence required to introduce a policy requiring the M4 standards, 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 Rutland which justifies the inclusion of optional higher standards for accessible and adaptable homes in its Local Plan policy. 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.
18. The PPG 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, and the ability to provide step-free access.
19. The Council should also note that the Government response to the Raising accessibility standards for new homes<sup>10</sup> states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1)

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<sup>9</sup> ID: 56-007-20150327

<sup>10</sup> <https://www.gov.uk/government/consultations/raising-accessibility-standards-for-new-homes/outcome/raising-accessibility-standards-for-new-homes-summary-of-consultation-responses-and-government-response#government-response>

applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. M4(3) would continue to apply as now where there is a local planning policy in place and where a need has been identified and evidenced.

20. The HBF considers that it would be appropriate to identify sites specifically for specialist housing for older people such as support housing or extra care schemes. This should be done through discussions with landowners and developers of specialist and older persons housing.

#### **Question 39 Options for promoting sustainable modes of travel**

21. The HBF considers that it would be appropriate for the Council to continue to direct development to sustainable locations and to encourage the use of a range of sustainable travel options, this could include policies that support active and sustainable travel. The HBF does not consider it is necessary to include policies in relation to EV Charging Points as these are now covered by the Building Regulations, and it is not necessary for policies to repeat these requirements.

#### **Question 47 Biodiversity**

22. The HBF considers it would be appropriate for the Council to review and update existing policies to take full account of national planning policy and guidance and the Environment Act. The HBF considers that the Council will also need to consider the impact on viability of these requirements, and the implications in terms of land to be brought forward for development.

#### **Future Engagement**

23. 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.
24. 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,



**Joanne Harding**  
**Planning Manager – Local Plan (North)**

Email: [joanne.harding@hbf.co.uk](mailto:joanne.harding@hbf.co.uk)

Phone: 07972 774 229