

Sent by email to: planning.policyteam@breckland.gov.uk

23/09/2022

Dear Sir/ Madam

Response by the Home Builders Federation to the consultation on the partial review of the Breckland Local Plan.

1. Thank you for consulting the Home Builders Federation (HBF) on the partial review of the Breckland Local Plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.
2. The partial review proposes to amend policy INF03 of the local plan which required the Council to submit a partial review of the local plan to address a range of issues that were not fully resolved in the adopted local plan within three years of its adoption. If the Council failed to achieve this deadline the policy states that the policies in the local plan relating to housing, economic development and gypsy and travellers will be considered out of date. The amendment itself seeks to remove the Council's commitment and the proposed consequences from the plan and replace it with a commitment undertake an immediate review that is planned to be submitted for examination by December 2024.
3. The reason for the change set out in paragraph 1.2 of the consultation document is that it is neither possible, desirable, or practical to have completed the immediate review as set out in INF03 due to uncertainties over national planning policy, technical evidence, and delayed infrastructure improvements. However, the HBF do not consider these to be any justification for the proposed amendment that was put in place to ensure the timely review and adoption of new local plan to address key issues the inspector examining that plan needed to be addressed sooner rather than later. The Council have set out what amount of a series of excuses. What is necessary is to examine what the reason for the inclusion of INF03 was and whether these have changed as to no longer require a review and that the stated timeframe and the agreed consequences are unsound.



Housing needs

4. Policy HOU1 in the adopted plan requires the Council to deliver 612 dwellings per annum over the plan period. This was examined under the transitional arrangements following the introduction of the standard method. The publication of the 2016 household projections suggests a significant increase in household growth for Breckland but the inspector considered having an adopted plan and an immediate review would allow development proposed in the submitted plan to progress with the immediate review addressing the higher level of housing need in future.
5. Since this decision the standard method continue to use the 2014 household projections, but the affordability uplift is more significant than that used by the Council. This means that there is an assessed housing need of 672 dwellings per annum. There remains a higher level of housing need than in the adopted plan and was one of the key reasons for INF03 being included. Given the adopted housing requirement is less than the minimum requirement arrived at using the standard method this situation remains unchanged and as such the proposed amendment to INF03 is not justified.
6. The Council outline in the topic paper supporting this consultation that there is uncertainty surrounding the Council's housing need, which has made it difficult to ascertain a starting point for the housing requirement. However, the only variable within the standard method is the affordability ratio given the requirement to use the 2014-based household projections. As such the housing requirement in each year following the plan has been 680, 643 and 672 respectively. Not significant fluctuations and certainly not so significant as to hinder a review of the local plan.

Gypsy and Travelers

7. Whilst the definition of Gypsy and Travellers was subject to a High Court challenge it was still the case that the Council needed to identify sites for Gypsy and Travellers. Work could have been progressed prior to the challenge to ensure timescale were met. The issue remains and must be resolved by the Council and as such is not sufficient reason for the proposed amendment to INF03.

Accessible and adaptable homes

8. The impact of these standards on viability would need to be considered by the Council but this would have been an addendum to existing viability evidence and is neither complicated nor time consuming to obtain. Had this had an impact on other policies the Council would then have had to make the decision as to whether to adopt these standards and amend other policies or not adopt these standards. This is not complex and cannot be used as a justification for amending INF03. However, it must be noted that part M4(2) standards on accessible homes are to be made mandatory and as such would no longer be required as part of a local plan update.

Economic development

9. The Council state that delays to the proposed dualling of the A47 has been delayed and the uncertainty means that the Council cannot progress with the local plan review. This may well be the case, but it is also the case that the other elements of the review could have been progressed recognising the uncertainty over improvement to the A47 with regard to economic development. As such it is not a sound reason for amending INF03.

Changing national policy.

10. The Council's also state that there has been significant changes in national policy that has created uncertainty and made it difficult to take the local plan forward. Whilst a changing policy framework and uncertainty from the Government as to future for planning making is a challenge the reality is that change, and uncertainty are all part of preparing or reviewing a local plan. However, what is notable is that Bedford Borough Council had a similar clause within their local plan that was adopted in January 2020 and recently published a local plan review in line with that policy. This would suggest that the reasons set out are excuses and not sound reason for amending policy INF03.
11. In some case the uncertainty presented by the Council as a key factor in its inability to prepare a plan is one that would have no bearing on an immediate review. Nutrient neutrality for example only came to light in Norfolk as of March of this year. Therefore, whilst there may have been some delay it would not necessarily have prevented the Council from submitting its plan in line with the timescales in INF03. In fact, a timely review would have offered the Council the opportunity to include a policy within any updated local plan to ensure that it has a policy on which to hook any necessary mitigation in future
12. It is worth remembering that delaying the required review of the local plan further is no guarantee that there will be certainty at some point in the future. In fact the proposed amendment is likely lead the Council to further delay its preparation, especially if there are no consequences arising from such a delay.

Conclusions

13. The real reason the Council are seeking the proposed change is that they have not been sufficiently proactive with regard to the review of the local plan as required by the inspector to make it sound. The reason for the clause was to ensure delivery of that review in a timely manner. The Council have not achieved this and as such it should accept the consequences of their failure. Therefore, the HBF consider the proposed amendment to be unjustified, ineffective, and inconsistent with national policy and should not be taken forward by the Council.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Behrendt'.

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