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Dear Planning Policy Team,

### **SHEFFIELD PLAN: PUBLICATION DRAFT**

1. Thank you for consulting with the Home Builders Federation (HBF) on the Sheffield Plan Publication Draft 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. We would like to submit the following comments upon the proposed Publication Draft Plan. These responses are provided in order to assist the Council in the preparation of a sound plan, the HBF is keen to ensure that the Council produces a sound local plan which provides for the housing needs of the area.

### **PART 1: VISION, SPATIAL STRATEGY, SUB AREA POLICIES AND SITE ALLOCATIONS**

#### **Policy SP1: Overall Growth Plan**

*Policy SP1 is not considered to be sound as it is not positively prepared, not justified and not consistent with national policy for the following reasons:*

4. This policy states that the Plan will deliver 35,530 new homes by 2039 (2,090 homes per annum from 2022 to 2039). It goes on to suggest that it will allocate 297 sites for housing.
5. The NPPF states that to determine the minimum number of homes needed policies should be informed by a local housing need assessment conducted using the standard method. The PPG sets out the process for calculating the standard method. The minimum annual local housing need figure for Sheffield can be calculated as follows:

- **Step 1: Setting the baseline**



The 2014 Household Projections show an average annual household growth of:1,980.8<sup>1</sup>

- **Step 2: An adjustment to take account of affordability**

The average annual projected household growth figure is then adjusted based on the affordability of the area.

$$\text{Adjustment factor} = \left( \frac{\text{Local affordability ratio} - 4}{4} \right) \times 0.25 + 1$$

The adjustment factor for Sheffield is 1.13375<sup>2</sup>

This increases the local housing need to 2,245.732.

- **Step 3: Capping the level of any increase**

A cap is then applied which limits the increases an individual can face. The housing cap does not make a difference to the local housing need figure in Sheffield.

- **Step 4: Cities and Urban Centres Uplift**

A 35% uplift is the applied for those urban local authorities in the top 20 cities and urban centres list. This list includes Sheffield, and therefore the uplift should be applied, this brings Sheffield's local housing need to **3,032 dwellings**<sup>3</sup>.

6. The HBF notes that the Duty to Cooperate Position Statement (December 2022) states that a letter was sent in December 2021 formally asking authorities to confirm their position regarding delivery of new homes to meet some of Sheffield's identified need. It also asked authorities to confirm that housing requirements continue to fully support jobs growth arising and that this is likely to continue to be the case. None of the other authorities are in a position to directly deliver new homes to meet Sheffield's identified needs.
7. The Housing, Economic Growth and Demographic Modelling Report (July 2021) looks at the links between housing and employment, and has considered six scenarios including the standard method, the baseline jobs growth, policy-on jobs growth, the mid-point and updated forecasts. This provides a range of potential annual housing requirements from 1,556 dwellings to 2,323 dwellings, not including the standard method. The report suggests that it would be reasonable for the Council to consider the range between the core analysis and the analysis with further improvements to activity rates. For the highest of the forecasts modelled this would give a range of housing need between 2,000 and 2,300 dwellings per annum.
8. The Sheffield and Rotherham SHMA (July 2019) identifies an annual shortfall of affordable housing for Sheffield of 902 dwellings. This is 43% of the proposed housing requirement. The HBF is concerned that this need for affordable housing will not be met based on the proposed housing requirement.
9. The justification text within the Local Plan states that the housing growth figures reflect the capacity of the existing urban areas and the restrictions imposed by the Green Belt. The HBF is concerned that the proposed housing requirement is not sufficient to meet

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<sup>1</sup> 2014 Household Projections 2023: 253,055, 2033: 272,863, growth: 19,808, annual average: 1980.8

<sup>2</sup>  $\left( \frac{(6.14-4)}{4} \right) \times 0.25 + 1 = 1.13375$

<sup>3</sup>  $2,245.732 \times 35\%$

the local housing need as identified by the standard method, and that further consideration should have been given to the allocation of sites in other sustainable areas including greenfield and green belt sites. Whilst the HBF recognises that the Government expects that the city uplift will be met in the urban area it does not prevent these needs from being met elsewhere. It should be noted that in general the uplift was considered by Government to be necessary to ensure consistency with their target of 300,000 homes per year<sup>4</sup>. Therefore, whilst the uplift is not necessarily related directly to needs in Sheffield it is based on the Government's national objective with regard to meeting housing needs and addressing the housing crisis.

### **Policy SP2: Spatial Strategy**

*Policy SP2 is not considered to be sound as it is not positively prepared, not justified and not consistent with national policy for the following reasons:*

10. This policy states that the majority of future growth will be on previously developed sites and within the existing urban area. These are the main urban areas of Sheffield and the two principal towns of Stocksbridge and Deepcar. And it goes on to say that district centres and local centres will act as a focus for the development of 20-minute neighbourhoods.
11. The HBF considers that whilst it is appropriate to support the use of previously developed sites and to give weight to the value of using brownfield sites this needs to be done in the right way and should not prevent the delivery of other sustainable sites or sustainable developments. The Council will need to be able to demonstrate with evidence that this strategy is deliverable and developable over the Plan period, will meet the varied housing need and will not lead to a shortage of homes being delivered.
12. The HBF considers that the 20-minute concept can be a useful consideration when determining the appropriate location of development. However, the HBF does not consider that it should be used as a blunt tool for development management or site allocations. The HBF considers 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 or cluster of settlements to 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 services or improved active travel infrastructure or open spaces. The HBF considers that there is a need for flexibility within the policy to allow for the development and promotion of sustainable developments, and to ensure that the policy is not used negatively to prevent development. 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.

### **Policy H1: Scale and Supply of New Housing**

*Policy H1 is not considered to be sound as it is not positively prepared, not justified and not consistent with national policy for the following reasons:*

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<sup>4</sup> <https://www.gov.uk/government/consultations/changes-to-the-current-planning-system/outcome/government-response-to-the-local-housing-need-proposals-in-changes-to-the-current-planning-system>

13. This policy states that homes will be delivered in accordance with Policy SP1 and SP2 and will be focused on previously developed land within the urban areas. It states that the target for homes delivered on previously developed land is 85% across the period 2022 to 2039. It also states that homes will be delivered on sites that have planning permissions, are allocated, are in the Broad Locations for Growth, through a small site allowance and through large windfall sites.
14. The need for affordable housing in Sheffield is high, 902 dwellings or 43% of the proposed housing requirement as set out previously, and whilst it will be important for the Council to make the best use of previously developed land it must also be recognised that the higher costs of developing such sites can impact on their ability to deliver affordable housing. This is reflected in Government data for Sheffield which shows that over the period 2012/13 to 2021/22 the Council has delivered 2,235 affordable dwellings, at an average of 224 affordable dwellings per annum, significantly short of the affordable need. The Council should therefore consider a strategy that allocates additional sites that will be more likely to deliver the affordable housing needed by the city's residents. It is clear that a strategy focussed on delivery in the on previously developed land will not address the pressing need for affordable housing.
15. Part c of the policy states that housing will be delivered through a small site allowance and through large site windfalls. The HBF supports development of small-scale sites and windfall sites, however, there is concern that the Council are placing too much focus on this small site allowance and large site windfalls. By its very nature windfall development is uncertain as it is based on what has been delivered in the past rather than on known sites. Whilst the latest permitted development rights and the changing nature of town centres will offer opportunities for new residential development this is by no means certain. The HBF would always recommend that the Council should seek to ensure that they have sufficient sites allocated to provide for all parts of the housing market and to provide flexibility in terms of supply, putting less emphasis on windfall and allowances.

#### **Policy D1: Design Principles and Priorities**

*Policy D1 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

16. This policy states that development should be designed to mitigate climate change by reducing greenhouse gas emissions.
17. The HBF generally supports the Council in promoting developments designed to mitigate climate change and reduce greenhouse emissions. However, the HBF would recommend that this is done through nationally recognised standards.

## **PART 2: DEVELOPMENT MANAGEMENT POLICIES AND IMPLEMENTATION**

#### **Policy AS1: Development on Allocated Sites**

*Policy AS1 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

18. This policy requires that on allocated sites where a specific use is required, the required use should cover at least 80% of the site area, with particular importance attached to this for Strategic Sites.
19. The HBF is concerned by the poor clarity of this policy, which is not in line with the NPPF<sup>5</sup>. It is not apparent if the policy is intended to apply to the gross site area or the net developable area. If it is intended to apply to the gross area, the HBF has significant concerns in relation to this policy, particularly in relation to the delivery of other elements of a housing development such as drainage attenuation, biodiversity net gain, open space, play facilities, or areas that may be limited due to constraints. The HBF recommends that the Council seek to amend the policy to add clarity to their expectations for a site.

### **Policy ES1: Measures required to achieve Reduced Carbon Emissions in New Development**

*Policy ES1 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

20. This policy expects developments that result in new dwellings to reduce their regulated carbon emissions by at least 75% from 1 January 2025 and be net zero (in terms of both operational carbon and embodied carbon) from 1 January 2030. The justification text highlights that these reductions related to the Building Regulations 2013, however, it also notes that it is unlikely that the national grid will be net zero by 2030.
21. The HBF generally supports the Council in seeking to reduce carbon emissions and to become net zero development. However, the HBF does not consider that the Council setting its own standards is the appropriate method to achieve these outcomes. Whilst the ambitious and aspirational aim to achieve net zero is lauded, the HBF is concerned that the Council is adding to the complexity of policy, regulations and standards that housebuilders are already expected to comply with. The key to success is standardisation and avoidance of individual Councils specifying their own policy approach, which undermines economies of scale for product manufacturers, suppliers and developers.
22. The HBF acknowledges that Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 outlines that development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. The NPPF<sup>6</sup> looks for all plans to take a proactive approach to mitigating and adapting to climate change. However, PPG<sup>7</sup> refers to the Planning and Energy Act 2008, the Deregulation Act 2015, and the Written Ministerial Statement (March 2015) and states that policies in relation to energy performance standards should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes (approximately 20% above the then Building Regulations across the build mix). Part L of Building Regulations

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<sup>5</sup> NPPF 2021 paragraph 16(d)

<sup>6</sup> NPPF 2021 paragraph 11(a), 20(d), 152-154

<sup>7</sup> ID: 6-012-20190315

was updated in 2021 to achieve a 31% reduction in carbon emissions for new dwellings. Current Building Regulations, which took effect on 15 June 2022, therefore exceed Level 4 of the Code for Sustainable Homes. This therefore means the policy would directly conflict with both the PPG and the 2015 Ministerial Statement.

### **Policy ES2: Renewable Energy Generation**

*Policy ES2 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

23. This policy states that all new development will be expected to use low carbon energy sources and where feasible, avoid the onsite combustion of fossil fuels. The justification for this policy states that the use of renewable and low carbon energy to heat and power buildings will help to deliver a net zero carbon city and will reduce the need for fossil fuels.
24. It is expected that new legislation will mean that from 2025 all newly built homes will not be able to include a gas boiler. This is part of the UK Government commitment to reducing carbon emissions to net zero by 2050. Therefore, the HBF does not consider that this element of the policy is necessary, it creates unnecessary duplication, and adds a negative tone to the policy, the HBF recommends the element in relation to gas boilers and electric resistive heating is deleted.

### **Policy ES3: Renewable Energy Networks and Shared Energy Schemes**

*Policy ES3 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

25. This policy suggests that decentralised renewable and low carbon energy networks will be promoted by requiring connection to either the District Energy Network, the Biomass Combined Heat and Power Network or other renewable energy networks where feasible, and by requiring significant developments to provide an assessment into establishing a new network where it is unfeasible to connect to an existing network.
26. The HBF considers that it is important that this is not seen as requirement and is instead implemented on a flexible basis. 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. This may mean that it is more sustainable and more appropriate for developments to utilise other forms of energy provision, and this may need to be considered.

27. Government consultation on Heat Network Zoning<sup>8</sup> also identifies exemptions to proposals for requirements for connections to a heat network these include where a connection may lead to sub-optimal outcomes, or distance from the network connection points and impacts on consumers bills and affordability.
28. 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.

#### **Policy ES4: Other Requirements for the Sustainable Design of Buildings**

*Policy ES4 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

29. This policy expects all development to maximise the incorporation of sustainable design features including measures to avoid overheating, passive solar design, sustainable drainage systems, requiring compliance with Building Regulation Part G limiting water consumption to 110 litre per person per day, providing green, blue and brown roofs on residential developments comprising 10 or more dwellings in a single block which cover at least 80% of the total roof where viable and compatible.
30. The NPPF<sup>9</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

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<sup>8</sup> Heat Networking Zoning consultation (2021)

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1024216/heat-network-zoning-consultation.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1024216/heat-network-zoning-consultation.pdf)

<sup>9</sup> Paragraph 169

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.

31. 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. This flexibility will also need consideration in relation to the requirements for all SuDs to incorporate landscape and amenity enhancement and environmental and biodiversity benefits, which may not be possible in relation to underground attenuation.
32. The Building Regulations require all new dwellings to achieve a mandatory level of water efficiency of 125 litres per day per person, which is a higher standard than that achieved by much of the existing housing stock. This mandatory standard represents an effective demand management measure. The Optional Technical Housing Standard is 110 litres per day per person.
33. As set out in the NPPF<sup>10</sup>, all policies should be underpinned by relevant and up to date evidence, which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned. Therefore, a policy requirement for the optional water efficiency standard must be justified by credible and robust evidence. If the Council wishes to adopt the optional standard for water efficiency of 110 litres per person per day, then the Council should justify doing so by applying the criteria set out in the PPG. PPG<sup>11</sup> states that where there is a *'clear local need, Local Planning Authorities (LPA) can set out Local Plan Policies requiring new dwellings to meet tighter Building Regulations optional requirement of 110 litres per person per day'*. PPG<sup>12</sup> also states the *'it will be for a LPA to establish a clear need based on existing sources of evidence, consultations with the local water and sewerage company, the Environment Agency and catchment partnerships and consideration of the impact on viability and housing supply of such a requirement'*. The Housing Standards Review was explicit that reduced water consumption was solely applicable to water stressed areas. Yorkshire and Sheffield are not considered to be an area of Water Stress as identified by the Environment Agency<sup>13</sup>. Therefore, the HBF considers that requirement for optional water efficiency standard is not justified nor consistent with national policy in relation to need or viability and should be deleted.

### **Policy NC3: Provision of Affordable Housing**

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<sup>10</sup> Paragraph 31

<sup>11</sup> ID: 56-014-20150327

<sup>12</sup> ID: 56-015-20150327

<sup>13</sup> 2021 Assessment of Water Stress Areas Update:

<https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>



*Policy NC3 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

34. This policy states that a contribution towards the provision of affordable housing will be required from sites with the capacity of 10 or more dwellings or sites with a capacity of less than 10 dwellings which would provide 10 or more dwellings when combined with an adjoining allocated site or vacant site. The policy then provides more details with a minimum requirement ranging from 10% to 30% dependent on the affordable housing market area. It also sets the affordable housing tenure mix, which is states should be 25% First Homes, 25% social rent or equivalent affordable tenures and 50% affordable rent or housing for intermediate or equivalent affordable tenures.
35. The Sheffield and Rotherham SHMA (July 2019) identifies an annual shortfall in affordable unites of 902 dwellings in Sheffield, it also recommends as a guideline 25% of units could potentially be shared ownership, affordable rent or other intermediate products. It suggests that the majority of affordable homes should be homes for social rent.
36. The Sheffield Whole Plan Viability Assessment (November 2022) identified viability issues in Sheffield it states that when assessed under the methodology set out in the PPG development in the Central Area, East and North East is unviable. It also states that Private Rented Schemes are unviable. The Assessment also states that the Council should be cautious about relying on development in the Central Area, and East and North East and on brownfield sites in the Urban West, Stocksbridge / Deepcar, Rural Upper Don Valley and Chapelton / Ecclesfield areas to deliver its housing requirement.
37. The HBF supports the need to address the affordable housing requirements of the borough. The NPPF<sup>14</sup> is, however, clear that the derivation of affordable housing policies must not only take account of need but also viability and deliverability. The Council should be mindful that it is unrealistic to negotiate every site on a one-by-one basis because the base-line aspiration of a policy or combination of policies is set too high as this will jeopardise future housing delivery. The Viability Assessment, as detailed above, highlights the issues with viability in the area, and the conclusions highlight the challenges faced by the Council in terms of preparing policy and for developers providing the full policy requirements.
38. The NPPF<sup>15</sup> is also clear that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. The HBF is concerned that the proposed policy may not deliver this requirement, in all cases, and if this is to be the case the HBF recommends that the Council provide the appropriate evidence.

#### **Policy NC4: Housing for Independent and Supported Living**

*Policy NC4 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

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<sup>14</sup> Paragraph 34

<sup>15</sup> Paragraph 65

39. This policy looks for new homes in developments of fewer than 50 dwellings to provide 100% accessible and adaptable dwellings, and in developments of 50 or more dwellings 98% should be designed to be accessible and adaptable dwellings and the remaining 2% should be wheelchair adaptable dwellings. It also goes on to state that all specialist housing designed for older or disabled people should be wheelchair adaptable or fully wheelchair accessible throughout.
40. 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.
41. PPG<sup>16</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 Sheffield 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.
42. 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, this is not just in relation to the ability to provide step-free access.
43. The Council should also note that the Government response to the Raising accessibility standards for new homes<sup>17</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) 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.

#### **Policy NC5: Creating Mixed Communities**

44. This policy requires that development of 30 or more dwellings in the City Centre and other highly accessible locations that no more than half the homes consist of one-bedroom apartments and studios. It also requires a greater mix of house types on developments of 30 or more dwellings in other locations to include homes for larger households.
45. 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. The HBF recommends a flexible approach is taken regarding housing mix

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<sup>16</sup> ID: 56-007-20150327

<sup>17</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>

which recognises that needs and demand will vary from area to area and site to site; ensures that the scheme is viable; and provides an appropriate mix for the location and market.

### **Policy NC8: Housing Space Standards**

*Policy NC8 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

46. This policy states that new housing developments should comply with the Government's nationally described space standards (NDSS) and any subsequent updates.
47. 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.
48. PPG<sup>18</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 need, viability and timing. 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.

### **Policy NC9: Housing Density**

*Policy NC9 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

49. This policy states that housing development will be required to make efficient use of land. It also sets density requirements for different areas ranging from 70 dwellings per hectare (dph) within or near to the Central Area, 50 to 80dph within or near to District Centres, 40 to 70dph within easy walking distance of tram stops and high frequency bus routes, 30 to 50dph in remaining parts of the urban area and 30 to 40dph in the rural areas. It allows for exceptions to these requirements to reflect the character of a Conservation Area or to protect a heritage asset, to create different density character areas on larger development sites or are necessary to protect an environmentally sensitive area.
50. The setting of residential density standards should be undertaken in accordance with the NPPF<sup>19</sup> where policies should be set to optimise the use of land. The HBF would recommend the Council ensure appropriate flexibility is provided by this policy to allow developers to take account of the evidence in relation to site specific conditions, market aspirations, deliverability, viability and accessibility.
51. The Council will also need to consider its approach to density in relation to other policies in the plan. Policies such as open space provision, SuDs, tree provision, biodiversity net gain, cycle and bin storage, housing mix, residential space standards, accessible and

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<sup>18</sup> ID: 56-020-20150327

<sup>19</sup> NPPF 2021 Paragraph 125

adaptable dwellings, energy efficiency and parking provision will all impact upon the density which can be delivered upon a site.

**Policy GS6: Biodiversity Net Gain (BNG)**

*Policy GS6 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

52. This policy states that there will be a minimum of 10% gain from pre to post development and must be achieved for all habitat types evident on site. It goes on to state that BNG in excess of 10% may be required where there is a particular ecological need, there is evidence of rare or protected species or the site starts with a very low or nil existing biodiversity value.
  
53. The HBF does not consider that requiring BNG above 10% meets the tests set out in paragraph 57 of the NPPF and in particular that is not necessary to make the development acceptable in planning terms. As the Government note on page 9 of their response to the consultation on net gain, they considered 10% to deliver the right balance between “*ambition, achieving environmental outcomes, and deliverability and cost to developers*”. Given Paragraph 174d) of the NPPF states that planning policies should “*minimise impacts on and provide net gains for biodiversity*” if a development delivers the 10% minimum requirement by law it will ensure that paragraphs 174(d) of the NPPF is addressed as it will ensure a net gain. As such any level above this is not necessary to make a development acceptable in planning terms and cannot be made a requirement in the local plan.
  
54. We consider it should be for the developer to decide whether they go beyond the 10% figure not the Council. This is a position the Government also supports stating on page 9 of their response to the consultation on net gain that the 10% should not be a cap on the aspirations of developers who want to go further “voluntarily”. It is important to remember that that it is impossible to know what the cost of delivering net gain is until the base level of biodiversity on a site is known and consequently what is required to achieve a 10% net gain. On some sites this may be achievable on site with no reduction in developable area, for others it may require a large proportion of it to be addressed offsite or a significant reduction in the developable area – a far more expensive option that could render a site unviable without a reduction in other policy requirements.
  
55. Rather than require an increase in the level of BNG achieved on site above legal minimums we would suggest that the Council instead work with developers to ensure they can meet the 10% whilst maximising the number of homes that can be delivered. The HBF would also note that the creation of net biodiversity gain is a significant benefit of increased housing development and should be considered as such as part of any assessment of the housing requirement, housing developments and housing allocations.

**Policy GS7: Trees, Woodlands and Hedgerows**

*Policy GS7 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

56. This policy states that new trees should be planted at a ratio of at least 1 tree per dwelling, of which a minimum of 10% should be street trees on all residential developments of 10 or more homes.
57. The HBF considers that the provision of 1 tree per dwellings has potential to have a significant impact on the land uptake for any development and may have significant implications for the density of developments, this in itself has potential to have a significant impact on the viability of developments. The provision of a tree per dwelling may also have implications in relation to highway provision and highway maintenance and again may need to be given further consideration by the Council and the developers of these sites.

### **Policy DC1: The Community Infrastructure Levy (CIL) and Other Developer Contributions**

*Policy DC1 is not considered to be sound as it is not justified and not consistent with national policy for the following reasons:*

58. This policy states that housing schemes comprising 10 or more new homes will be required to contribute towards education facilities, health facilities and open space.
59. The NPPF is clear that Plans should set out the contributions expected from development and that such policies should not undermine the deliverability of the Plan. The Viability Assessment (Nov 2022) appears to include a cost in relation to this policy of £1,500 per unit. The HBF is concerned that there is limited information contained within this policy as to how this contribution will be calculated or within the Viability Assessment as to how the £1,500 has been calculated. The HBF is concerned that this may not fully assess the viability of the policy, and given the viability issues highlighted within the Viability Assessment may have implications for the delivery of development.

### **Monitoring**

60. The Council has set out a series of indicators to monitor progress against, and suggests that the Authority Monitoring Reports will be used to review and assess the Policies.
61. The HBF recommends that the Council include an appropriate monitoring framework which sets out the monitoring indicators along with the relevant policies, the data source and where they will be reported, this should also include the targets that the Plan is hoping to achieve and actions to be taken if the targets are not met. The HBF recommends that the Council provide more details as to how the plan will actually be monitored, and identifies when, why and how actions will be taken to address any issues identified.

### **Future Engagement**

62. 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.

63. The HBF wishes to participate in the hearing sessions for the Sheffield Plan to represent the home building industry and to address any issues which may arise as part of the hearing sessions.
64. 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,

A handwritten signature in cursive script, appearing to read 'Joanne Harding', written in black ink.

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