

Sent by EMAIL ONLY to Sandwell_LocalPlan@sandwell.gov.uk

20/3/2023

Dear Sir/ Madam

Response by the Home Builders Federation to the Sandwell Local Plan Issues and Options consultation

1. Please find below the Home Builders Federation (HBF) response to the Issues and Options consultation on the Sandwell 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 HBF has not responded to all of the questions, only to those relevant to its members interests. For completeness and clarity this response does identify the questions where the HBF does not wish to comment.

Question 1. Vision and Objectives

What do you think are the main issues that the new SLP should address in Sandwell?

Please indicate which option you think should be used as the basis for preparing the SLP Vision:

o Option A: The Sandwell Vision 2030 should be used as the basis of preparing the Local Plan, bearing in mind that it will be for the Local Plan to establish a sustainable strategy for the scale and location for future growth and development.

o Option B: Create a new vision specifically for the Local Plan and the plan period it will cover along the lines of the suggested wording included above.

If you think the SLP should include a new Vision (along the lines of the suggested wording above), do you think the Vision should cover any other issues?

Once you have had a look at the issues raised in this document, please let us know your thoughts on the following overall matters:

o Are the topic areas and issues being covered the rights ones for Sandwell?



- o Is there anything else we should be covering?**
- o Do you have any thoughts on the evidence base needed to support the Local Plan Review?**

Should the Sandwell Local Plan:

- o promote higher levels of development to support economic growth; or**
- o plan for the minimum necessary to help meet the needs of our population?**

Do you think the SLP should be valid until 2041 or should it run for longer?

- o If you think the Plan should run for longer, what would be your reason for this?**

What are your thoughts on the draft objectives?

- o Do you think they are appropriate?**
- o Are there any other objectives we should be including?**
- o Do you disagree with them - if so, can you explain which ones and why?**

3. The HBF supports the need for the Vision for Sandwell to include reference to the need for new homes to meet housing need, as currently included within Ambition 7. Whichever Vision is used for the Sandwell Local Plan it needs to include reference to meeting the development needs of the area. This must include the need to meet the housing requirement and a recognition that there is a need to plan for both open market and affordable housing to meet housing needs.
4. The HBF agrees that the Council must consider the supply of housing land as a key part of the Local Plan. The Local Plan's policies should ensure the availability of a sufficient supply of deliverable and developable land to deliver Sandwell's housing requirement. This sufficiency of Housing Land Supply (HLS) should meet the housing requirement, ensure the maintenance of a 5 Year Housing Land Supply (5YHLS) and achieve Housing Delivery Test (HDT) performance measurements.
5. The HBF would support ambitious growth aspirations in Sandwell. The HBF would agree that there is a need to consider the interaction between employment and housing. An increase in the number of jobs can it itself generate a requirement for additional housing.
6. The HBF would request that the Council considers the annual LHN as only the minimum starting point and fully considers all of the issues that may result in a need for a higher housing requirement, including the need to provide a range and choice of sites, the need for flexibility, viability considerations and whether higher levels of open-market housing are required in order to secure increased delivery of affordable housing.
7. As the Local Plan will need to cover a period of 15 years from adoption, it will be important for the evidence base to be consistent with the Plan Period.

Question 2. Strategic Policies

Do you agree with the Council's decision to incorporate some of the former BCP policies into the SLP, to benefit from the work already done on them and to make it potentially easier for the four Black Country councils to address certain wider-than-local matters in a joined-up manner?

If so: -

o Are there any of the BCP policies listed in the appendix that you think the Council should definitely include?

o Are there any of the BCP policies in the appendix that you think the Council does not need to include?

8. There is a need to address issues that are wider-than-local matters in a joined-up manner under the Duty to Cooperate. The HBF notes that Sandwell was closely involved in the production of the Black Country Plan (BCP), alongside the other three Black Country councils, but that work on the joint BCP officially ceased in October 2022. The HBF notes that the BCP website says "it is with regret that we are unable to reach agreement on the approach to planning for future development needs within the framework of the Black Country Plan". The statement on the website continues that "Local Plans for the four Black Country Councils will now provide the framework for the long-term planning of the Black Country. The Black Country Plan 2039 work programme will end and we will now transition to a process focused on Local Plans. The issues of housing and employment land need will now be addressed through individual Local Plans for each of the authorities. The Councils will co-operate with each other and with other key bodies as they prepare their Local Plans." This suggests compliance with the Duty to Cooperate may be a key challenge for meeting the legal requirements of plan-making in Sandwell.
9. The HBF notes that work had already been undertaken on joint evidence gathering and policy writing to support the BCP, and there had been public consultation. The HBF notes the Council's decision that there is merit in retaining and adapting some of the draft BCP policies for our new Local Plan in Sandwell. However, the Council will need to ensure that the evidence that supports this approach, is, and remains, up to date and covers the whole of the Plan period.
10. The HBF notes the latest position statement on Greater Birmingham and Black Country Housing Market Area (GBBCHMA) Position Statement Addendum (Dec 2021). Although the HBF welcomes this work, this should have resulted in a signed Statement of Common Ground (SoCG) which clearly sets out how the unmet of Birmingham and the Black Country will be redistributed, and it did not. In order to ensure delivery of any unmet housing needed in neighbouring authorities, neighbouring authorities will need clarity about the level of unmet need that they are being required to accommodate. This will be essential in order for neighbouring authorities to properly consider how to meet this element

of unmet need within their Plans, and to demonstrate compliance with the Duty to Cooperate.

11. The issue of fully meeting housing needs within Sandwell remains, despite the ending of the work on BCP. Sandwell will therefore need to undertake its own calculations for the housing need and requirement, robustly test how much of this can be met within Sandwell and how much (if any) is an unmet need. The Council will then need to work with neighbouring authorities to identify how that unmet need will be redistributed and prepare a Statement of Common Ground on this issue. Page 25 of the consultation document states that “Sandwell itself has a housing need of approximately 30,300 new dwellings between 2021 and 2041 that will not all be delivered by the allocations that will be included in the plan, with an overall supply figure of around 9,492”. Footnote 9 notes that “the need figure will change depending on the affordability ratio and the supply is as at 2021”.
12. The HBF would encourage the Council to fully consider the housing needs of the Borough and robustly consider the need for additional housing in the housing requirement before then considering how much of the housing requirement can be met within the Borough, and how much may be unmet. It is important for the housing requirement to reflect the housing needs and growth aspirations of the Borough and not be restricted by capacity considerations, which should be considered after the housing requirement has been set.
13. The HBF would caution that there is need for the Council to ensure that any policy decisions suggested in the draft Black Country Plan that are being rolled forward remain appropriate, are supported by the evidence base and fully meet the requirements of good plan-making, the NPPF and PPG. For example, Appendix A suggests that the Spatial Strategy and the Green Belt Policies will be rolled forward, but in the consultation documentation on the web page [https://www.sandwell.gov.uk/info/200317/planning_policy/4990/sandwell local plan](https://www.sandwell.gov.uk/info/200317/planning_policy/4990/sandwell_local_plan) it suggests that these policies will be adapted to “make them more specific to our borough”. The HBF suggests the Housing Needs of the Borough needs to be established first, then the Housing Requirement and then the Plan needs to set out how the housing requirement will be met. This may require revisiting the Spatial Strategy and may result in the ‘exceptional circumstances’ that would require the need for a Green Belt review as set out in para 140 of the NPPF.
14. It will be important for both the policies “previously seen” in the draft Black Country Plan that are being rolled forward and “adapted” in the Sandwell Plan, and the evidence supporting them, to be subject to full public consultation as the Plan progresses. It is disappointing to the HBF that these policies have not been included within this consultation, as some of the issues they cover, particularly the housing need for Sandwell, the housing requirement for Sandwell, the potential unmet need of Sandwell and Green Belt designations,

may well impact on the fundamental Strategic Policies that will be an essential part of good plan-making in Sandwell.

Question 3. Climate Change

How should we address the climate crisis in the Local Plan Review – what should be our priority or priorities?

The following are examples only and you are invited to identify as many other ways as you feel are necessary:

- o Reducing the need to travel through promoting accessibility or traveling by more sustainable modes of transport than the car**
- o Promoting alternative and low-carbon means of travel**
- o Protecting open space**
- o Planting more trees**
- o Promoting climate change-focussed ways of building homes and businesses**
- o Requiring development to be carbon-neutral or low carbon**
- o Any other priorities**

How else can new development reduce greenhouse gas emissions and respond to the climate crisis?

Should the new plan leave the issue of carbon reduction in new buildings to other relevant legislation rather than making its own provision – i.e., should the plan not include policies on carbon reduction but instead wait for emerging Building Regulations legislation to become law?

How would you feel about building extensions and alterations to your property that were more climate-change adapted and low carbon? For example;

- o choosing a design that maintained a more constant indoor temperature during extremes of both heat and cold;**
- o using a heat pump instead of a normal central heating boiler;**
- o only using certain building materials developed to be lower in carbon;**
- or**
- o planting trees and other vegetation to shade parts of your property that would otherwise get too hot?**

What potential sources of renewable energy should the Council be looking at supporting in its local plan policies – examples include, but are not limited to, the following: -

- o heat pumps (ground, air, water)**
- o battery farms**
- o energy from waste**
- o solar photovoltaic panels / solar water heating**
- o energy from wind / water**
- o biomass crops**
- o other renewable sources**

15. The HBF supports the Government's intention to set 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 do not need to set local energy efficiency standards in a Local Plan policy because of the higher levels of energy efficiency standards for new homes set out in the 2021 Part L Interim Uplift and proposals for the 2025 Future Homes Standard.

Question 4. Heat Networks

Do you agree that Sandwell Council should support the development and delivery of heat networks as part of its own building proposals, to help deliver Net Zero construction?

Do you think the Council should require private sector and other developers to make provision for heat networks, particularly on larger sites?

16. The HBF does not support any policy that would require new development to connect to existing district heating or cooling networks or provide new networks. 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 Councils should be aware that for the foreseeable future it will remain uneconomic for most heat networks to install low-carbon technologies.
17. 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.
18. 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.

19. 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. The Plan should therefore not include a policy requiring connections to heating networks.

Question 5 and 6 – no comment

Question 7. Future Development in Sandwell

What do you think are the main challenges we face in planning for housing and employment in Sandwell between now and 2041?

What are your views on the overall amount of new housing and employment that is needed in Sandwell?

What types of homes are needed in Sandwell?

Examples may include, but not be limited to:

- o Detached or semi-detached family housing**
- o Bungalows**
- o Smaller houses such as maisonettes or terraced housing**
- o Higher density development such as flats and town houses**
- o Co-housing**
- o Self- and custom-build homes**

Where do you think this new housing should be built?

- o On brownfield or underused land**
- o On previously undeveloped or greenfield sites**
- o On underused or derelict open space**
- o On the sites of older or derelict / vacant buildings, including areas of older housing, flats, factories or other unused buildings?**

What sort of new development (homes, workplaces, shops, leisure facilities etc) do you think would help make Sandwell a better place to live by 2041?

o Where do you think it should be built?

Do you think there are any sorts of new development that would make Sandwell a worse place to live by 2041?

o What harm do you think that sort of development might do to Sandwell?

Do you think we should be asking for higher density developments in centres and on sites near public transport hubs / links?

o If so, do you think we should use the densities identified in the draft BCP (Policy HOU2) and set out above?

o Should we ask for higher densities than this?

o Should we ask for lower densities than this?

What do you think a sustainable urban land use and an unsustainable urban land use would be, from a transport point of view?

Tell us about some modern developments or buildings that you know and like.

o Why do you like them?

Tell us about some modern developments or buildings that you know and don't like.

o Why don't you like them?

o How might they have been done better?

Which of the following issues are most important to you (they are not listed in any order)?

Please identify your preferred options in order if you can, as this will help us address what is most important to Sandwell's occupants.

i. Building affordable housing.

ii. Increasing the number of well-paid jobs in the area.

iii. Creating new green spaces and nature networks

iv. Protecting and improving existing green spaces and wildlife habitats.

v. Attracting investment and new businesses to the area.

vi. Reducing greenhouse gas emissions and tackling the climate crisis

vii. Making it easier to travel by bus, tram, train, walking and cycling.

viii. Providing houses of a good size, with gardens and associated open spaces.

ix. Developing a well-designed and attractive built environment, with new buildings and areas that make a positive contribution to their surroundings.

x. Maintaining a safe and welcoming environment that minimises the likelihood of crime / antisocial behaviour taking place.

xi. Promoting pleasant, clean and lively town centres that people want to visit and use.

Should there be a greater emphasis on: -

o allocating land for mixed-use development (where housing, employment / business development, community facilities etc. sit next to each other);

o allocating land for single end uses, such as just housing or just employment?

Do you have any other comments to make about what development options for housing, employment or other land uses you think we should consider as we draft the Sandwell Local Plan?

The Housing Crisis

20. The HBF notes that we are in the midst of a Housing Crisis. Housing delivery is therefore a key challenge facing Sandwell Borough. To address the

housing crisis the Council needs to allocate enough sites to meet the housing requirement and provide choice and flexibility in supply. This will require the allocation of a mix and range of sites in a variety of locations.

21. The Sandwell Local Plan should recognise the importance of new housing in helping to meet both open market and affordable housing needs.
22. The consultation documents indicate the Councils' view that Sandwell is so constrained it may only be able to provide 9,492 against an identified need of 30,300 new dwellings between 2021 and 2041, less than a third of what is needed. The HBF have made comments on these numbers elsewhere within this response, but even using these figures it is clear that meeting the housing need and requirement in Sandwell will be a significant challenge. The HBF agrees this issue is critically important and needs urgently addressing through the plan-making process.
23. The HBF agrees that the Council needs to explore any and all options to meet the housing need and requirement of Sandwell. This must include full consideration of the current Housing Crisis and if it results in the 'exceptional circumstances' that would require the need for a Green Belt review. The HBF view is that it does.

The Amount of New Housing in Sandwell

24. The HBF agrees that it is important that the Plan continues to provide an appropriate mix of housing types, sizes and tenures to meet the needs of all residents in the Borough.
25. As set out in the NPPF, the determination of the minimum number of homes needed in Sandwell should be informed by a LHN assessment using the Government's standard methodology unless exceptional circumstances justify an alternative approach (para 61). The Government's standard methodology identifies the minimum annual LHN, which is only a minimum starting point. This is not a housing requirement figure. The Government's objective of significantly boosting the supply of homes set out in the NPPF remains (para 60).
26. The HBF would request that the Council recognises the annual LHN as only the minimum starting point and fully considers all of the issues that may result in a need for a higher housing requirement, including the need to provide a range and choice of sites, the need for flexibility, viability considerations and whether higher levels of open-market housing are required in order to secure the delivery of affordable housing. The HBF would also encourage the Council to also consider the role that housebuilding plays in the local economy, both when the houses are under construction and when the houses are occupied as people's homes.
27. As set out in the HBF's response to Question 2- Strategic Policies, the Council will need establish the housing need and then the housing

requirement for Sandwell. These figures will need to be robustly tested and evidenced. Once the housing need and requirement has been established, robust and detailed evidence on housing supply and capacity will be needed. This will probably need to include, amongst other things, an up to date Urban Capacity Study (including a comprehensive review of surplus employment land) and a Green Belt review. Only then can the amount of housing that can be delivered within the Borough be properly assessed, and the amount of need that may or may not remain unmet be established.

28. The NPPF sets out that strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period and if appropriate to set out the anticipated rate of development for specific sites (para 74). The Housing Trajectory for Sandwell will therefore be a key part of the evidence base. It will need to provide sufficient detail to enable monitoring. The detailed housing trajectory will therefore need to include comprehensive details of the housing land supply including site specific delivery information.

Types of Housing

29. The HBF supports the need for the Plan to provide a mix and range of sites and plan for a mix and range of house types. This mix should be informed by evidence of housing need including a full and up to date Housing Needs Assessment (HNA) for Sandwell. When drafting site specific policies, as well as information provided by the HNA, the HBF suggests that consideration should also be given to the existing house mix in the locality, site location and characteristics, local needs and market evidence.
30. Any policy on housing type and mix should include flexibility that would allow for negotiations to consider viability and other site-specific considerations on a case by case basis if required to ensure delivery and/or viability of a particular scheme.
31. The HBF notes the consultation question about bungalows. Bungalows can impact on viability so robust testing of any policies will be needed to ensure housing schemes remain viable and deliverable. Any policy about bungalows should also include the flexibility to allow for consideration of any site specific issues.

Affordable Housing, including First Homes

32. The Plan's Affordable Housing policies will need to reflect the current definition of affordable housing. So, the Council will also need to set out its policy for First Homes in the Sandwell Local Plan.
33. The policy will need to provide certainty for developers on what affordable housing will be sought, whilst still allowing flexibility to respond to any site

specific issues. It will be important for the levels of affordable housing sought are robustly tested through the viability assessment.

34. As affordable housing policy usually refers to the amount of affordable housing required being a percentage of all the housing units on a site, one way to increase the delivery of affordable housing would be to increase the amount of housing, and the number of housing sites.
35. Off-site contributions can play a particularly important role for SME developers, for example where on-site provision may not attract a Housing Association partner. The Sandwell Plan should therefore include a policy that sets out how and when commuted sums for affordable housing will be accepted.

Housing for an Aging Population

36. The HBF is supportive of measures to increase the supply of specialist older people's housing and supports the view of the Retirement Housing Group (RHG) that the planning system can do more to reflect the aging population. A recent RHG report may provide a useful point of reference for the Council <https://retirementhousinggroup.com/how-better-use-of-the-planning-system-can-increase-provision-of-specialist-housing-for-older-people/>

Small Site Housing Allocations

37. The HBF has undertaken extensive consultation with its small developer members. One of the chief obstacles for small developers is that funding is extremely difficult to secure without a full, detailed, and implementable planning permission. Securing an implementable planning permission is extremely difficult if small sites are not allocated. Without implementable consents lenders are uneasy about making finance available or the repayment fees and interest rates they set will be very high. Small developers, consequently, need to invest a lot of money and time up-front in the risky business of trying to secure an allocation and a planning permission, and this is money that many small developers do not have.
38. Paragraph 69 of the NPPF states that LPAs should identify land to accommodate at least 10% of their housing requirement on sites no larger than one hectare. Allocation of small sites can increase certainty for developers and help increase the health of the SME sector. The Council should therefore allocate sustainably located small sites to help provide certainty for SMEs.
39. The Plan will need to set out how it will deliver 10% of homes on sites of less than one hectare, as required by paragraph 69 of the NPPF. The HBF would advocate that a higher percentage of small sites are allocated if possible. Such sites are important for encouraging the growth in SME housebuilders who will tend to develop these sites but rarely see the benefits that arise from the allocation of sites in a local plan. Up until the 1980s, small developers once accounted for the construction of half of all homes built in this country

resulting in greater variety of product, more competition, and faster build-out rates. Since then, the number of small companies has fallen by 80%.

Density

40. The consultation document seems to indicate a rolling forward of the suggested densities of the draft BCP, namely;
- 100+ dwellings per hectare on sites in strategic or main town centres;
 - 45+ dwellings per hectare where sites were highly accessible (e.g. within a ten-minute walk to a GP surgery, local shops etc.); and
 - 40+ dwellings per hectare for other locations.
41. The HBF would question the deliverability of the densities being suggested. If the Council wish to rely on the draft BCP densities then it will need to provide evidence of the deliverability and viability of these densities in the Sandwell market. The HBF suggests that density needs to be considered on a site by site basis to ensure schemes are viable, deliverable, appropriate for the site.
42. The deliverability of high density residential development in Sandwell will be dependent upon the viability of brownfield sites and the demand for high density city centre living post Covid-19. It is important that delivery of the housing requirement does not rely overly ambitious intensification of dwellings through undeliverable or unviable housing densities. As set out in the NPPF (para 31) 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, and take into account relevant market signals.

Viability and Deliverability

43. Whole Plan viability testing is an important part of the plan-making process. However, as noted in PPG (ID: 10-003-20180724) assessing the viability of plans does not require individual testing of every site or assurance that individual sites are viable. In light of this, there will remain a need for flexibility within policy to enable site specific viability considerations to be taken account where required.

Question 8. Housing Windfall Sites

We think that a local windfall policy is needed to ensure that any proposals for residential development on sites that are not allocated are in the right place and do not have adverse impacts on current and neighbouring uses.

o Do you agree?

o If so, what should it contain?

Are there any specific local considerations that we should include when we are making decisions on windfall sites?

For example:

o should housing development be allowed on current employment land?

44. As set out in response to Question 2- Strategic Policies, the Council needs to go through the process to establish the housing need and housing requirement for Sandwell. Once the requirement has been established it will be important for the Council to consider the deliverability of housing from all sources. The HBF notes that windfall sites can make a contribution to this. However, any windfall allowance should be in addition to the need to allocate sustainably located small sites, which the HBF have advocated for elsewhere in this response.
45. In relation to the windfall allowance itself, the HBF would question an approach to windfall that simply adopted the historic windfall trends as an indicator of likely future rates of windfall. This is unlikely to be robust. Windfall allowances should not be included until the fourth year of a housing trajectory, as dwellings being completed within the next three years will already be known about (as they are likely to need to have already received planning permission to be completed within that timeframe). The Plan's windfall allowance will need to be robust and be kept under review as the Plan progresses to ensure that it is informed by the latest data.

Question 9. Sustainable Locations

Should most new development:

o be concentrated in locations with the best levels of sustainable access to jobs, transport, services and facilities?

o be spread out between different towns and centres, to help support new growth and investment in those locations currently without a good supply of jobs, transport, services and facilities?

Are there any locations in Sandwell you think we should look at in particular to find land for new development?

What else can the SLP do to support the sustainability of local communities?

How can the SLP help to increase the number of journeys made on foot, bicycle and public transport by people who want to access services and facilities?

46. The HBF would wish to see the Plan set out a logical settlement hierarchy which meets all the housing needs and addresses all areas of the housing market, with a range of sites proposed for allocation. The HBF does not comment on individual sites, other than to say the Plan should provide for a wide range of deliverable and developable sites across the area in order to provide competition and choice and a buffer to ensure that housing needs are met in full. The soundness of strategic and non-strategic site allocations, whether brownfield or greenfield, will be tested in due course at the Local Plan Examination.
47. The HBF agrees notes that if homes are being provided to meet needs arising from Sandwell and/or unmet needs from neighbouring authorities within the Birmingham and Black Country HMA, then the Plan needs to consider where

best such housing should be located. This must include considering the benefits of locating these homes as close as possible to the source of those needs, for example, in order to minimise travel. This consideration therefore necessitates the need for a review of Green Belt in Sandwell.

Question 10- no comments

Question 11. Good Design

Do you think we should:

o provide a local design policy / design guidance specifically for Sandwell; or

o use the national code and guidance instead?

Instead of producing a new design code for Sandwell, should we review and update the existing guidance we already have instead?

We intend to reuse elements of the draft BCP design policies to support the local plan. Do you agree with this approach?

Do you agree with our intention to adopt the Nationally Described Space Standards for new houses?

o If not, can you explain why?

Do you think we should:

o Incorporate current supplementary planning guidance into the draft Local Plan (with review and updates as necessary);

o Consider including some aspects of supplementary guidance in the SLP that can be used to shape policies and proposals;

o Retain supplementary planning guidance as separate documents under the SLP and undertake a programme of reviews and updates to them (accepting that this will also require separate examinations) at a later stage; or

o Use another approach?

48. If the Councils wish to apply the optional NDSS to all dwellings, then this should only be done in accordance with the NPPF (paragraph 130f & Footnote 49) which states that “policies may also make use of the NDSS where the need for an internal space standard can be justified”. As set out in the NPPF, 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.

49. PPG (Ref ID: 56-020-20150327) identifies the type of evidence required to introduce a policy on NDSS. 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.

50. The Councils 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.

51. The HBF would also remind the Councils that there is a direct relationship between unit size, cost per square metre (sqm), selling price per sqm and affordability. The policy approach should recognise that customers have different budgets and aspirations. An inflexible policy approach to NDSS for all new dwellings will impact on affordability and effect customer choice. Well-designed dwellings below NDSS can provide a good, functional home. Smaller dwellings play a valuable role in meeting specific needs for both open market and affordable home ownership housing.

52. An inflexible policy approach imposing NDSS on all housing removes the most affordable homes and denies lower income households from being able to afford homeownership. The introduction of the NDSS for all dwellings may mean customers purchasing larger homes in floorspace but with bedrooms less suited to their housing needs with the unintended consequences of potentially increasing overcrowding and reducing the quality of their living environment. The Council should focus on good design and usable space to ensure that dwellings are fit for purpose rather than focusing on NDSS.

53. In relation to Design, the consultation questions suggest that Council could seek to rely on existing SPD. This would not be compliant with the Regulations as policy can only be made in the Development Plan. Seeking to use SPD would give Development Plan status to a document, which is not part of the Plan, and has not been subject to the same process of preparation, consultation and examination.

Question 12 - no comments

Question 13. Self- and Custom-Build Housing

Do you think Sandwell’s new local plan should include a policy on self- and custom-build?

If you do, how do you think the Council should deal with issues around self-build proposals on commercial housing sites?

o A design policy requiring self-build homes to reflect the design elements of the site on which they are located (e.g. height, scale, mass, materials, type and design of features such as doors, windows, etc.?)

o Requiring developers to allocate sections of commercial housing sites where people undertaking self-build can have a freer hand in the design of their house?

Do you think self-build should be supported in another way in Sandwell (e.g. not provided on commercial housing development sites; subject to a different policy approach)?

54. 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 considers that the Councils can play a key role in facilitating the provision of land as set in the PPG. This could be done, for example, by using the Councils' own land for such purposes and/or allocating sites specifically for self and custom-build home builders- although this would need to be done through discussion and negotiation with landowners. The HBF does not consider that requiring major developments to provide for self-builders is appropriate.

Question 14: Specific Housing Requirements

Do you agree that the new SLP should contain a policy on housing suitable to meet the needs of people who have special needs or who require additional support?

What types of housing suitable to meet special needs do you think should be encouraged and delivered in Sandwell? E.g.

o bungalows;

o houses capable of easy adaptation for users of assistive technology such as wheelchairs;

o houses that can be easily altered as people age or their medical or physical condition changes;

o other types of dwellings.

The Council intends to incorporate the national minimum space standards for new housing as set out in the optional Building Regulations Requirement M4(2): Accessible and Adaptable Dwellings

o Do you agree with this approach?

55. The requirements to meet Part M4(2) will be superseded by changes to residential Building Regulations. The Government response to 'Raising accessibility standards for new homes' 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. The requirement to address this issue in planning policy is therefore unnecessary.

56. There is also a need to differentiate between Part a) and part b) of M4(3) technical standards. M43a sets out standards for wheelchair adaptable housing, where M43b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights.
57. The HBF observations about bungalows can be found in response to Question 8.

Questions 15 to 45 - no comments

Question 46- Biodiversity Net Gain

Do you think the SLP should contain a policy on retaining offsite biodiversity net gain in Sandwell?

If so, how do you think the Council should achieve this?

Please identify which of the following options you prefer; you can pick as many as you like or suggest something different.

- i. Identify privately-owned sites as receptors for BNG credits and allocate them in the SLP?**
- ii. Identify Council-owned sites as receptors for BNG credits and allocate them in the SLP?**
- iii. Support wider landscape-scale schemes such as the Natural England Purple Horizons project (restoring and connecting fragmented heathlands to create a mosaic of heathlands, wetlands, woodlands and grasslands between Cannock Chase and Sutton Park) that are nearby but not necessarily in Sandwell itself?**
- iv. A combination of private and public approaches?**
- v. Something else (please specify)?**

Are you the owner of any sites or land within Sandwell that you think may be suitable for allocation as a potential receptor site for biodiversity net gain (bearing in mind it would then be protected from further development or change for at least 30 years, through a covenant agreement)?

o If so, would you be willing to have your site allocated for this purpose in the SLP6 (assuming it was considered suitable after an ecological assessment)?

Do you think we should explore a requirement for additional biodiversity net gain credits (e.g. more than 10% minimum) should developers be proposing to purchase them for schemes outside Sandwell?

58. It is the HBF's opinion that the Council should not deviate from the Government's requirement for biodiversity net gain as set out in the Environment Act. There are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council's viability

assessment. It is important that BNG does not prevent, delay or reduce housing delivery.

Question 47 to 52 – no comments

59. Future Engagement

60. 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.

61. 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 faithfully

A handwritten signature in blue ink that reads "R. H. Danemann". The signature is written in a cursive style with a clear, legible font.

Rachel Danemann MRTPI CIHCM AssocRICS
Planning Manager – Local Plans (Midlands and South West)
Home Builders Federation
Email: rachel.danemann@hbf.co.uk
Phone: 07817865534