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Dear Planning Policy Team,

LANCASTER LOCAL PLAN: ISSUES AND OPTIONS CONSULTATION

1. Thank you for consulting with the Home Builders Federation (HBF) on the Lancaster Local Plan Issues and Options consultation.
2. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.
3. The HBF notes the use of a digital consultation for this phase of consultation and whilst it is appreciated that this may work well for some consultees, the HBF found this document very difficult to use, and to navigate. The HBF did request a text only version of the document, which was provided however it did delay the initial consultation with our members. The HBF would strongly recommend that any future consultations include a pdf version of the text of the document for ease of use for all.
4. The HBF also notes a consultation on the NPPF and the standard method for calculating housing need has commenced part way through the consultation on the Lancaster Local Plan, and that this is likely to have implications for the production of the Plan and the policies it contains.

Plan Period

5. The NPPF¹ is clear that strategic policies should look ahead over a minimum 15-year period from adoption, and that where larger scale developments form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take in account the likely timescale for delivery. Therefore, the HBF considers

¹ NPPF Dec 2023 paragraph 22



that the Council will need to ensure that the end date of the plan is appropriate and will still provide at least 15 years on adoption.

Vision

Question 1: Do you feel that the Draft Vision presented reflects the right ambitions for this Local Plan Review? Which ambitions do you feel are the most important? Are there any ambitions missing from the Vision?

6. The HBF considers that it is important that the vision aims to achieve sustainable development and that this includes all three objectives in balance, economic, social and environmental. The HBF considers it is important that the Council ensures that they have a sufficient number and range of homes to meet the needs of present and future generations. The vision includes delivering new housing that is accessible to all those in our community and goes on to state it means delivering the right amount of housing, of the right type and in the right places, and that it means supporting the delivering of new housing as soon as possible so we can start to play a role in addressing the national crisis in housing. The HBF supports the recognition of the importance of housing and the need to address the national crisis within the vision.

Addressing the Climate Emergency

Question 2: Do you have any views on the Issues and Opportunities raised in connection with addressing the Climate Emergency? What Issues and Opportunities do you feel are the most / least important? Are there any Issues and Opportunities missing in regard of this theme?

7. The consultation suggests that the Local Plan could limit development which negatively impacts on the District's carbon budget; ensure that all new development is fossil free; require new developments to plan with climate projections in mind, such as designing to prevent overheating and ensuring that they are built in locations vulnerable to flood risks; require EV Charging points; require that homes are designed to need very little energy to heat and cool; ensure carbon is approached holistically from embodied carbon in construction material and the application of the highest building fabric efficiency standards.
8. The HBF considers that it is important that the Council does not set its own standards for development which may differ from the approach being taken by national Government, and that any such policy in relation to low carbon, local heat and energy solutions are implemented on a flexible basis, and that the Council recognise the decarbonisation of the national grid. This would be in line with the Written Ministerial Statement of December 2023².
9. Building Regulations Part L 2013 is often used as a base line for measuring future building performance in terms of carbon reduction. Part L 2021 sees a 31% reduction in carbon use when compared to that of Part L 2013, it still sees the use of gas or fossil fuel heating used in new properties. The 31% improvement is achieved through enhanced performance to the design of the building fabric and within the appliances used within the home. Part L 2025 (known as the Future Homes Standard (FHS)) is

² <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/HCWS123>

expected to see a 75% to 80% reduction in carbon use when compared to Part L 2013. Any new home built to the Part L 2025 will not utilise any form of fossil fuel heating within the home, it will only contain sources of electric heating and electrical appliances. This means that the homes built to the FHS will be 'zero carbon ready'. This in turn means that as the National Grid decarbonises, no additional work will be needed to be carried out to those properties in order for them to function as 'zero carbon homes'.

10. The HBF considers that the provision of electric vehicle charging capability is unnecessary as Part S of the Building Regulations now provides the requirements for Electric Vehicle charging in residential developments, including where exceptions may apply.

Design, Healthy Lifestyles and Safe Communities

Question 8: Do you have any views on the Issues and Opportunities raised in connection with Design, Healthy Lifestyles and Safe Communities? What Issues and Opportunities do you feel are the most / least important? Are there any Issues and Opportunities missing in regard of this theme?

11. The consultation suggests that the Local Plan can take opportunities to ensure new development is well-designed and promotes healthy lifestyles; it could also locate development close to bus routes, train lines and require developments to contribute to the services; maximise choices for how people travel; and ensure access to and where necessary require improvements to play, recreation, sports and open spaces.
12. The NPPF³ sets out that planning policies should aim to achieve healthy, inclusive and safe places and buildings. Therefore, the HBF generally supports plans that set out how the Council will achieve improvements in health and well-being. In preparing its local plan the Council should normally consider the health impacts with regard to the level and location of development. Collectively the policies in the plan should ensure health benefits and limit any negative impacts and as such any development that is in accordance with that plan should be contributing positively to the overall healthy objectives of that area.
13. The HBF considers that it is appropriate for the Council to allocate land for development where it is possible to access public transport routes and local services, or where access to these routes or services can be provided or improved. The HBF generally supports the principal of sustainable and active travel, however, the HBF would suggest that the Council take a flexible approach to how that is undertaken within housing developments.
14. The NPPF⁴ is clear that any policies in relation to open space and recreation should be based on robust and up to date assessments of the need for open space, sport and recreation facilities and opportunities for new provision. Therefore, the HBF considers it is likely that the Council will need to update its evidence base in relation to open space and recreation and ensure that any policy is justified by the evidence base, and is viable and deliverable.

³ NPPF December 2023 paragraph 96

⁴ NPPF December 2023 paragraph 102

Nature Recovery and Biodiversity

Question 3: Do you have any views on the Issues and Opportunities raised in connection with Nature Recovery and Biodiversity? What Issues and Opportunities do you feel are the most / least important? Are there any Issues and Opportunities missing in regard of this theme?

15. The consultation suggests that the Local Plan will require new development to adopt a GBI-led approach for their proposals; establish a series of green infrastructure standards in accordance with Natural England GI Framework (such as the Urban Greening Factor); and support the legal requirements around Biodiversity Net Gain (BNG).
16. Natural England has developed an Urban Greening Factor for England, as one of a suite of five Headline Green Infrastructure Standards within the Green Infrastructure Framework – Principles and Standards for England⁵. The Urban Greening Factor (UGF) is a planning tool to improve the provision of Green Infrastructure (GI) particularly in urban areas. The HBF notes that this document suggests a target UGF score of 0.4 for predominantly residential development, it also sets out proposed UGF Surface Cover Weightings.
17. The HBF considers that if the Council wishes to include a policy on urban greening it will need to consider if it wants to use the Natural England target of 0.4 for predominantly residential areas and how it intends to justify this. It will also need to consider how this could impact on the viability and deliverability of sites going forward. The HBF recommends that if the Council chooses to take a UGF policy forward it should ensure that this policy is applied flexibly taking into account other considerations such as the density of development, embodied carbon, design, energy efficiency, proximity to open spaces, local character, and other site-specific elements. It may be that in some cases the urban greening target means that other policy requirements cannot be met or become significantly more costly.
18. Other targets and standards that are identified within the Green Infrastructure Standards England Summary⁶ include the Green Infrastructure Strategy Standard; Accessible Greenspace Standards; Urban Nature Recovery Standard; and the Urban Tree Canopy Cover Standard. Again, if the Council wishes to introduce any of these standards or targets it will need to consider the evidence that it has to justify their inclusion, and how they will be balanced with other policy requirements.
19. BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). Developers must deliver a biodiversity net gain of 10%. In light of all the new guidance on Biodiversity Net Gain (BNG) that has recently been published, the Council will need to ensure its approach to

⁵ Urban Greening Factor for England – Development and Technical Analysis - Green Infrastructure Framework - Principles and Standards for England (January 2023)
<https://publications.naturalengland.org.uk/publication/5846537451339776>

⁶

<https://designatedsites.naturalengland.org.uk/GreenInfrastructure/downloads/Green%20Infrastructure%20Standards%20for%20England%20Summary%20v1.1.pdf>

BNG to ensure it fully reflects all the new legislation, national policy and guidance. The HBF notes that there is a lot of new information for the Council to work through and consider the implications of, in order to ensure that any policy on BNG policy so that it complies with the latest policy and guidance now this has been finalised. It is important that mandatory BNG does not frustrate or delay the delivery of much needed homes.

20. The PPG⁷ is clear that there is no need for individual Local Plans to repeat national BNG guidance. It is HBF's opinion that the Council should not deviate from the Government's requirement for 10% biodiversity net gain as set out in the Environment Act.
21. The HBF also notes that there are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council's viability assessment. As this is still a new policy area and the market for off-site provision, and statutory credits are not yet known, any figure used for BNG costs will need to be kept under review as BNG implementation progresses and a greater understanding of actual costs become available. It is important that BNG does not prevent, delay or reduce housing delivery.
22. The HBF also recommends that any policy or text in relation to the LNRS should set out how the Council intends to manage the interaction between LNRS, the planning system, and the implementation of BNG. The Local Nature Recovery Strategy, should map ecological assets, set conservation principles, identify opportunities for habitat creation, restoration and enhancement, and to set measures for the recovery of species population.

Transport and Connectivity

Question 5: Do you have any views on the Issues and Opportunities raised in connection with Transport and Connectivity? What Issues and Opportunities do you feel are the most / least important? Are there any Issues and Opportunities missing in regard of this theme?

23. The consultation suggests that the Local Plan will look to promote improvements in the public transport network; looking at how new developments can assist in expanding the network; it will support the concept of modal shift to move towards the greater use of sustainable modes of travel; and seek to assist with the transition towards the use of more electric vehicles through the provision of new charging infrastructure.
24. The NPPF⁸ is clear that transport issues should be considered from the earliest stages of plan-making so that potential impacts can be addressed, opportunities to promote walking, cycling and public transport can be identified; and so that opportunities from transport infrastructure can be realised. The HBF would generally support the Council in looking to promote improvements in the public transport network and in making greater use of sustainable modes of travel and ensuring that these opportunities are considered at the earliest opportunity.

⁷ PPG ID: 74-006-20240214

⁸ NPPF December 2023 Paragraph 108

25. The HBF considers that it is appropriate for the Council to allocate land for development where it is possible to access public transport routes and local services, or where access to these routes or services can be provided or improved. The HBF generally supports the principal of sustainable and active travel, however, the HBF would suggest that the Council take a flexible approach to how that is undertaken within housing developments.
26. As set out previously, the HBF considers that the provision of electric vehicle charging capability is unnecessary as Part S of the Building Regulations now provides the requirements for Electric Vehicle charging in residential developments, including where exceptions may apply.

Right Infrastructure in the Right Places

Question 10: Do you have any views on the Issues and Opportunities raised in connection with ensuring the Right Infrastructure in the Right Places? What types of infrastructure are most important to you? What Issues and Opportunities do you feel are the most / least important? Are there any Issues and Opportunities missing in regard of this theme?

27. The consultation suggests that the Local Plan will make sure that new developments provide appropriate infrastructure on site and contribute to infrastructure off site; and that the Plan will continue to secure infrastructure through S106 agreements and conditions attached to planning permissions. It suggests that they will also adopt a Community Infrastructure Levy (CIL) to collect contributions from a wide range of developments.
28. Development can only be required to mitigate its own impact and cannot be required to address existing deficiencies in infrastructure or services. It is therefore essential for the Infrastructure Development Plan (IDP) to clearly show the existing and known deficiencies in the current infrastructure, before reaching any conclusion on the cumulative effects of new development, and any contribution that is needed from new development to mitigate any additional individual and/or cumulative impacts.
29. The HBF recommends that the Council undertake a full viability assessment to determine the appropriateness of any CIL introduced, to ensure that development does not become undeliverable and if appropriate to determine if differential rates are required across the area.

Meeting our Housing Needs

Question 6: Do you have any views on the Issues and Opportunities raised in connection with Meeting our Housing Needs? What Issues and Opportunities do you feel are the most / least important? Are there any Issues and Opportunities missing in regard of this theme?

30. The consultation suggests that the Local Plan will identify new opportunities for housing development in sustainable locations which provide the chance to deliver housing across the life of the Local Plan which meets a recognised need; it will identify housing opportunities to meet a full range of housing needs; and offer the opportunity to promote community and social cohesion through targeted regeneration of areas.
31. The Council have highlighted that the current standard method identifies a minimum local housing need of 423 dwellings per annum (dpa). It also notes that the Government

are currently consulting on proposed revisions to the standard methodology which would see the housing need figure increase to 698dpa. The current Local Plan for Lancaster District (adopted 2020) states that the Council will seek to deliver 10,440 new dwellings in the period 2011/12 to 2030/31. It provides a stepped annual requirement 2011/12 to 2018/19 – 400 dwellings per annum; 2019/20 to 2023/24 – 485 dwellings per annum; 2024/25 to 2028/29 – 685 dwellings per annum; and 2029/30 to 2030/31 – 695 dwellings per annum. The HBF notes that therefore the current housing requirement is 685dpa, this is very similar to the housing need figure identified by the proposed new standard method.

32. In line with the NPPF⁹ which states that the overall aim should be to meet as much as an area's identified housing need as possible, the HBF considers that the Council should be seeking to ensure that its entire housing need is addressed.
33. The HBF is keen that the Council produces a plan which can deliver against its housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period. The HBF and our members can provide valuable advice on issues of housing delivery and would be keen to work proactively with the Council on this issue.

Affordable Housing

34. The HBF considers that the Council will need to collate evidence to determine the affordable housing need in the area. The HBF considers that it is appropriate for the Council to plan for the affordable needs of its community, and to ensure that it does this in line with the requirements in the NPPF¹⁰. This should ensure that any affordable housing requirements are clearly set out, are evidenced as viable through an assessment, and that flexibility is provided within the policy where viability may be an issue. 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.

Green Belt

35. The Written Ministerial Statement (WMS) (Building the Homes we Need) of Angela Rayner on 30th July 2024 clearly states that the Government is committed to ensuring the Green Belt serves its purpose, and that means taking a more strategic approach to Green Belt release. It goes on to state that we will start by requiring local authorities to review their Green Belt boundaries where they cannot meet their identified housing, commercial or other development needs. This has been followed up by the consultation on the NPPF, with the proposed paragraph 142 stating '*Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of Plans. Exceptional circumstances include, but are not limited to, instances where an authority cannot meet its identified need for housing. . . In these circumstances authorities should review Green Belt boundaries and propose alterations to meet these needs in full*'.

⁹ NPPF Dec 2023 paragraph 60

¹⁰ NPPF 2023 paragraphs 34, 63-66

Delivering the Right Type of Housing

Question 7: Do you have any views on the Issues and Opportunities raised in connection with Providing the Right Type of Homes? What Issues and Opportunities do you feel are the most / least important? Are there any Issues and Opportunities missing in regard of this theme?

36. The consultation suggests that the Local Plan will require developers to build a mixture of housing types and housing sizes to help meet the needs of the community; plan for housing that is genuinely affordable; promote and support alternative housing models like self-build, custom and community-led housing; plan for housing that meets the specific needs of certain sectors of the community including older people; allocate sites or require percentages of new homes on open market sites to meet particular needs; ensure new housing meets minimum space and accessibility standards; ensure homes are energy and water efficient; and continue to manage density.

Housing Mix

37. The HBF understands the need for a mix of house types, sizes and tenures and is generally supportive of providing a range and choice of homes to meet the needs of the local area. It is, however, important that any policy is workable and ensures that housing delivery will not be compromised or stalled due to overly prescriptive requirements, requiring a mix that does not consider the scale of the site or the need to provide significant amounts of additional evidence.

Self-build, custom-build and community-led housing

38. The Council currently has a policy in relation to Self-build, custom-build and community-led housing which supports their development in sustainable locations. It also states that developers of strategic sites and other smaller sites will be encouraged to investigate the possibility of making provision for a proportion of serviced plots to contribute to meeting need for self, custom or community-led housing. The HBF considers that the existing policy is generally appropriate, but that the Council should look to allocate sites specifically for self-build, custom-build and community-led housing.

39. The HBF would recommend appropriate evidence is collated to identify the need for each of these sources and housing and to ensure that house building delivery from this source provides an additional contribution to boosting housing supply. This is likely to include engaging with landowners and working with self and custom build and - community-led developers to maximise opportunities. The PPG¹¹ sets out how custom and self-build housing needs can be assessed.

40. The PPG¹² also sets out how local authorities can increase the number of planning permissions which are suitable for self and custom build housing. These include supporting neighbourhood planning groups to include sites in their plans, effective joint working, using Council owned land and working with Home England. The HBF considers that policy mechanisms could be used to ensure a reliable and sufficient provision of self

¹¹ PPG ID: 67-003-20190722

¹² PPG ID: 57-025-20210508

& custom build opportunities across the area including allocation of small and medium scale sites specifically for self & custom build housing and permitting self & custom build outside but adjacent to settlement boundaries on sustainable sites especially if the proposal would round off the developed form.

Older Persons Housing

41. The PPG¹³ states that the need to provide for older people is critical, and that offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. It goes on to state that Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people and that Plans need to provide for specialist housing for older people where a need exists¹⁴. It also notes that allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. As such, the HBF considers that the Council needs to work closely with the providers of older persons housing to identify appropriate sites and to review the existing policy to determine if it is appropriate.

Accessible and Adaptable Housing

42. Policy DM2 already states that at least 20% of new affordable housing and market housing on schemes of more than ten dwellings will be expected to meet the M4(2) standard. If the Council wishes to amend this policy and to achieve a higher proportion of developments at the higher optional standards for accessible, adaptable and wheelchair homes the Council should only do so by applying the criteria set out in the PPG. The PPG¹⁵ identifies the type of evidence required to introduce a policy requiring the M4 standards, including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability.
43. The Council should also note that the Government response to the Raising accessibility standards for new homes¹⁶ 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.

Water efficiency

44. 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

¹³ PPG ID: 63-001-20190626

¹⁴ PPG ID: 63-006-20190626 & ID: 63-012-20190626

¹⁵ ID: 56-007-20150327

¹⁶ <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>

demand management measure. The Optional Technical Housing Standard is 110 litres per day per person.

45. As set out in the NPPF¹⁷, 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. PPG¹⁸ 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'*. PPG¹⁹ 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. The North West and Lancaster are not considered to be an area of Water Stress as identified by the Environment Agency²⁰. 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.

Density

46. The NPPF²¹ states that planning policies should promote an effective use of land in meeting the need for homes and other uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions. It also states that planning policies should ensure that developments make optimal use of the potential of each site. The HBF considers it would be appropriate to include a policy in relation to the density of development, as such the Council will need to consider its approach to density in relation to other policies in the plan. Policies such as open space provision, biodiversity net gain, cycle and bin storage, housing mix, residential space standards, accessible and adaptable dwellings, energy efficiency, street trees, parking provision and EV charging, and any implications of design coding will all impact upon the density which can be delivered upon a site.

Feedback on our approach to consultation

Question 13: We would welcome your feedback on our approach to consultation, if you have any comments on what has worked well or not worked well as part of engaging we would love to know so we can consider how we can make future engagement with you a better experience.

¹⁷ Paragraph 31

¹⁸ ID: 56-014-20150327

¹⁹ ID: 56-015-20150327

²⁰ 2021 Assessment of Water Stress Areas Update:

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

²¹ NPPF December 2023 paragraph 123 and 124

47. The HBF considers that the content of the consultation was generally appropriate and worked reasonably well. However, the HBF has significant concerns in relation to the online only consultation format, which made maps almost impossible to read, and made considering the issues, opportunities and questions at once particularly tricky. The online format was also slow and took time to load on multiple devices that were tried, it was also difficult to scroll through to read but then return to the top of the page, which required the balancing of two scrolling bars in order to move to the next element of the consultation. The HBF strongly recommends that the Council look at alternative provision if intending to provide online consultations in the future. The HBF also strongly recommends that the Council ensures that there is a pdf accessible version of the document available to download along with any online consultation. The HBF does however, support the Council in still accepting email and postal responses to the consultation along with the online submission form.

Viability

48. The Council will also need to ensure that they have considered viability, viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative costs of all relevant policies will not undermine deliverability of the Plan. The Council need to ensure that policy requirements should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned development to be deliverable without need for further viability assessment at the decision-making stage.

Monitoring

49. 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 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

50. 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.

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

Yours sincerely,



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