

Sent via EMAIL only to StrategicPlanning@gloucestershire.gov.uk

29/09/2024

## **Response by the Home Builders Federation to Gloucestershire County Council Local Development Guide Consultation (s106 asks)**

1. Thank you for consulting the HBF on the above document.
2. 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. HBF agree that it is important that the role of the County Council and the status of this document is clearly set out. HBF welcomes the clarity that the GCC is not the decision-making authority for most planning applications, but functions as a consultee that can request s106 planning contributions. All contributions must comply with the necessary tests and other requirements of Regulation 122 of the CIL Regulations.
4. HBF support the plan-making process and the importance of whole-plan viability testing. It is essential that the planning contribution asks of development are considered in the round, and the viability of the package of measures being sought is assessed at plan-making, and if necessary planning application stage.
5. It will be essential for the County Council to continue to work with its district and borough councils, in their role as local planning authorities, to ensure its requests for contributions are fully justified and fed into the plan-making process. Input into both site allocations and general polices will be needed to ensure viability testing is effective. Even then site specific viability testing may be needed once a planning application is being prepared.
6. HBF would not expect the County Council to require a separate viability assessment to be submitted to it in support a planning application made to a district or borough council. It is not for the County Council to assess a viability report in these circumstances, as this is the role of the Local Planning Authority. The LPA should work in partnership with the County Council and



other stakeholders, statutory consultees and the developer, to find an acceptable way forward if there is a viability issues impacting development.

7. HBF note the introduction of mandatory BNG nationally, and that this factor is not subject to viability considerations. We would therefore suggest this point should be clearly stated in any guidance and policy about s106 contributions. We would welcome clarification on what the Council means when it makes reference to the need for land to be “unencumbered” by BNG requirements. This seems to be at odds with the legislation and guidance around BNG that require on-site delivery as a first preference.
8. I trust that the Council will find these comments useful. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.
9. Please let me know if you have any further questions.

Yours faithfully

A handwritten signature in blue ink that reads "R. H. Danemann". The signature is written in a cursive, slightly slanted style.

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