

Sent by email to: planningpolicy@winchester.gov.uk

10/10/2024

Dear Sir/ Madam

Winchester Local Plan

1. Thank you for consulting the Home Builders Federation (HBF) on the Winchester 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.

Consultation on amendments to the NPPF

2. At the end of July, the Government commenced a consultation on a number of amendments to the NPPF. The proposed revisions will make significant changes to the current document and there is a strong possibility that many of Winchester City Council's (WCC) neighbours, will be required to prepare plans that are consistent with the changes being proposed to the NPPF, should they be adopted. Alongside the changes to the NPPF the Government have also consulted on a new standard method. While our comments will be based on the current NPPF we will refer to the potential impact of the proposed changes within our representations.
3. HBF are concerned that Councils such as WCC will, in the face of increases in its housing needs, seek to move quickly to submission in order to benefit from the transitional arrangements. Whilst it is for the council to decide on the timescale for the submission of its local plan this cannot be at the expense of the documentation and the evidence required on the submission of a local plan. For example, the council will need to ensure that it has taken into account the impact of any changes resulting from the NPPF in neighbouring areas

as part of its duty to co-operate. The Council will be aware that this work must be done prior to submission for the council to show that they have fulfilled their duty to co-operate, a point we discuss in more detail below. While the proposed amendments can only be given limited weight with regard to the local plan at this point in time, it is important to note that inspectors are already asking local plans at examination for comment on the proposed changes and the Written Ministerial Statement 'Building the Homes We Need' that was published early this year¹ and it will be necessary for WCC to consider the implications of the changes with regard to this local plan.

Review

4. The plan will require modification to set out an immediate review of the plan to take account of proposed changes to the NPPF that are currently being consulted on, should they be adopted. While these changes are still out for consultation should they remain as currently presented consideration will need to be given to paragraph 227 which states:

“Where paragraph 226 c) applies, local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need.”

5. The proposed standard method would see Winchesters housing needs, across the whole of the Borough, increase from 676 dpa to 1,099 dpa and will require the council to prepare a new plan immediately. However, it is the HBF's experience that without an incentive to review a recently adopted plan these are rarely undertaken rapidly. Therefore, a strong review policy is required that set out clear dates as to when a new plan will be submitted, and the consequences should that plan not come forward in the agreed timescale. HBF would recommend a policy is included in SS1 along the lines of that adopted in the Bedford Local plan 2030 (reproduced in appendix A). This policy was included in the Bedford Local Plan in similar circumstances when the NPPF was amended in 2018 requiring the use of the Standard Method to assess housing needs.

Duty to cooperate

¹ For example, the Inspectors Initial Questions to the Bournemouth, Christchurch and Poole Local Plan. 6th of August 2024.

6. While HBF welcome the Council's decision to meet some of the unmet housing needs arising in the South Hampshire Sub Region the HBF are concerned that it does not go far enough given the scale of the shortfalls that have been highlighted to the council. It would appear that limited discussion has taken place between Winchester and those council's expected to have shortfalls in housing with the Statement of Common Ground with Havant noting that:

“Havant Borough Council notes that there has been no engagement between the Regulation 18 and Regulation 19 stages from Winchester City Council in order to address the matters raised in earlier representations or the letter of 5th March 2024. Havant Borough Council is mindful that the NPPF indicates that unmet need from neighbouring areas should be taken into account in establishing the amount of housing to be planned for.”

7. This statement would suggest that the Council's approach to the duty to cooperate has been neither on going nor constructive as is required by the Planning and Compulsory Purchase Act (as amended by the Localism Act 2011) and that the Council has not met the requirements of the duty to co-operate. It would appear that the Council have not grappled with the actual scale of the unmet needs in Havant, and indeed elsewhere in South Hampshire, and have instead moved forward with their proposed spatial strategy using the buffer as a means to address some of the unmet needs in the sub region but not revisiting their strategy to see if they could do more. In order to address these failings, the Council will need to engage properly with the neighbouring authorities who cannot meet their needs and reassess how many homes they are able to deliver in Winchester to meet as many of those needs as possible.
8. These additional discussions will need to take place prior to the submission of the local plan given that failing of co-operation cannot be rectified prior to submission. They will also need to take into account the impact of the proposed standard method on unmet needs in neighbouring areas. It is notable that across South Hampshire the standard method would see the minimum expectation for new homes increase from 6,865 dpa to 9,987 dpa. Taking Havant as an example the housing need would increase from 508 dpa to 874 dpa and a shortfall across their plan period of 2022/23 to 2042/43 of 11,469 homes, based on the estimates of supply in the SoCG. A substantial increase on the 4,300 homes shortfall identified in the SoCG.

9. The lack of direct consideration of the unmet housing needs in other areas can also be seen in the Integrated Impact Assessment (IAA) and the reasonable alternatives considered. The decision not to consider unmet needs of other areas at the start of the plan making process is noted in paragraph 2.33 of the IAA which states that “At the time of preparing the Strategic Issues and Priorities document and Regulation 18 Local Plan, the options considered related to meeting the needs of Winchester District, not the unmet needs of neighbouring authorities.” While the Council then went on to consider options that were higher than what was needed it is not clear that these were in a direct response to the unmet needs in other areas or just an outcome of the spatial strategies being proposed and that they in turn resulted in a “buffer” between needs and supply. What has not been tested in the IAA was an alternative that considered a greater response than to the significant unmet needs elsewhere. Such a spatial strategy would have been a reasonable approach to consider and points to the Council not actively seeking to consider and address the needs of other areas through this plan.

10. To conclude HBF consider the Council’s response through the DtC to be inadequate. While it has looked to include within its housing requirement an uplift for unmet needs this does not seem to be based on discussions with neighbours and does not appear to be related to the scale of those needs. In order to address this issue, the Council must engage with its neighbours as to the scale of the unmet needs that is likely to come forward in their upcoming plans and consider a strategy that will do more to meet those needs. A failure to do this prior submission would be a failure of the duty to co-operate.

General comments on the viability assessment

11. HBF have highlighted below some concern that the impact on viability of CN3 has not been properly accounted for. In addition, we are concerned that the cost of meeting BNG has not been fully accounted for given that it appears to have been based on the 2019 Impact Assessment (IA). Whilst in the absence of other costs these have been used across the country for assessing viability. However, it must be noted that the IA is an examination of the broad costs to the development industry based on a range of assumptions that will not necessarily reflect the type and location of development coming forward in Wealden and the costs of delivering BNG. In addition, the cost of creating and maintaining one hectare of habitat on site is based on 2017 study by Natural Trust, RSPB, and the Wildlife Trust in relation to farms and not residential development. In particular the on site management

costs may well be higher compared to the study and the Council will need to provide evidence to what these costs are rather than rely on those set out in the IA.

12. Furthermore, the IA makes no consideration as to the potential reduction in the developable area in order to deliver at least 50% of net gains on site. This is the assumption made in the central estimate and which used in the Council's VA. In some cases, this may have limited impact whereas on some sites it will impact significantly on the number of homes delivered. These assumptions will need to be tested with regard to allocated sites to understand the degree to which BNG can be delivered on site whilst still delivering expected levels of development. For the typology testing we would suggest that the council should undertake sensitivity testing to consider the impacts of having deliver more BNG offsite.
13. Finally in using the cost estimate in the IA the Council are underestimating the cost of offsite delivery to meet net gains. The IA applies a cost of £11,000 per offsite credit. This much lower than current prices in the market which are in the region of:
 - £30-50,000 per Grassland unit.
 - £30-50,000 per Hedgerow unit.
 - £30-50,000 per scrubland unit.
 - £30-50,000 per individual tree.
14. These costs could also be higher still if there are insufficient credits locally. If credits are bought elsewhere then the spatial risk multiplier in the BNG Metric will increase the number of credits that are required.
15. Therefore, HBF consider it necessary for the council to update the inputs in the viability assessment to take account of the potentially higher costs relating to BNG. In addition, it will important that consideration is given to the anticipated level of BNG on allocated sites to ensure that the viability assessment is fully reflective of the likely site specific costs of delivering the required level of BNG.

CN1: Mitigating and Adapting to Climate Change

Part i of the policy is unsound as it is inconsistent with national policy

16. HBF do not consider the reference in part i to be consistent with the scope of local plans with regard to technical building standards. The WMS is clear that the focus should be on

reducing carbon emissions rather than minimising energy consumption as is being proposed by the Council. More detailed comments on the HBF's position are set out in our response to Strategic Policy CN3.

CN2: Energy Hierarchy

Policy is unsound as it is inconsistent with national policy and unjustified.

17. HBF recognise that improving fabric efficiency can play a part in reducing energy demand, however it must be recognised that it is not the only approach to securing reductions in carbon emissions. The Government have examined the potential for increased fabric efficiency as part of the Future Home Standard and concluded that the current 2021 standard is sufficient and that national climate commitments can be addressed through the Future Homes Standard which will see all homes being zero carbon ready from 2025.

CN3: Energy efficiency Standards

The policy is unsound as it is inconsistent with national policy

18. The proposed policy position would require all new development to demonstrate net zero operational carbon onsite by ensuring energy use standard for all new dwellings of 35kwh/m²/year and space heating demand of less than 15 kwh/m²/year. This would be calculated using an energy performance predictive modelling tools such as Passivhaus Planning Package or CIBSE TM54.

19. Whilst the HBF would agree with the Council that there is a need to act to reduce carbon emissions we would disagree that this needs to be undertaken through the local plan given that there is already a national approach, the Future Homes Standard (FHS), being taken forward to achieve the same goal. Delivering these improvements through building regulations has a distinct advantage over delivering a variety of different approaches across the county, in that it provides a single approach that all developers understand and can be rolled out at scale. This allows supply chains and skills to be improved prior to implementation and ensure that improvements to building standards are actually deliverable from the point at which they are introduced.

20. However, if the Council chooses to go beyond current or future standards it must be done in a way that is consistent with national policy and robustly assesses its consequences and gives consideration as to how the requirements are consistent with the written ministerial statement (WMS) published on the 13th of December 2023. Before considering the content of the WMS itself it is important to note the High Court judgement from the 2nd of July 2024 ([2024]EWHC 1693 Admin). This judgement was on the challenge to the WMS made by Rights Community Action on three grounds, including that the WMS restricted exercise by local authorities of powers conferred on them.

21. The judgment made by Justice Lieven was that the claim failed on all three grounds. In coming to these judgements Justice Lieven importantly notes the intention of the Government at the time with respect to section 1(1)c of the Planning and Energy Act 2008, which allowed Local Authorities to set standards above those in building regulations. Paragraph 65 states:

“With respect to the current section 1(1)(c) specifically, the Minister confirmed councils “can go further and faster than building regulations, but within the national framework”. The Minister also addressed the overall intention of clause 1(2) in the following terms:

“The intention was for local authorities, in setting energy efficiency standards, to choose only those standards that have been set out or referred to in regulations made by the Secretary of State, or which are set out or endorsed in national policies or guidance issued by the Secretary of State. That approach was taken with a view to avoiding the fragmentation of building standards, which could lead to different standards applying in different areas of the country. Although supportive of the hon. Gentleman’s Bill, that was not an outcome that we wanted to achieve.””

22. It is therefore clear that the intention of the original legislation was to ensure that energy efficiency standards within local plans were to be set within the scope of building regulation to avoid a multiplicity of standard coming forward. The judgment goes on to note in paragraph 66 that the WMS does not stray from this purpose.

23. It is therefore clear that that not only is the WMS compliant with legislation but also the intention of Planning and Environment Act 2008 was to ensure that any policies seeking improved standards on those set out in Building Regulations must be set within the

framework of those regulations. Local plan policies which seek to apply an alternative standard would not only be inconsistent with the WMS but also with the intentions of the legislation.

24. Moving to the WMS itself, the housing minister notes that “Compared to varied local standards nationally applied standards provide much-needed clarity and consistency for businesses, large and small, to invest and prepare to build net-zero ready homes” and that local standards can “add further costs to building new homes by adding complexity and undermining economies of scale”. After noting these concerns, the 2023 WMS goes on to state that any standard that goes beyond building regulations should be rejected at examination if the LPA does not have a well-reasoned and robustly costed rationale that ensures:

- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
- The additional requirement is expressed as a percentage uplift of a dwelling’s Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

25. HBF do not consider the approach set out in CN3 to be consistent with the WMS nor that the implications of such a policy have been properly assessed in the supporting evidence base. Our detailed points are set out below.

26. The approach proposed by the Council based on energy use is inconsistent with the approach set out in the WMS and as such is unsound. It should be noted that the Government have considered whether it was appropriate to use a delivered energy metric such as the one being proposed in the policy position paper and have concluded that these do not offer any additional benefits to those being taken forward by Government. Therefore, if the Council are to require standards above those set out in building regulations they must be expressed as a percentage of the target emission rate and not as an energy use target in order to avoid fragmentation of the standards with different requirements being set in different areas which it must be recognised was not only an expectation of the WMS but also of the legislation that permits council to adopt higher standards in local plan in the first place. As such the HBF do not consider the council to be justified in departing from either the WMS or the Planning and Energy Act (2008) and the section of the policy under the

heading “*All New Residential Development*” and paragraph 4.27 and 4.28 should be deleted.

27. While HBF do not consider the policy to be consistent with national policy we are also concerned that the Council has not properly considered the impact on viability or the deliverability of development. The Council will need to ensure the costs and deliverability of this policy are fully and robustly tested. In preparing its viability assessment HBF suggest the Council consider costs published by the Future Homes Hub (FHH) as part of their work to support and inform the implementation of the Future Homes Standard. The costs for similar standards to those being proposed can be found in the FHH report ‘Ready for Zero’. This study tests a number of archetypes against a range of specifications from the current standards set out in the 2021 Building Regulations through to standards that will achieve similar standards to those proposed by the Council.
28. The various specifications and costs considered are summarised in Figure 8 of Ready for Zero and indicates that in order to deliver standards above the FHS on a three bedrooed end of terrace house (specifications CS3, CS4 and CS5 in the FHH report) would be around 15-19% higher than the 2021 Building Regs, around £17,000 to £22,000 more per unit. The council’s evidence in the suggests the costs of achieving its proposed policy for a similar typology to be 5.8%. Given that there is still significant uncertainty as to the cost of delivering the standards being proposed the Council will need ensure that further sensitivity testing is undertaken in the viability study.
29. With regard to deliverability of zero carbon homes HBF would not disagree that the proposed standards are technically feasible. However, HBF are concerned as to the impact these requirements will have on the rates at which sites can deliver new homes on all types of sites. Given that the standards proposed are higher than those proposed by Government in the Future Homes Standard and will require higher levels of fabric efficiency, which in turn will require new skills and materials that may not be readily available, HBF are concerned this could slow delivery in the short to medium term as supply chains are developed. It has been recognised by the FHH that to deliver higher standards will require phased transitional arrangements to enable a steady build-up of skills and ensure quality. The FHH also notes in its report Ready for Zero that even if a short transition period between current standards and those similar to the Council are proposing that this would “... *create a high risk of quality problems, inflated costs and, potentially, stalled build programmes.*” However, HBF could find no evidence that the Council has considered whether its proposed

standard will impact on the rate at which new homes can be built. The Council will need to speak directly to a range of housebuilders operating in Winchester to understand the impact of its policy on the rate at which homes will be delivered on its allocated sites. Without any consideration of delivery then the Council's decision to go beyond what is required by building regulations is clearly unjustified

30. While HBF understands the desire for LPAs to go further current policy recognises that even where development can viably implement higher standards this must be within a consistent technical framework and approach to assessing building performance against those technical standards. Indeed, this has long been the case in planning policy with paragraph 159b of the NPPF stating that "Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards".
31. If the Council have the evidence to show that the policy is deliverable the Council will need to ensure that all other policies in the local plan are consistent with delivering the levels of embodied carbon being proposed. The most energy efficient design will inevitably lead to less variety in the built form in order to reduce the surface area of the building. This will need to be reflected in design policies and any design codes that are produced to ensure that development is not refused for seeking to meet energy efficiency standards but, for example, not being designed in the character of the local area.
32. HBF would also recommend that that if a net zero policy is to be included in the local plan it should require a development to be net zero rather than for individual homes. As the council will be aware some homes, such as terrace houses and flats, are more intrinsically energy efficient and emit less carbon compared to detached homes and bungalows. As such it may be difficult for some individual homes to be net zero but where there is a mix of development the site as a whole to achieve the required standard.

CN4: Water Efficiency Standard

Policy is unsound as it is inconsistent with national policy.

33. The lower water standard of 100 l/p/d is not consistent with national policy which states that 110 l/p/d is sufficient in water stressed areas. While HBF note that Southern Water are promoting a lower figure that is insufficient justification to depart from national policy.

CN8 – Embodied Carbon Assessment

Policy is unsound as it is unjustified and not effective

34. HBF is concerned that the requirement to undertake an accurate whole life carbon assessment is compromised by the lack of data across building material as to their embodied carbon. Until there is greater accuracy, we question whether the whole life carbon assessments can be sufficiently robust at present to be part of decision making.
35. As with reducing carbon emissions from operational energy use HBF considers it best that such matters addressed at a national level to avoid different approaches and standard being set in different areas. The housebuilding industry is working with the Future Homes Hub it to develop a roadmap to reducing embodied carbon and whilst Council's may want to go further faster HBF have concerns that this will impact on the deliverability of development with a disproportionate impact on SME developers.

Policy D5: Masterplans

The policy is unsound it is ineffective and lacks the necessary clarity required by paragraph 16 of the NPPF.

36. The policy requires proposals for larger sites that may be brought forward in phases the Council will seek to ensure that a masterplan is develop and agreed. The policy then goes on to state that proposals for significant development sites occupied by major landowners/users will be permitted where they are consistent with site wide master plan. Firstly, the policy uses two definitions within the same policy which will cause confusion as to whether the intention of the policy is different depending on how the site is defined. Secondly, it is not clear as to the scale of site either of the definition relate to, the policy therefore lacks the necessary precision to be considered effective.

D6 – Brownfield development making best use of land

The policy is unsound as it is ineffective and lacks the necessary clarity required by paragraph 16 of the NPPF.

37. HBF is not clear as to how the Council intends to prioritise previously developed land (PDL) through the decision making process. The prioritisation given to PDL is through the plan making process and where green field sites are required to meet housing needs and there is a risk that the Council could refuse green field developments just because there are developable PDL sites in the Borough that are still to come forward. HBF would therefore suggest that the phrase “*the local planning authority will prioritise development of previously developed land*” is deleted from the policy. If that is not the intention of this policy, then more clarity is required.

T1 Sustainable and Active Travel

Part ii of T1 is inconsistent with national policy

38. Part ii requires development to be in compliance with Hampshire Movement and Place Framework. The Council should not be conferring the status of a local plan policy on other guidance that is established outside of the plan making system. The policy should be amended so that development has regard to the Hampshire Movement and Place Framework.

H1: Housing Provision.

Policy is unsound as it inconsistent with national policy and unjustified.

39. Policy H1 states that provision is made the local plan area 15,115 dwellings over the plan period of 2020 to 2040. This level of provision is based on the outcome of the standard method of 676 dpa with an uplift of 1,900 homes across the plan period to address some of the unmet needs identified by neighbouring authorities in South Hampshire. The Council have then reduced this by 350 homes to be delivered in the South Downs National Park. HBF would agree with the Council's assessment of housing needs and its decision to meet the unmet needs of other authorities. We have a number of concerns with this policy.

Housing requirement and plan period

40. Firstly, the policy should recognise the housing requirement is a minimum figure and suggest that the policy is amended to “*Provision will be made for a minimum of 15,115 homes*”. Secondly, HBF do not agree with the Council's decision to use a plan period that

starts in 2020, over four years prior to the local plan being submitted for examination. The Council's reason for this is set out in paragraph 2.3 of Housing Topic Paper and that this is expressly to include high levels of recent delivery to be taken into account in this local plan. delivery and reduce what is need moving forward. Paragraph 2.4 goes on to state that this is necessary as the NPPF makes no specific provision for past over supply to be taken into account and the Council does not want this over provision to be "lost".

41. However, such an approach fundamentally misunderstands the standard method which takes account of past supply through the affordability uplift to determine housing needs moving forward. The uplift in housing delivery will to some extent take into account past over supply in that it will have increased supply in the market potentially limiting increases in houses prices in Winchester and reducing the housing needs assessed using standard method.
42. Local plans are meant to look forward at what needs to be delivered with past delivery being taken into account through the standard method. This is clear from paragraph 2a-005 notes that when setting the baseline for the standard method the current year is used as the starting point for calculating growth. The standard method also requires the affordability adjustment to be the most recent data, for in this case it is the median affordability ratio for 2023 that was published in March 2024. This adjustment is to reflect the price signals in the market and ensure that housing needs are responding to these signals which suggests that the starting point for any plan should be the year to which the affordability ratio relates.
43. As such it is neither logical nor consistent with national policy for the plan period to start in 2020. It should start in 2024 the year in which the assessment was calculated. Most recently the Inspectors examining the West Berkshire Local Plan and North Norfolk Local Plan have, following similar concerns, required the plan period to be extended in response to paragraph 22 of the NPPF and for the starting point of the plan to be brought forward a year to reflect national policy with regard to the assessment of housing needs. In particular we would point the council to paragraph 6 of the Inspector's post hearing note on the North Norfolk Local Plan which states in relation to a plan period starting in 2016 and ending in 2036:

"At present, there are only 12 years of the plan period remaining, and once the further steps necessary to ensure a sound plan have been taken, it is likely to be nearer to 11 years. The National Planning Policy Framework (NPPF) states in paragraph 222 that strategic policies should look ahead a minimum 15 years

from adoption, and to be consistent with this the plan period should be extended to 31 March 2040 to allow for adoption during the next 12 months. Turning to the base date of the plan, this should correspond to the date from which the housing needs of the district are quantified. As set out in paragraph 12 below, this should be April 2024. The plan period should therefore be 2024-40.”

44. The council also suggest in paragraph 2.4 of the Housing Topic paper that is necessary to for the start date to be 2020 to maintain a 20-year plan period. However, the is nothing in national policy suggesting that there is a need for Council’s to maintain a twenty-year plan period, nor is there anything preventing the Council from extending the plan period for twenty years from 2024 if it considers a twenty-year plan period is necessary for the plan to be effective. As such the council’s desire to maintain a 20-year plan period is not a justification for starting the plan in 2020. In order to be consistent with national policy and sound the Council should amend the plan period to start in 2024.

Unmet housing needs

45. As set out earlier in this representation the HBF consider the unmet needs in South Hampshire to warrant a higher response from Winchester. The SoCG with the Partnership for South Hampshire includes Table 1 which shows that there is a shortfall of over 14,500 homes across the South Hampshire sub region. It should also be recognised that this level of unmet needs is likely to increase should the proposed amendments to the NPPF and Standard Method are adopted. Using the evidence on supply in Table 1 for those authorities wholly within the South Hampshire sub region the shortfall suing the new standard method would increase from 13,465 homes to 38,704. This is set out in the table below.

	Supply 2022-2036	Current SM	Total current SM	Shortfall current SM	New SM	Total new SM 2022-2036	Shortfall new SM
Eastleigh	6,663	645	9,030	-2,367	902	12,631	-5,968
Fareham	9,646	498	6,968	2,678	794	11,115	-1,469
Gosport	2,786	339	4,750	-1,964	465	6,504	-3,718
Havant	5,755	508	7,113	-1,358	874	12,236	-6,481
New Forest	8,276	729	10,212	-1,936	1,465	20,505	-12,229
Portsmouth	10,203	897	12,564	-2,361	1,098	15,378	-5,175
Southampton	14,464	1473	20,622	-6,158	1,295	18,128	-3,664
Total	57793	5090	71258	-13,465	6893	96,497	-38,704

Source: SoCG (WCC and PFSH,2023) and Outcome from Proposed revised method (MHCLG, 2024)

46. Whilst this is an assessment is based on relatively out of date information and a plan period that is not consistent with national policy, but it does provide an indication of the scale of the issue facing this area in the short term and indicates that WCC need do more through this local plan.
47. It should also be noted that within this region the constraints facing authorities are one of geography rather than planning designations. The boundaries for these areas are either coastline or tightly drawn to their urban edge leaving limited opportunities for growth. When designation such as the national park are taken into account this means that those areas where development is relatively less constrained, such as WCC, must do more to ensure housing needs are met in full.

Housing supply

48. In order to meet housing needs the council have identified it expects to deliver 15,465 homes between 2020 and 2040. However, as set out above HBF do not consider the plan period to be sound and should start in 2023/24. This change would mean that total housing needs would be 13,392 homes over a 17 year plan period based on the LHNA of 676 dpa plus 1,900 homes to address unmet needs in neighbouring areas. From this figure the 350 homes that it is assumed to be delivered in the SDNP are removed leaving a total of 13,042 homes to be delivered over the revised plan period. However, based on the figures in Table H2 of the local plan the Council expect 12,295 homes to be delivered over this time frame – a shortfall of 747 homes. Therefore, for this local plan to be found sound the Council will need to identify additional sites to be allocated in this local plan in order to meet its own housing needs in full as well as the unmet needs arising in neighbouring areas that it has committed to delivering.
49. If the proposed plan period were to be considered sound then HBF remain concerned given that the difference between needs and supply is just 321 homes, around 2% above the housing requirement. It is important to recognise that one of the tests of soundness in paragraph 36 of the NPPF effective in that it is deliverable over the plan period. Given that there is inevitable uncertainty as to when development may come forward it is necessary to have a reasonable over supply of homes across the plan period to ensure needs are met in full. The HBF would suggest that that Council should plan for at least 10% more homes than is required in order to ensure housing needs are met in full, however, this will depend on

the sites that have been identified to meet housing needs and when strategic sites are expected to come forward.

50. However, it is difficult to comment on the deliverability of the council's housing supply as limited detailed evidence has been presented by the Council setting out when sites are expected to commence and the rate at which they will deliver new homes. Some indication is given in the sites assessment proformas set out in the 2021 and 2023 SHELAA, with phasing set out in five-year tranches. But this provides little indication as to when a development will commence and the annual rate of delivery. HBF would have expected the council to provide a detailed trajectory setting out the delivery expectations for every site that forms part of its housing supply. This allows all interested parties to properly scrutinise the Council's assumptions and whether these are reasonable and justified. This evidence should have been available as part of this consultation and as such HBF reserve the right to comment in more detail on overall supply and the five year housing land supply at the examination in public.

51. Looking at the evidence that has been presented in the SHLAA 2023 HBF are concerned that some of the assumption appear optimistic. For example, the Sir John Moore Barracks (policy W2, SHELAA ref LH05) is expected to deliver 600 homes in the first five years of plan post adoption. In order to achieve this level of housing delivery the development would need to commence delivering homes in the first year after expected adoption of the plan at an average rate of 120 dpa. Looking at the third iteration of 'Start to Finish' Lichfields research on the delivery of large sites this would appear to be extremely optimistic given that on average it has taken similar sites 1.6 years to complete its first home once detailed planning permission has been secured. The evidence also indicates that on average similar sites deliver between 68 and 101 dpa. HBF recognise that this is just one site, but it would appear from the SHELAA that the council are being very optimistic in its assumptions and further evidence will need to be provided that its delivery expectations for each site required to meet housing needs is clearly presented and justified.

52. In addition, the Council have also failed to include a housing trajectory in the local plan itself, as is required by paragraph 75 of the NPPF. The only trajectory HBF could find was Appendix 5 in the Housing Topic Paper and this should be included in the local plan. However, even Appendix 5 of the Housing Topic Paper², is not consistent with the local plan

² This is the most up to date information HBF could find but we note that there are discrepancies between Appendix 5 and the rates of delivery in the most recent AMR (2022/23).

itself stating that total supply would be 15,441 homes in total and 12,277 between 2023/24 and 2039/40. While these are not significant discrepancies HBF would have expected some consistency between the Council's evidence and what is said within the local plan. The Council must amend the local plan to include an accurate trajectory that is consistent with its own evidence.

Strategic policy H2 – Housing Phasing and Supply

The policy is unsound as it has not been justified

53. This policy seeks to prevent some of the sites allocated for development being permitted until after April 2030 unless they are needed to overcome a district level housing land supply shortfall. The policy is considered to be necessary in order to prioritise the delivery of brownfield development first and to maintain a reasonable level of provision across the plan period. With regard to the policy requiring the prioritisation of brownfield development unless there is a cross over in ownership between these sites phasing these sites until later in the plan period it is unlikely to secure the prioritised delivery of PDL sites.
54. As to the need for phasing to even out the delivery of new development the HBF would disagree. There is significant need for housing in the short term not only in Winchester but across South Hampshire and the South East in general and there is no justification for delaying the delivery of new homes. As is shown earlier in this representation there is a substantial need for new homes across south Hampshire with shortfalls across the HMA now not later in the plan period. While HBF welcome the increase in delivery seen recently in Winchester the housing crisis has not disappeared and to suggest that the delivery of new homes should be delayed appears somewhat perverse.
55. In addition, HBF, as set out earlier are concerned that delivery timescales would appear to be overly optimistic, and the council may be required to push back more sites to the second half of the plan period meaning sites such as the ones in this policy must not be artificially delayed.

Conclusion

56. At present we do not consider the plan to be sound, as measured against the tests of soundness set out in the NPPF. I can therefore confirm that the HBF would like to participate

in any hearing sessions held at the examination in public on the matters raised in our representations and that we would like to be kept informed of the submission and examination of the local plan.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Behrendt', with a stylized flourish at the end.

Mark Behrendt MRTPI
Planning Manager – Local Plans
Home Builders Federation
Email: mark.behrendt@hbf.co.uk
Tel: 07867415547

Appendix 1: Review Policy from Bedford Local Plan 2030.

Policy 1 - Reviewing the Local Plan 2030

The Council will undertake a review of the Local Plan 2030, which will commence no later than one year after the adoption of the plan. An updated or replacement plan will be submitted for examination no later than three years after the date of adoption of the plan. In the event that this submission date is not adhered to, the policies in the Local Plan 2030 which are most important for determining planning applications for new dwellings will be deemed to be 'out of date' in accordance with paragraph 11 d) of the National Planning Policy Framework 2019.

The plan review will secure levels of growth that accord with government policy and any growth deals that have been agreed. The planning and delivery of strategic growth will be aligned with the delivery of planned infrastructure schemes including the A421 expressway, Black Cat junction, East West Rail link and potentially the A1 realignment.

The review will also serve to build stronger working relationships with adjoining and nearby authorities and may result in the preparation of a joint strategic plan based on a wider geography.