

**Home Builders Federation**

**Matter 6**

**Matter 6 Development management policies relevant to residential development**

**Affordable housing (policy LP20)**

*Q6.2. Are the requirements relating to affordable housing in policy LP20 justified and consistent with national policy, and will they be effective in ensuring that the overall need for new homes is met whilst maximising the delivery of additional affordable homes in a way that helps create mixed and balanced communities? In particular:*

1. *Does the viability evidence indicate that the requirements for 40% of homes on greenfield sites and 30% on brownfield sites to be affordable are achievable?*
2. *The requirement relating to tenure mix, including affordable home ownership and First Homes.*
3. *The requirement for affordable homes to be distributed across the development in small groups of no more than 15 units.*
4. *The requirement relating to a review mechanism.*
5. *Is it necessary to modify the Plan to recategorize LP20 as a strategic policy?*

There are clearly some concerns with regard to the ability of strategic sites to deliver the level of affordable housing given the infrastructure costs faced by such development given the statement sin the policy itself and in the supporting text at paragraph 4.4.53. However, HBF is concerned that this flexibility is not being given to other smaller developments that may be made unviable by the affordable housing requirements in the policy, and indeed the cumulative costs placed on development by this local plan.

For example, in relation to Biodiversity Net Gain (BNG) the Viability Assessment (VA) uses costs from the 2019 Impact Assessment. 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 West Suffolk 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.

The IA also makes no consideration as to the potential reduction in the developable area in order to deliver at net gains on site. In some cases, this may have limited impact whereas on some sites it will impact significantly on the number of homes delivered. Finally, the Council are underestimating the cost of offsite delivery to meet net gains. While the increases the cost for a biodiversity units from £11,000 to £20,000 our members experience is that the costs of units is in the region of £30,000 to £50,000.

As such it is not just infrastructure costs on strategic sites where there is uncertainty with regard to the cost of development. Many sites face uncertain costs whether this is in relation to BNG as well as the increasing costs of building homes in relation to standards for energy efficiency, all of which remain uncertain prior to their implementation. These uncertainties need to be recognised by the Council with the policy making it clear that viability considerations will be taken into account for all development and not only in relation to larger strategic sites.

*Q6.4. Is the approach to custom- and self-build homes set out in policies LP25 and* *LP26 justified and consistent with national policy, and will it be effective in helping to ensure that the identified demand for such development can be met? Is it necessary to modify the Plan to recategorize LP25 as a strategic policy?*

LP25 is not justified. Firstly, the policy states that on sites of 100 or more homes the Council will encourage development to provide at least 10% of the homes as self-build plots. However, in paragraph 4.4.97 of the supporting text the Council suggest that this requirement. The Council will need to clarify its position. Secondly the evidence to support the approach set out in this policy is limited to the Self Build register which as of October 2023 had 178 people registered on it, with a large proportion of those wanting a plot in a village or countryside location. This does not suggest that there is high demand for self-build plots on larger development sites and certainly not for 10% of all plots on such sites to be made available for self-build. In addition, there is no indication as to how many self-build plots have been delivered on windfall during this period nor whether any form of review has taken place of the register to identify whether those on the register are still looking to build their own home. In brief the Council the evidence presented by the council is insufficiently robust to justify the requirement for sites of 100 unit or more to provide at least 10% of the plots for self-builders. This requirement should be deleted.

*Q6.5. Are policies SP4 and LP33 relating to the provision of green infrastructure and recreation facilities in residential developments justified and will they be effective in achieving sustainable development? In particular:*

1. *The requirement in policy SP4 for 40% of greenfield sites proposed for 50 or more homes to be provided as green infrastructure?*
2. *Are the standards for different types of open space set out in Appendix H justified, and is it clear from policy LP33 how they are intended to be taken into account in the preparation and determination of planning applications?*

HBF is not against development being required to deliver green spaces but recommend that this must be specific to the site and the number of homes that are required to make that site deliverable. What is not clear within the council’s evidence is how this has been taken into account within the assessment of what is deliverable on identified sites and the potential impact on viability. HBF would suggest the 40% requirement is removed or at the very least more flexibility is included in the policy to ensure sites remain deliverable and do not prejudice the level of delver that the local plan is required to deliver.

**M10. Climate change, health and wellbeing, and design**

**Climate Change**

*Q10.1. Is policy SP1 justified and consistent with national policy, and will it be effective in helping to ensure that planning proposals and neighbourhood plans contribute towards achieving sustainable development? In particular, is the modified wording clear and unambiguous?*

*Q10.2. Is policy LP1 justified and consistent with national policy, and will it be effective in helping to achieve sustainable design and construction? In particular:*

1. *Is the proposed modification aimed at clarifying policy LP1 necessary to make the Plan sound and would it be effective in so doing?*
2. *Policy LP1 requires all development to demonstrate how it would meet sustainable design and construction requirements. Is this justified for all development proposals?*
3. *Is there justification for the design and build part of the policy and the requirement to exceed the building regulations?*
4. *Is it clear which BREEAM standard is being referred to in Policy LP1 and what the trigger would be? Would the policy apply to an outline proposal with all matters reserved for example?*

The Council state in their response to PQ12 in IN2 that the Council is seeking to be proactive but not set targets with the aim of LP1 being to encourage development to achieve beyond building regulations prior to the Government introducing higher mandatory standards. However, it is not clear from reading the policy that this is the case with reference to development achieving unspecified carbon standards primarily through energy efficiency design and the need for some development to deliver an excellent rating with regard to an unspecified BREEAM standard. HBF recognises the importance of reducing carbon emissions but consider the most appropriate approach is through the Future Homes Standard which is expected to be introduced next year.

As such we would suggest the policy is amended to clearly state the Council encourages development where possible to go beyond current standards and will be supportive of such development. This would require the removal of reference to the BREEAM excellent standard which, it is our understanding, would require development to go beyond building regulations. It will also be necessary to remove the requirement for all development for all development to include within the sustainability statement measure to achieve energy efficiency measures above building regulations and the need to show a fabric first approach to building design. Some suggested amendments are set out below:

*f. ~~Designs utilise the fabric first approach and achieve carbon standards primarily through energy efficient design and materials. This should specifically~~ How demand on heating and cooling have been considered in the design stage and reduced through orientation of the building, the location of windows, thermal mass and shading, and how orientation optimises opportunities for on-site photovoltaic or solar thermal heating. Designs should indicate how the balance between solar gain and*

*solar shading is to be managed.*

*g. The choice of materials has considered the use of biogenic building materials (for example wood, hemp and lime mortar or plaster) as alternatives to high carbon materials.*

*All proposals for residential development are encouraged where possible to achieve energy efficiency standards beyond those set by building regulations in advance of higher mandatory standards proposed by the Future Homes Standard. Where standards are an improvement to those in building regulations this should be set out in the sustainability statement.*

*~~All proposals for residential development are required to submit a sustainability statement that sets out what measures are proposed to address water efficiency and achieve energy efficiency above building regulations standards prior to the introduction and implementation of the Government’s Future Homes Standards (intended 2025).~~*

*~~Sustainability statements should demonstrate how the design follows a fabric first approach. Applicants should consider renewable sources of energy (such as solar PV, solar thermal, air or ground source heat pumps, community or shared energy initiatives).~~*

***~~Building Research Establishment Environmental Assessment Method (BREEAM)~~***

*~~Proposals for residential development of more than 100 homes will be required to complete a BREEAM pre-assessment (to be submitted with the application) and subsequently to complete a communities assessment excellent standard (evidenced by a certificate upon completion.)~~*

*~~All new buildings of 500 square metres or more for non-residential and residential institution proposals (for example care homes) will be required to meet the latest version of Building Research Establishment Environmental Assessment Method (BREEAM) New Construction Excellent standard, evidenced on completion by a BREEAM fully fitted certificate.~~*

***~~Passivhaus~~***

*~~Passivhaus principles and certification are encouraged and will be considered as an exemption from BREEAM requirements.~~*

*Q10.3. Is policy LP2 justified and consistent with national policy, and will it be effective in helping to achieve energy and water efficiency in new homes?*

Given that it is not a requirement to go beyond minimum standards it is not clear why this policy is necessary. It is considered by HBF that such the requirements of this policy go beyond the remit of planning and a developer should be able to deliver the marketing of their homes and the margin on any optional extra in a manner of their choosing.

*Q10.4. Is policy LP3 justified and consistent with national policy, and will it be effective in helping to ensure that electric vehicle charging is properly planned in new developments? In particular:*

1. *is the policy clear and unambiguous with regard to provision at petrol filling stations*
2. *does the policy require provision that exceeds the building regulations and is this justified?*

The policy does not appear to go beyond building regulations and should not be amended to do so. If anything, HBF would suggest that the policy in relation to the level of provision of charging points in point a) of the policy is unnecessary and should be deleted as the requirements are set out in building regulations and as such there is no need for them to be considered in planning policy.

*Q10.7. Is policy LP6 justified and consistent with national policy relating to water quality and resources?*

There is no justification for going below the minimum optional technical standard set out in building regulations. While tighter standards may be implemented in future the HBF believes these should be as a comprehensive and phased approach undertaken through building regulations and not piecemeal through local pans. We recognise that the Ministerial Statement ‘Next Stage in Our Long-Term Plan for Housing Update’ from December 2023[[1]](#footnote-2) states that there are situations where a lower standard can be set but this is only where in areas of serious water stress “*where water scarcity is inhibiting the adoption of Local Plans or the granting of planning permission for homes*”. This would apply in area such as North Sussex where the water any additional abstraction for new development is considered to have a negative impact on the status of a protected habitat. In order for local plans to progress and new development to be granted planning permission then a lower standard alongside offsetting has been required. This is not the case in West Suffolk and as such the proposed standard is inconsistent with national policy.

*Q10.10. Are policies SP2 and LP9 justified and consistent with national policy relating to the promotion of healthy and safe communities? In particular, is it necessary to include validation requirements (design and access statement and health and wellbeing statement) in the policy?*

HBF supportive of local plans that seek to improve health outcomes, and this should be a key objective of the spatial strategy being proposed. However, HBF consider that this should have been addressed by the Council during the preparation of the local plan and as such development that is consistent with the policies in the local plan can be assumed to be contributing towards the health outcomes for the area. There will be situations where larger unallocated sites come forward where a Heath Impact Assessment may be necessary, which would be consistent with paragraph 53-005 of PPG, but to require an HIA on all sites of over 100 units is unnecessary – especially on allocated sites that have been found sound as part of the local plan examination. HBF would suggest that the policy amended to “*Proposals for new large-scale developments of 100 homes or more or five hectares or more of mixed use or non-residential development not allocated in the local plan…*”

*Q10.11. Are the requirements relating to the design of development set out in policies SP3 and LP10 to LP12 sound? In particular:*

1. *Is the requirement in SP3 for all development proposals to demonstrate how the design principles (a) to (o) have been addressed justified?*
2. *Are the design principles in SP3 (a) to (o) and requirements in LP10 (a) to (o) clearly and unambiguously expressed so it is evident how they would be taken into account during the preparation and determination of planning applications?*
3. *Are the requirements relating to masterplans and design codes in policies LP11 / Appendix C and LP12 / Appendix D justified and consistent with national policy and guidance?*

HBF are concerned that the policies are expressed quite ambiguously. LP12 for example is written in a way that a design could be required on almost any site and as such offers little in the way of guidance to those applying for planning permission. HBF would suggest more specification is required as to when design codes are necessary.

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1. <https://questions-statements.parliament.uk/written-statements/detail/2023-12-19/hcws161> [↑](#footnote-ref-2)