

SENT BY EMAIL
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21/11/2024

Dear Planning Policy Team,

LIVERPOOL LOCAL PLAN: 2041 ENGAGEMENT SCOPING DOCUMENT

1. Thank you for consulting with the Home Builders Federation (HBF) on the Liverpool Local Plan 2041 Engagement Scoping Report.
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 is keen to continue to work with the Council in order to achieve an adopted local plan which enables the delivery of homes within Liverpool. The following comments address some of the questions provided in the consultation document with potential implications for the homebuilding industry.
4. The HBF also notes a consultation on the NPPF and the standard method for calculating housing need has taken place just prior to this consultation on the Liverpool Local Plan, and that this is likely to have implications for the production of the Plan and the policies it contains. 'Building the homes we need' the Written Ministerial Statement (WMS) from Angela Raynor on 30th July 2024 highlights the importance of everyone local authority having a development plan in place, and states that areas at an earlier stage of plan development should prepare plans against the revised version of the NPPF and progress as quickly as possible.

Plan Period

5. The Council proposes for the Plan to run until 2041. The HBF considers that the Council will need to ensure that their Plan covers an appropriate period and that this ensures at least a 15-year period post adoption, this may mean the Council need to review the 2041 end date. The NPPF¹ states 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.

Vision and Key Priorities

¹ NPPF December 2023 Paragraph 22



6. The Council suggests that the Vision and Key Priorities will need to set their ambitions in relation to meeting housing needs and providing safe, inclusive and affordable homes for all.
7. 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, this needs to include market homes as well as affordable homes, and family homes, homes for first time buyers and homes for older people.

Strategic Policies

8. The Council have set out that they expect their Strategic Policies to cover spatial priorities for the city to plan for the right types of development in the right locations at the right time. The HBF considers that it is important that the spatial distribution of sites follows a logical hierarchy, provides an appropriate development pattern and supports sustainable development within all market areas and to meet all of the range of housing needs.
9. It also suggests that they will include an effective strategy for housing which meets identified housing needs, including affordable, inclusive, high quality, sustainable and specialist homes. The HBF agrees that the Council should include a strategic policy for housing, which ensures that the Council meets its identified housing needs, the HBF also considers that any such policy should be prepared positively, in a way that is aspirational but deliverable in line with the NPPF.

Our Homes

10. The Council highlights that a key challenge for the city will be to accommodate the number of new homes that are needed in the city over the next 15 years. They go on to set out the issues that the Plan will need to address including ensuring that the City meets its housing target and provides new homes in the right locations; the need for affordable homes; the approach to meeting resident's needs; ensuring vibrant and mixed communities; facilitating the delivery of high quality and sustainable new homes.
11. The HBF notes that the proposed new standard method calculation of local housing need is 2,090 dwellings per annum (dpa). The HBF considers that this housing figure will need to be considered to reflect the latest government guidance in relation to the Written Ministerial Statement², and the proposed standard methodology and NPPF. The Council may also need to consider if it is appropriate to plan for a higher housing need figure than the standard method indicates as set out in the PPG³.
12. The HBF considers that the Council will need to consider an appropriate balance of development, to ensure that all of their housing needs are met in terms of types and

² Building the Homes we need – Written Ministerial Statement 30th July 2024

³ PPG ID: 2a-010-20201216

tenures; locations and markets, and to ensure that the Plan can deliver against its housing requirements.

13. The HBF considers that it will be necessary to gather appropriate evidence including a housing needs assessment and a Viability Assessment to determine what types of homes may be needed and can be delivered in Liverpool. The HBF considers this is likely to include a wide range and variety of homes from homes for first time buyers, to family homes to homes to suit the older population. The HBF would encourage the Council to work with the home building industry working in the area to determine the types of homes that are currently being delivered, and where there is demand from home purchasers.
14. 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 NPPF⁴. 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.
15. The HBF would highlight that if the evidence highlights a need for wheelchair accessible homes and the Council wishes to include a policy at a higher level than currently adopted, then the Council should only do so by applying the criteria set out in the PPG. The PPG⁵ 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.
16. The Council should also note that the Government response to the Raising accessibility standards for new homes⁶ 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.

Liverpool's Green and Blue Infrastructure

17. The Council have set out the key issues that they will need to address including how development in the city can contribute to making Liverpool a greener city; their approach to delivering BNG and whether it would be appropriate to introduce an urban greening factor.
18. Biodiversity net gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021).

⁴ NPPF 2023 paragraphs 34, 63-66

⁵ ID: 56-007-20150327

⁶ <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>

Developers must deliver a biodiversity net gain of 10%. There are specific exemptions from biodiversity net gain for certain types of development. The exemptions are set out in paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.

19. The PPG has recently been updated to provide more information on BNG which may assist the Council as they consider this policy. The PPG⁷ states that plan-makers should be aware of the statutory framework for biodiversity net gain, but they do not need to include policies which duplicate the detailed provision of this statutory framework. It also states that it would be inappropriate to include policies which are incompatible with this framework. The PPG⁸ is also clear that plan makers should not seek a higher percentage than the statutory objective for 10% BNG, unless justified.
20. The HBF considers that the Council does not need to provide a policy on BNG as this is a statutory requirement as set out in the Act. However, it could be beneficial for the Council to set out areas of strategic importance, and how they will work with the Local Nature Recovery Strategy (LNRS).
21. 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 England⁹. 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.
22. 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.

Responding to Climate Change

23. The Council suggests the key issues that they need to address includes sustainable methods of construction; sustainable and high-quality design including climate change adaptation; addressing flood risk; minimising car dependency; and renewable energy provision.

⁷ PPG ID: 74-006-20240214

⁸ PPG ID: 74-006-20240214

⁹ 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>

24. The NPPF¹⁰ states that the purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner. The NPPF also highlights that sustainable development has three overarching objectives, economic, social and environmental and that these are interdependent. The Council should not be seeking to put one of these objectives above the others in the name of sustainable development.
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.
26. The PPG¹¹ provides examples of mitigating climate change by reducing emissions: through reducing the need to travel and providing sustainable transport; providing opportunities for renewable and low carbon energy technologies; providing opportunities for decentralised energy and heating; and promoting low carbon design approaches to reduce energy consumption in buildings. The HBF recommends that the Council seek to ensure that they produce a sustainable Plan which supports a balance of homes and employment and is in line with the guidance provided by the NPPF and the PPG.
27. 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 2023¹². The Council will also be aware that the Future Homes and Buildings Standards: 2023 consultation¹³ has been released covering Part L (conservation of fuel and power), Part F (ventilation) and Part O (overheating).
28. The NPPF¹⁴ 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 goes on to state that planning policies should give substantial weight to the value of using suitable brownfield land within settlements for homes. The HBF considers that the Council should seek to allocate brownfield land for development where it is appropriate and deliverable and where it will contribute to the spatial strategy. However, the HBF also considers that the Council will need to ensure that they have provided homes to meet all of the local needs across the housing market, this may not always be sufficiently addressed by brownfield land.

A well-connected Sustainable, Active and Accessible City

¹⁰ NPPF December 2023 paragraph 7

¹¹ PPG ID: 6-003-20140612

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

¹³ <https://www.gov.uk/government/consultations/the-future-homes-and-buildings-standards-2023-consultation/the-future-homes-and-buildings-standards-2023-consultation>

¹⁴ NPPF December 2023 paragraph 123 and 124

29. The Council propose to locate development in sustainably accessible areas; promote and enable walking, cycling and public transport; provide the right amount of car parking; and EV Charging Points.
30. 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.
31. 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.

Monitoring

32. 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.

Viability

33. 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.

Future Engagement

34. 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.
35. 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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