SENT BY EMAIL ONLY to developmentplans@lichfielddc.gov.uk



 09/12/2024

Dear Planning Policy Team,

**Lichfield new Local Plan Issues and Option Survey Dec 2024**

1. Thank you for consulting the Home Builders Federation (HBF) as part of your Lichfield new Local Plan Issues and Option Survey Dec 2024. Our response to the question set out within the Issues and Options documents can be found below.
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. Our members include affordable housing providers and self/custom build developers.
3. Although, HBF welcome the Council’s efforts to ensure that they have an up to Local Plan. We, also note the unfortunate timing of your consultation which is likely to close the day before the new National Planning Policy Framework is expected to be published, as such we would suggest the Council may need to revisit this Issues and Options consultation in light of the new information expected in the NPPF.
4. Plan-making is a fundamental part of a Local Authority’s role and is essential to support the delivery new homes and jobs. HBF agree that there are many factors that support the need for a review of the Lichfield Local Plan and we would support and welcome a proactive pro-growth approach that ensure the housing needs of Lichfield are met in full and recognises the contribution of the areas to the wider West Midlands region.
5. HBF would also note that joint working between local authorities and relevant bodies is integral to the production of local plans and compliance with the Duty to Cooperate. We support the use of Statements of Common Ground to document cross-boundary matters setting out how these will be addressed and noting the progress in cooperating to address them. Such statements, including draft versions where needed, should be made publicly available.
6. We found the format of this consultation very unclear and confusing. Having signed up online to respond the consultation it was confusing to find that there is a short survey to complete which states “Short survey for the Local Plan 2043: Issues and Options consultation. This survey is for those not wishing to respond to the consultation questions within the full Local Plan 2043: Issues and Options document.” This short surveys only asked five questions (Question 1: What do you think Lichfield District should look like in 2043? Question 2: We will need to build new homes, where do you think they should be built in the district? Question 3: Where do you think development that will provide employment and new job opportunities should be built in the district? Question 4: What infrastructure do you think we need or needs improving in the district? Question 5: What do you think it is important that the new local plan protects?) whereas many more questions are asked within the Issues and Options Documents. There appears to be no online version of the long survey, with the thirty-three more detailed questions available to complete online. This is unhelpful and does not assist with meaningful engagement with the plan-making process.
7. We have therefore responded to only response to the thirty-three questions embodies within the Issues and Options documentation. Again, we reiterate these are the views of the HBF in relation to the current system, on the date that the consultation closes. Our views may change in light of the new NPPF and other Government policy expected to be forthcoming shortly.
8. 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.
9. Please let me know if you have any further questions.

Yours faithfully



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**HBF Response to Lichfield Local Plan Issues and Options Consultation**

*ending 11th Dec 2024*

**Question One: Question 1: Do you agree that the new local plan should cover the period of 2022 to 2043?**

1. HBF would question if the end date of 2043 for the Plan is long enough. The NPPF 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. In recognition of the time that it can take to progress a new Local Plan through all its required stages, HBF suggests that the Council should considers extending the Plan period to ensure that a 15-year period is provided post adoption of the Plan. It will also be important for the evidence base to be consistent with the Plan Period.

**Question 2: Do you agree that we need to review our existing local plan policies as set out at Appendix A?**

1. HBF supports the need for a full review of the Lichfield Plan. The schedule in Appendix A is likely to require a review and update in light of the anticipated new NPPF. As so much of the Lichfield District is Green Belt, we are in the midst of a Housing Crisis, and the West Midlands has a level of unmet housing needs that needs to be addressed, HBF would support a full Green Belt review to consider option for Green Belt development. The Government’s support for Grey Belt development adds further weight to the need ot consider new development within the current Green Belt. This is likely to require a whole new Local Plan for Lichfield.

**Question 3: Do you agree with the proposed approach for the vision for the Local Plan 2043?**

1. In HBF’s view it is not just to location of housing but the amount of housing being planned for that is a=one of the key issues of rht e newe Lichfiled Plan to address. HBF would request that the Council considers the standard method calculations as only the minimum starting point for establishing the housing requirement for Lichfiled, and fully considers all of the issues that may result in a need for a higher housing requirement. This includes the need to provide a range and choice of sites, the need for flexibility, viability considerations and whether higher levels of open-market housing are required in order to secure increased delivery of affordable housing. It is not just the unmet needs of the west Midlands Leicester that may require the housing number to be increased. HBF considers that it is appropriate for the Council to identify housing, and the maintenance of the five-year supply as an objective for the Plan.

**Question 4: Do you agree with the key issues and objectives we have identified?**

1. HBF supports the “Meeting the districts housing requirements to 2043 and assisting in meeting unmet needs from within the housing market area where possible. Whilst easing pressure on our city, our existing towns and villages by building new homes in the right places, including the consideration of a new settlement.”

**Question 5: Do you agree that the standard method should be used as the starting point for setting out housing requirement, noting that this could become mandatory and increase significantly under proposed changes to national policy?**

1. HBF supports the standard method. As set out in the NPPF, the determination of the minimum number of homes needed in Lichfield should begin with the Government’s standard methodology unless exceptional circumstances justify an alternative approach. As there is a known unmet need in the West Midlands, Birmingham and the Black Country, the standard method calculations for Lichfield should include an element of additional housing to meet unmet need for the wider region.

1. HBF does not believe there are not any exceptional circumstances in Lichfield that justify departing from the standard method, as the such determination of the housing requirement for Lichfield should start with the standard method calculations. However, once the this has been established the Council should then consider whether it needs adjusting for other planning reasons.
2. HBF suggest higher housing numbers are needed for a variety of reasons including addressing the current housing crisis, meeting housing need, providing affordable housing and supporting employment growth. HBF suggest that each of these reasons on its own could justify an increase in the housing requirement for Lichfield, and the Council should consider planning for an additional amount of housing to address each reason in turn.
3. It is important that the housing requirement is objectively established, before consideration is given to any land supply issues or consttaints.

**Question 6: We will not be able to meet our housing requirements with existing sites, previously developed sites and other sites within our urban areas. Do you agree that we should look elsewhere in the district for sites, including potentially a new settlement, to meet our needs?**

1. HBF do not comment on individual sites, be we would wish to see the Plan set out a logical settlement hierarchy which meets all the housing needs and addresses all areas of the housing market, with a range of sites proposed for allocation. The Plan should provide for a wide range of deliverable and developable sites across the area in order to provide competition and choice to ensure that housing needs are met in full. The soundness of strategic and non-strategic site allocations, whether brownfield or greenfield, will be tested in due course at the Local Plan Examination.
2. Paragraph 22 of the NPPF requires that “strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger-scale developments such as new settlements or significant extensions to existing villages and towns 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 into account the likely timescale for delivery”.
3. If Lichfield intend to develop a new settlement as one of the ways to meet their housing need, this decision must be taken as soon as possible. It can take many years if not decades for a new settlement to be delivered, and the suggestion that houses would be completed and able to make contribution to the housing land supply within this Plan period is ambitious. It will be essential that the Council is certain of its deliverability if it is to consider part of the housing land supply for this Plan,

• Option 1: Town focused

• Option 2: Town and key village focused

• Option 3: Dispersed development

• Option 4: New settlement focused

**Question 7: Which of the broad spatial options identified do you think is the most appropriate for the district or do you think there are any others options we should consider?**

1. It will be important for the new Lichfield Plan to be supported by evidence, monitoring and analysis to demonstrate that housing sites are deliverable. HBF are aware of challenges and delays that have impacted on the timescales for delivery of the SUEs on other locations. Ways to mitigate and/or address such ongoing risks include increasing the housing requirement and/or the buffer applied. The Plan should also recognise that the time taken to bring forward larger allocation, and this underlines the need for a range of site types and sizes to ensure a five-year land supply on adoption, and an effective housing land supply over the plan period.
2. 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. HBF requests that the Plan’s approach to the distribution of housing should ensure the availability of a sufficient supply of deliverable and developable land to deliver the housing requirement.
3. HBF would also suggest that the spatial strategy should recognise that there may be clusters of villages that provide a range of services for that area within reasonable travelling distance of each other, so villages may need to be grouped together. These areas might be able to sustainably support a substantial level of development but may not have all the services within one particular village.
4. Similarly, the Local Plan should recognise that settlements that currently do not have services could expand to include those services if new development is allocated in those areas. The current range of village services should not be used as a basis for only locating development close to existing services. It could in fact also identify where services could be improved through new development. Allocating housing sites in rural areas can also provide opportunities for small sites which are particularly helpful for SME builders.
5. HBF would support the highest level of buffer, to provide the greatest flexibility in housing land supply and decrease the likelihood of under-delivery of much needed housing, in the midst of the housing crisis.
6. HBF are of the view that any buffer provided by windfall sites should be in addition to the buffer added to the housing need figures derived from the Standard Method to provide choice and competition in the land market. HBF therefore request that any windfall allowance in the Plan is properly explained and evidenced in the Housing Trajectory. We are also of the view that any allowance for windfall should not be included until the fourth year of a housing trajectory, given the likelihood that dwellings being completed within the next three years will already be known about (as they are likely to need to have already received planning permission to be completed within that timeframe).

**Question 8: Do you agree we should specify the exact level of affordable homes that we will require from a development?**

1. HBF would request that the Council considers the standard method calculations as only the minimum starting point and fully considers all of the issues that may result in a need for a higher housing requirement. This includes the need to provide a range and choice of sites, the need for flexibility, viability considerations and whether higher levels of open-market housing are required in order to secure increased delivery of affordable housing. It is not just the unmet needs of neighbouring authorities that may require the housing number to be increased.
2. It will be important for the level of affordable housing required to be set out in policy and for the policy options to be tested in the new whole plan viability assessment. Without this work having been undertaken it is difficult to comment on what levels of affordable housing are reasonable, achievable, viable and deliverable on brownfield or greenfield sites, in different value areas. More open market housing may be needed if the plan is to deliver anything the level of affordable housing evidenced as being needed in Lichfield.

**Question 9: How do you think we should plan for meeting specialist housing needs within the district, should we identify specific sites for the needs of older people?**

1. HBF agree that it will be important for the Plan to meet all local housing needs, including delivering an appropriate mix of housing and specialist housing. We also agree that it will be important to improve access to affordable housing. It will be important for the Plan to make housing available to people in need taking into account requirements of location, size, type and affordability and it will be important to improve the quality of housing stock and makes homes more liveable. However, the policy ask must be considered in the round to ensure development remains viable. It is also important to recognise that new open market housing has a role to play in delivering these objectives.
2. HBF would suggest the council work in partnership with providers of specialist older person housing to ensure any policies on this issue of enabling and meet the needs of the sector. It will also be important for any specialist housing policies to be subject to robust testing through the whole plan viability appraisal.
3. **Question 10: Which approach in respect of self-build and custom housebuilding do you think is the most appropriate?**
4. HBF does not consider that requiring major developments to provide for self-builders is appropriate. Instead, the HBF advocates for self and custom-build policies that encourage self and custom-build development by setting out where it will be supported in principle. The HBF considers that Councils can play a key role in facilitating the provision of land as set in the PPG. This could be done, for example, by using the Councils’ own land for such purposes and/or allocating sites specifically for self and custom-build home builders- although this would need to be done through discussion and negotiation with landowners.
5. It is considered unlikely that the provision of self and custom build plots on new housing developments can be co-ordinated with the development of the wider site. At any one time, there are often multiple contractors and large machinery operating on-site from both a practical and health and safety perspective, it is difficult to envisage the development of single plots by individuals operating alongside this construction activity.

**Question 11: Which option, or combination of options, in respect of meeting the needs of gypsy and travellers do you think is most appropriate?**

1. HBF have no comments on this issue.

**Question 12: What do you think are the main issues or deficits in our existing infrastructure provision?**

1. New development can only be required to mitigate its own impact and not address existing deficiencies

**Question 13: Do you agree we should continue to seek contributions from developers to deliver infrastructure?**

1. Any requests for s106 contributions to infrastructure have to be fully evidenced and comply with the CIL tests. They also need to be subject to robust testing through the whole plan viability appraisal.

**Question 14: Do you agree with the proposed approach to heritage assets and the historic environment? Are there any other specific heritage and built environment issues that should be addressed?**

1. HBF have no comments on this issue.

**Question 15: Do you agree with the use of the Lichfield District Design Code to supplement policy and set clear guidelines for the design of future development in the district?**

1. HBF notes the closure of the Office for Place and the stated intention of the Government to support good design in other ways. Although we support the need for good design, HBF would encourage the Council to ensure any Design Advice and guidance adds to the development enabling process and does not serve as a barrier to bringing forward much needed new developments.

**Question 16: Do you agree that we should continue to prioritise previously developed sites and sites within our existing employment areas to meet our employment needs before considering new sites?**

1. HBF suggest the scale of unmet housing and employment needs within the wider West Midlands area will require the development of greenfield sites and requires a full Green Belt review.

**Question 17: Which of the broad spatial options identified to you think is the most appropriate or do you think there are other options which we need to consider?**

1. HBF suggest the scale of unmet housing and employment needs within the wider West Midlands area will require the development of greenfield sites and requires a full Green Belt review.

**Question 18: Do you agree with the approach to identifying our town centre boundaries and the focus on regenerating Burntwood town centre and Lichfield city centre?**

1. HBF have no comments on this issue.

**Question 19: Do you agree with our vision to provide a wider range of higher value employment opportunities within the district?**

1. HBF would support a full Green Belt review to consider site allocations for new housing and employment to help improve the economic performance of Lichfield and the wider West Midlands areas.

**Question 20: Do you agree with the direction to reduce the reliance on the private car and the ambition to improve alternative sustainable modes of travel?**

1. HBF note that Building Regulations already require EV charging points in new homes. There is therefore not need of this to be a requirement in a Local Plan policy.

**Question 21: Do you agree with the need to address pockets of deprivation within the district, by improving access to education, skills, training, health and employment opportunities?**

1. HBF would encourage the Council to recognise the role house building plays in the local economy both whilst houses are under construction and once they are occupied as people’s homes.

**Question 22: Do you agree that we should aim to support the tourist economy, and encourage overnight and longer stays, with Lichfield city being the focal point?**

1. HBF have no comments on this issue.

**Question 23: We want to make it easier for our residents to live a healthy and active lifestyle, by planning for the protection and delivery of open spaces, leisure and recreation facilities. Do you agree?**

1. It will be important to understand how the Local Plan on open spaces, leisure and recreation work together with mandatory Biodiversity Net Gain, especially where sites used for BNG and open space overlap or interact.
2. **Question 24: How ambitious should the council be in requiring carbon reduction standards for all developments?**
3. HBF supports the Government’s intention to set standards for energy efficiency through the Building Regulations. The key to success is standardisation and avoidance of individual Council’s specifying their own policy approach to energy efficiency, which undermines economies of scale for product manufacturers, suppliers and developers. The Councils do not need to set local energy efficiency standards in a Local Plan policy because of the higher levels of energy efficiency standards for new homes set out in the 2021 Part L Interim Uplift and proposals for the 2025 Future Homes Standard. There is no need for a Local Plan policies on matters already addressed in Building Regulations.

**Question 25: Are there any specific measures that you would like to see that could help to mitigate the impact of flooding?**

1. It will be important to consider how policies on flooding and BNG interact especially in relation to watercourses.

**Question 26: Do you agree that the council should support the delivery of low carbon and renewable energy infrastructure**?

1. HBF would support policies that seek to enable the delivery of new infrastructure including grid-connectivity for new housing application. However any standards for energy performance should be addressed through building regulation; Local Plan policies are not needed.
2. **Question 27: Should the council establish standards that exceed the statutory 10% biodiversity net gain requirement for development?**
3. Mandatory national BNG was introduced in the Environment Act 2021 the introduction of Biodoversty Net Gain for planning application did not come for large sites until Feb 12th 2024, and for small sites on 2nd April 2024.
4. HBF has been involved in a significant amount of work, being led by the Future Homes Hub, on BNG preparedness for some time, including feeding into the BNG Planning Practice Guidance and the DEFRA BNG Guidance. It is important for this policy to fully reflect all the new legislation, national policy and MHCLG and DEFRA guidance.
5. HBF note that this represents a lot of new information that the Council will need work though and consider the implications of, in order to ensure that any policy on Biodiversity Net Gain policy complies with the latest policy and guidance now it has been published. It should also be noted that the PPG is clear that there is no need for individual Local Plans to repeat national BNG guidance.
6. It is the 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. The new Lichfield Plan should provide certainty for developers and a clear BNG policy with a fixed 10% figure, and this should be tested through the whole plan viability assessment.
7. Any requirements to go beyond 10% BNG would need to be clearly demonstrated with evidence including considering the implications of the policy approach as part of the whole plan viability appraisal. In particular, HBF would question how the viability of more than 10% BNG can be established when the market for off-site credits, and therefore the costs of delivering the 10% mandatory BNG system are still emerging.
8. Any proposed policy wording and supporting text will need to reflect both that the Environment Act which requires 10% Biodiversity Net Gain, and the emerging policy, guidance and best practice on how Mandatory Biodiversity Net Gain will be implemented. There is an important policy distinction to made between the national mandatory requirements and any optional further requests from LPAs to go further and faster. In particular the 10% national target is non-negotiable from a viability perspective, but policies seeking over 10% can be challenged on viability grounds. This distinction needs to be recognised within the Local Plan.
9. HBF suggest particular care is needed in terminology to ensure the Lichfield policy reflects the national policy and guidance. For example, on site and off-site biodiversity is referred to as units, and the statutory national credit system of last resort is referred to as credit. It is important for the wording of the policy to accurately reflect the legalisation and guidance.
10. It is also important to note that for large and complex sites where the development is phased, the guidance is clear that the 10% must be delivered at the end of the development, and this may not result in 10% BNG on each phase. Additional advice on phased development has been provided in the new BNG PPG.
11. The costs of BNG must also be considered as part of the whole plan viability assessment and should be specified as a single specific item, and not combined into a generic s106 costs item. There are significant additional costs associated with biodiversity net gain, which should be fully accounted for in the Council’s viability assessment, some of which remain unknown at this time. It is important that BNG does not prevent, delay or reduce housing delivery. The costs relate both the financial costs and also land take- which will impact on densities achievable if BNG is provided on site.
12. 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. The Whole Plan Viability Assessment must clearly set out how it considered the implications of mandatory BNG and how it as arrived at using the most up to date BNG costs information available. There may need to be further additional flexibility in policies elsewhere in the Plan to reflect the non-negotiable nature of 10% BNG costs.
13. HBF suggest that there is also a need for this policy and supporting text to clearly set out how BNG will be considered in relation to applications in advance of the Local Nature Recovery Strategies. As the LNRS emerges it will be important for this Local Plan to be kept under review and further public consultation on the interaction between the two documents and/or changes to Local Plan policy and/or its implementation, to reflect the LNRS may be needed.
14. HBF would also encourage the Council to ensure the Local Plan fully considers the new BNG requirements in relation to site allocations. This is likely to require undertaking an assessment of the baseline to support the allocation to enable an understanding the BNG requirements for a site to be allocated and the impact this may have on viability and other policy requirements and considerations. It will be important to understand the BNG costs of mandatory BNG as this is non-negotiable and as such may impact on the viability of the site and its ability to deliver against other policy requirements such as affordable housing or other s106 asks.
15. HBF also notes that there seems to be significant potential for confusion around environmental hierarchy, and suggest particular care is needed to avoid any confusion between the well-established mitigation hierarchy and the new BNG hierarchy. There is need for the policy wording and/or supporting text to be clearer about the differentiation between the mitigation hierarchy (which seeks to avoid harm in the first place, then mitigate and only then compensate it in relation to protected habitats) and the BNG delivery hierarchy (which prioritises on-site BNG delivery, then off-site units and finally allows for statutory credits). There seems to be significant potential for confusion between the two difference hierarchies. HBF therefore suggest that the Council should take particular care to explain how the requirements of the two-part BNG hierarchy work in different ways and that they seek to achieve different aims.
16. BNG will also impacts on the density of housing schemes that can be provided, as land used for on-site BNG is not available for housing. This may require larger and/or additional housing sites to be allocated.
17. **Question 28: Do you agree with the proposed approach to supporting the development of green networks across the district? Are there any specific green infrastructure issues that should be addressed?**
18. HBF are keen to understand how the new Local Plan would link into the Local Nature Recovery Strategies that are being developed. LNRSs should set out locational priorities on a map base. There is clearly potential for these documents to work together, and the Council should give thought to how maximise the win-win benefits that can be brought forward that support both development an nature recovery

**Question 29: Do you agree with the proposed approach to protecting the countryside?**

1. The Council needs to consider how its approach to countryside protection works with the need for a Green Belt review, the new development on grey belt provisions, enabling sustainable rural development and rural economic growth and diversification. New housing can play a key role in supporting current and new rural facilities.

**Question 30: Do you agree that the Local Plan should contain a specific policy for the protection and management of trees, woodlands and hedgerows? Are there any other related issues that should be addressed?**

1. HBF are keen to understand how the nature policies in the Plan would all work together. The introduction of national mandatory Biodoversty Net Gain raises potential confusion and duplication or conflict with policies on trees and hedgerows which are already covered in the mandatory biodiversity net gain metric that all BNG developments must complete. The Council will need to carefully consider if further policies on this matter are necessary and if so how they interact with the mandatory BNG framework and metric.

**Question 31: Do you agree with the proposed approach to enhance and protect the district’s landscape character? Are there any other landscape character issues that should be addressed?**

1. HBF are keen to understand how the nature policies in the Plan would all work together, now that mandatory BNG has been introduced.

**Question 32: Are there any other natural environment issues that the Local Plan 2043 should consider?**

1. HBF are keen to understand how the nature policies in the Plan would all work together, now that mandatory BNG has been introduced

**Question 33: Do you agree that the evidence and other documents listed in Appendix B will be sufficient to support the Local Plan 2043?**

1. No, the Local Plan will need to supported by a full range of up to date evidence that covers the whole plan period.