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27/02/2024

Dear Planning Policy Team,

**Harborough District Council, New Local Plan, Issues and Options Consultation
January 2024**

1. Thank you for consulting with the Home Builders Federation (HBF) on the Harborough District Council, New Local Plan, Issues and Options Consultation January 2024.
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. HBF welcomes the Council's efforts to ensure that they have an up to Local Plan. 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 Harborough Local Plan and we support and welcome a proactive pro-growth approach. We agree a full new Local Plan is needed.

Sustainability Appraisal

Question 1: Do you have any comments on the Issues and Options Sustainability Appraisal report? Do you consider the approach appropriate? Do you agree with its findings?

4. The Sustainability Appraisal considers each of the six spatial options against a high, medium and low growth scenario. HBF agree with the outcomes of SA Objective 9, but the Plan and SA should also recognise the role that new open-market housing plays. 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.

Local Plan Vision



Question 2: Should the Corporate plan be used as a basis for preparing a Vision for the new Local Plan?

Question 3: What should the Local Plan Vision say?

5. The Council's Corporate Plan Vision is "Working with our communities, we will build a future for the people of Harborough district that gives them the best life chances and opportunities through:
 - Community leadership to create a sense of pride in our place
 - Promoting health and wellbeing and encouraging healthy life choices
 - Creating a sustainable environment to protect future generations
 - Supporting businesses and residents to deliver a prosperous local economy"
6. Whilst the Council's own corporate plan is an important part of the preparing the vision for the Local Plan, it should not be the only consideration. It will be important for the new Harborough Plan to set out a vision for the whole of Harborough District and this must be grounded in reality to ensure development proposals and policies are deliverable and viable.

Local Plan Strategic Objectives

Question 4: Do you agree with the proposed objectives for the new Local Plan?

Question 5: Are there any additional suggestions that should be included in the proposed objectives?

7. Proposed **Objective 1** is titled "Delivering the right amount and type of housing to meet need" and seeks to:
 - Establishing need and ensuring housing choice (size, tenure, type) and location to meet the needs of the population. This includes:
 - Affordable housing across all tenures
 - Accessible and adaptable housing to support people throughout all the stages of life
 - Sheltered accommodation for people with additional needs
 - Care homes
 - Self-build and custom build plots
 - Gypsy and Traveller needs
 - Travelling show-people
 - First Homes
 - Making an appropriate contribution to meeting the justified unmet housing needs of other authorities within the Leicester and Leicestershire housing market area.
8. HBF agree that it is very important for Harborough to play, and continue to play, its role in the longstanding and ongoing Leicester and Leicestershire joint-working on meeting the housing needs of the Leicester HMA. It will be essential for Harborough to make its contribution to meeting this need.
9. HBF suggest that the delivery of housing to meet the unmet needs of Leicester within Harborough could usefully be set out and monitored separately, so monitoring can ensure both that Harborough is meeting its own needs and making a contribution to

Leicester's unmet need. Different interventions may be needed if monitoring shows under-delivery of housing.

10. It will be important to consider the size type and tenure of housing being provided to meet Leicester's need. For example, if the unmet need of Leicester is for two, three and four bed family housing than delivering additional one-bed flats would not be meeting this need.
11. 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 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.
12. HBF note that **Objective 2** relates to the role of the new Plan in supporting employment and growth in Harborough. We would suggest that there is a need to consider the interaction between employment and housing. An increase in the number of jobs can it itself generate a requirement for additional housing, and indeed the current Local Plan calculations include some recognition of the housing need generated by Magna Park as a significant source of local employment within the District.
13. **Objective 3** relates to the spatial strategy. HBF 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. HBF does not comment on individual sites, other than to say 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.
14. **Objective 4** seeks to protect and enhance villages and towns. HBF 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.
15. 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.

16. **Objective 6** relates to the climate change. 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 Council does 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.
17. **Objective 8** relates to open space and biodiversity. Mandatory Biodiversity Net Gain (BNG) became a requirement for new development (unless exempt) from 12 Feb 2024 and comes in for small sites on 2 April 2024. BNG will be an important consideration in the formulation of this new Plan and the site selection process. BNG will also be an important consideration in assessing the viability and deliverability of the Plan.
18. HBF welcomes the inclusion of **Objective 10** relating to Monitoring. HBF agree that monitoring must be an essential part of the Plan, Monitor, Manage approach, and it is essential that actions are taken if monitoring shows under-delivery of housing during the Plan Period. It will be important for the Plan to include a monitoring framework which sets out the monitoring indicators along with the relevant policies, the data source and where they will be reported, this should include the actions to be taken if the targets are not met.
19. HBF do not support the inclusion of policies within a Local Plan that merely triggers a review of the Local Plan if monitoring shows housing delivery is not occurring as expected. Such a policy does nothing to address the housing crisis or undersupply of homes. There are other more effective and immediate measures that could be introduced into policy that would enable the Council to address housing under-delivery much more quickly than would be possible through the production of another plan, or plan review.
20. HBF have not identified any other factors that should be set out as objectives. It may be that the Council prefers to address our concerns around deliverability and viability as a separate objective, or this could be addressed through incorporating amendments to existing objectives. For completeness, we agree that Design (Objective 5) and Heritage (Objective 7) and Infrastructure (Objective 9) are important factors that should be considered in plan-making.

Duty to Cooperate and Effective Joint Working

Question 6: Do you agree with the strategic matters identified by the Council and are there any changes or additions you consider should be made at this stage?

21. HBF agree that joint working between local authorities and relevant bodies is integral to the production of local plans. 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.

22. HBF agree that Harborough District cannot be viewed in isolation from neighbouring areas particularly because of the geography of Leicester and Leicestershire, the boundaries of the HMA and FEMA, and the need for cross-boundary working on strategic issues. HBF agree that the housing requirements and distribution (including unmet need issues) and affordable housing, housing mix, homes for older persons and others with specialist needs are important issues that raise cross-boundary considerations. HBF have not identified any additional cross-boundary issues.

Scale of Housing Growth

Question 7: What should the housing requirement be in the new Local Plan?

Question 8: What level of housing supply contingency should we plan for?

23. As set out in the NPPF, the determination of the minimum number of homes needed in Harborough should begin with the Government's standard methodology unless exceptional circumstances justify an alternative approach. As there is a known unmet need Leicester, the standard method calculations for Harborough should include an element of additional housing to meet unmet need for Leicester.
24. HBF does not believe there are any exceptional circumstances in Harborough that justify departing from the standard method, as the such determination of the housing requirement for Harborough 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.
25. 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 Harborough, and the Council should consider planning for an additional amount of housing to address each reason in turn.
26. The low-growth scenario, Option A, 534 dpa, suggested in the consultation includes no additional housing to contribute to the unmet need of Leicester, and as such fails to comply with the standard method, and therefore should not be used.
27. Option B, 657 per annum includes a contribution of 123 dpa towards Leicester's unmet need. This is the minimum that be being planned for using the standard method. HBF would also encourage the Council to also consider the role that housebuilding plays in the local economy, both when the houses are under construction and when the houses are occupied as people's homes. For this reason, and the others listed previously HBF would support Option C, 780 dpa, as the minimum housing requirement for Harborough. Indeed, for the reasons listed above this could in fact be even higher.

28. HBF note that the consultation states that “the amount of homes that need to be identified or planned for through the new Local Plan will largely be determined by the scale of annual housing requirement, the length of the plan period and the size of any housing supply contingency. However, we already have a supply of homes that we can count towards meeting the amount we need to plan for in the new Local Plan. Our monitoring data shows we have a pipeline of 10,427 homes that have been built since 2020 or are already committed with planning permission/allocated in a plan. 5.17. To give some context of the scale of housing growth we may need to plan for, if we take the medium housing requirement of 657 per year (2020 – 2041) and include a supply contingency of 20% we would need to identify a total supply of 16,556 homes between 2020 and 2041. Assuming the pipeline of 10,427 homes are built before 2041 (including the two Strategic Development Areas at Scraftoft North and East of Lutterworth allocated in the current Local Plan 2019) we would need to plan for a further 6,129 homes – i.e. 6,129 homes on top of the 10,427 home pipeline.”
29. It will be important for the new Harborough Plan to be supported by evidence, monitoring and analysis to demonstrate that these sites remain deliverable, if they are to continue to be relied upon. HBF are aware of challenges and delays that have impacted on the timescales for delivery of the SUEs. Ways to address such ongoing risks could 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.
30. 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).
31. 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.

Plan Period

Question 9: Do you agree the start of the plan period should be 2020 and an end date of 2041?

32. 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. In recognition of the time it can take to

¹ NPPF 2023 Paragraph 22

progress a new Local Plan through all its required stages, HBF consider it is unlikely that that this Plan would be adopted in 2025, and therefore 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.

Settlement Hierarchy

Question 10: Do you agree the proposed settlement hierarchy is appropriate? If not, how should it be changed?

33. Although HBF does not comment on individual housing allocations we would expect the housing land supply, including the sum of all the allocations, to meet the housings of Harborough in full, including a contribution to meeting the unmet housing needs of Leicester. It will be important for the Plan to provide for a wide range of deliverable and developable sites across the area in order to provide competition and choice and a buffer to ensure that housing needs are met in full.
34. The Spatial Strategy of the Plan should also 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. The site selection methodology needs to recognise this reality.
35. Similarly, the Local Plan will also need to recognise that settlements that currently do not have services could expand to include those services if new development is allocated in those areas. Any list of village services should not be used as a basis for only locating development close to existing services rather identifying where services could be improved through new development. There is a real danger that any such criteria could being used negatively to become a way of preventing development in certain communities rather than promoting improved villages and neighbourhoods. The site selection methodology should reflect this position.

Housing Spatial Options

Question 11: Do you agree with the options considered for the location of housing development? Should any of the options be changed or additional options included?

Question 12: Which option or options for the location of homes do you consider to be the most appropriate? This could be one of the options or a mix of several.

36. 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.

37. HBF 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 methodology adopted for site assessment should therefore reflect how the site would (or could) contribute to these outcomes.
38. HBF also notes that new settlements and large urban extensions can have long lead times. Reliance on one (or more) new settlement(s) and/or urban extension(s) for housing delivery may mean delivery from these sources will occur later on in the Plan period. This increases the importance of the need for a range of other sites to be provided to ensure a Five-Year Land Supply and early delivery of much needed housing. It will be important for policies and allocation in the Plan to provide for a range of housing sites, and as such the site selection methodology needs to reflect this.

Scale and Location of Employment Growth Questions 13 to 19

39. HBF suggest that the Harborough Plan should be planning for a higher number of houses for a variety of reasons including supporting economic growth. The Plan should recognise the links between housing and employment and the impacts that failing to provide to properly plan for housing will have on the economic performance and competitiveness of Leicester and Leicestershire.

Strategic Distribution Questions 21 to 22

40. HBF note that the current Harborough Local Plan include some additional housing within the housing number in recognition of the housing need generated by Magna Park as a significant source of local employment within the District. HBF reiterate that an increase in the number of jobs can it itself generate a requirement for additional housing, and indeed Magna Park specifically may generate the need additional housing requirement.

Small and Medium Housing Sites Requirement

Question 23: How should we diversify the housing market in the District to meet the requirement to provide more housing on smaller sites (one hectare or less in size)?

Question 24: If you have promoted a site for development, would you consider sub-dividing the site to allow small and medium housebuilders or self-builders to enter the housing market?

41. The NPPF requires Local Plans to identify land to accommodate at least 10% of the housing requirement on sites no larger than one hectare, unless there are strong reasons why this cannot be achieved. HBF has undertaken extensive consultation with its small developer members. One of the chief obstacles for small developers is that funding is extremely difficult to secure without a full, detailed, and implementable planning permission. Securing an implementable planning permission is extremely difficult if small sites are not allocated. Without implementable consents lenders are uneasy about making finance available or the repayment fees and interest rates they set

will be very high. Small developers, consequently, need to invest a lot of money and time up-front in the risky business of trying to secure an allocation and a planning permission, and this is money that many small developers do not have.

42. The Council should set out in the Plan's policies and evidence base to set out how the plan will deliver 10% of homes on sites of less than one hectare, as required by paragraph 69 of the NPPF. Indeed, the HBF would advocate that a higher percentage of small sites are allocated if possible. Such sites are important for encouraging the growth in SME housebuilders who will tend to develop these sites but rarely see the benefits that arise from the allocation of sites in a local plan. Up until the 1980s, small developers once accounted for the construction of half of all homes built in this country resulting in greater variety of product, more competition, and faster build-out rates. Since then, the number of small companies has fallen by 80%.
43. HBF also note that support for small and medium builders need not be limited to only small sites of less than 1Ha. SMEs also deliver on other types of non-strategic sites (for example up to 100 units). The inclusion of a range of sites including non-strategic allocations could be used to expand the range of choice in the market and be of a scale that can come forward and make a contribution to housing numbers earlier in the plan period.

Site Selection Methodology

Question 25: Do you agree with the stages in the site selection methodology?

Question 26: Are there any other factors you think should be considered when selecting sites for development?

44. As previously mentioned HBF 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 methodology adopted for site assessment should therefore reflect how the site would (or could) contribute to these outcomes.

Strategic Green Designations

Question 27: Do you agree the existing approach of using Green Wedges, Areas of Separation and Countryside designations to manage development?

Question 28: Should the detailed boundaries of Green Wedge and Areas of Separation be reviewed to take account of any new Local Plan allocations where appropriate to do so?

45. HBF would support a full review of the location and boundaries of Green Wedges, Areas of Separation and Countryside designations to enable the Plan to provide enough allocations to meet the housing requirement in full and support a logical settlement strategy.

Design Quality

Question 29: Is preparing a district-wide design code, related to an updated design policy in the Local Plan, an appropriate approach?

Question 30: Do you consider further design codes to be necessary, if so, what should they cover?

For example:

- Large development sites.
- Locations / settlements identified for significant development.
- Particular character areas such as town centres, village centres, suburbs.
- Specific topics such as climate change and sustainable development.

46. HBF believes any design advice should be proportionate. There is no need to include policies on climate change and sustainable development within the Design Code as these matters are already addressed through Building Regulations, and the issues of sustainable development and climate change will be addressed in other policies in the new Local Plan.

Mitigating and Adapting to Climate Change

Question 31: Are there any other policy approaches to climate change issues that the Local Plan should consider?

47. HBF supports the Council in seeking to address climate change and minimise carbon emissions, adapt to the impacts of climate change and create resilient and healthy places. However, HBF does not consider that the Council setting its own standards is the appropriate method to achieve these outcomes. HBF is concerned when Councils seek to create Local Plan policies on issues that are already adequately addressed nationally. In addition to the complexity of policy, regulations and standards that housebuilders are already expected to comply with, the policies may in fact undermine the objectives they are seeking to achieve. The key to success is standardisation and avoidance of individual Councils specifying their own policy approach, which undermines economies of scale for product manufacturers, suppliers and developers.

Flood risk Question 32: Do you agree with the Council's intention to undertake an updated Strategic Flood Risk Assessment to feed into Local Plan preparation?

48. HBF supports the need for a Local Plan to be supported by up-to-date evidence. A SFRA would be an important part of this work.

Water Supply and Wastewater Management

Question 33: Do you agree that understanding issues around water supply and wastewater capacity are important in preparing the Local Plan?

49. HBF would oppose any requirement for applicants to assess or demonstrate the capacity of the water company to connect a development with water services and/or to demonstrate water neutrality, (e.g. the supply of fresh water and the treatment of wastewater). These are not land use planning matters. They are matters managed under a separate statutory regime. Matters relating to water and sewerage infrastructure and its availability and/or network capacity are both controlled by separate, dedicated legislation, i.e., s37 (water) and s94 (sewerage) of the Water Industry Act 1991. The

planning process should not be used as a route to subjugate established primary legislation. The legal responsibility for the supply of water services falls to the water company.

50. Building Regulations already require all new dwellings to achieve a mandatory level of water efficiency of 125 litres per day per person, which is a higher standard than that achieved by much of the existing housing stock. This mandatory standard represents an effective demand management measure. There is no need for the Local Plan to venture into this area of policy making, as the matter is already being addressed through Building Regulations.

Biodiversity and Geodiversity

Question 34: Do you think agree with the proposed policy approach to biodiversity and geodiversity? Is there anything else we should be considering to enhance biodiversity?

51. In light of all the new guidance on BNG that has recently been published, the Council will need to ensure its approach to BNG to ensure it fully reflects all the new legislation, national policy and guidance.
52. HBF has been involved in a significant amount of work, being led by the Future Homes Hub, on BNG preparedness for some time and note the final version of DEFRA BNG Guidance was published on 12th Feb 2024 and the final version of the PPG published on Feb 14th 2024. HBF understand that both may be further refined once mandatory BNG is working in practice, to reflect any early lessons learnt.
53. HBF note that there is a lot of new information for the Council to work through and consider the implications of, in order to ensure that any policy on Biodiversity Net Gain policy so that it complies with the latest policy and guidance now this has been finalised. It should also be noted that the PPG is clear that there is no need for individual Local Plans to repeat national BNG guidance.
54. It is 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. There are significant additional costs associated with biodiversity gain, which should be fully accounted for in the Council's viability assessment. It is important that BNG does not prevent, delay or reduce housing delivery. Although the national policies requiring 10% BNG cannot be subject to site specific viability discussion, any policy requirements over 10% can be. Any policy seeking more than 10% BNG needs to reflect this position.
55. Para 6 of the new BNG PPG2 clearly states:

Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies they will need to be evidenced

² [Biodiversity net gain - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/biodiversity-net-gain) Paragraph: 006 Reference ID: 74-006-20240214

including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented.

56. It is also important to note that 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 was included in the revised PPG.
57. HBF also suggest particular care is needed in terminology to ensure the BNG 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. Similarly, it will be important to differentiate between the mitigation hierarchy, which seeks to avoid harm and then mitigate it in relation to protected habitats and the BNG delivery parts of the hierarchy which prioritises on-site BNG delivery, then off-site units and finally allows for statutory credits. National BNG policy allows for all three of these options, and therefore the Plan should also reference statutory credits.
58. 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, 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 are unknown at this time. It is important that BNG does not prevent, delay or reduce housing delivery. As this is an emerging 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 should clearly set out how it considered the implications of mandatory BNG and how it was arrived at using the most up to date BNG costs information available.
59. HBF suggest that there will also be a need for the BNG policy and supporting text will need to say something about Local Nature Recovery Strategies. Although these are new initiative, and one has yet to be prepared that covers Harborough, which will be prepared by Leicestershire County Council, the LNRS will be an important part of setting a spatial strategy for Nature. As such, 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 to reflect the LNRS may be needed.
60. HBF would encourage the Council to ensure the Local Plan fully considers and evidence how BNG should inform the site selection process. This should include understanding the BNG requirement, including undertaking an assessment of the baseline to support the allocation. It is important to have an understanding the BNG costs and viability for the site and consider how this may impact other policy requirements such as affordable housing, other s106 or CIL contributions.

61. 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 avoids loss to start with, but then 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 Harborough Plan should do all it can to explain how the two hierarchies work in different ways and that they seek to achieve different aims. We would suggest the use of the term “BNG spatial hierarchy” may help with this issue.
62. Reference could also usefully be made within the Plan to the small sites metric. This is intended to be a less complex statutory metric that can be used to set out how 10% BNG will be secured on small sites. It can only be used for on-site BNG delivery. The national mandatory 10% BNG policy will apply to small sites from April 2024.
63. HBF believes BNG should be a significant factor in emerging Local Plans and may require additional research, evidence work, policy and guidance for it to be made to work in practice. Plan-making is the appropriate stage for many BNG issues to be considered and we therefore suggest that the Harborough plan will need ensure that it is doing all it can to support the delivery of the national mandatory BNG policy through providing clear advice guidance and, wherever possible, certainty for developers and landowners and communities on what is expected.

Heritage Assets and the Historic Environment

Question 35: Do you agree with the proposed approach to heritage assets and the historic environment?

64. HBF have no comments on this issue.

Healthy Communities

Question 36: Which of the above options do you think should be pursued? Are there any other options?

65. HBF do not believe a separate policy on health and well-being is necessary.

Blue-Green Infrastructure

Question 37: Do you agree that the existing approach should continue to protect, improve and enhance strategic blue-green infrastructure within the district?

Question 38: Is there an alternative approach to blue-green infrastructure?

66. It will be important for the Plan to clearly set out how the blue-green infrastructure policies and the BNG policies work together.

Open Space, Sport and Recreation and Local Green Space

Questions 39 to 41

67. HBF have no comments on these policy areas.

Affordable Housing

Question 42: How should the plan deliver the 254 affordable homes for rent per annum?

Question 43: Should the Council look to discount the proportion of affordable home ownership dwellings to reflect the scenarios set out above? If so, how should it be discounted?

68. The PPG³ sets out that a minimum of 25% of all affordable housing units secured through developer contributions should be First Homes. It is expected that First Homes (and the mechanism securing the discount in perpetuity) will be secured through section 106 planning obligations. The Plan should clearly set out how it will deliver this requirement and provide the appropriate evidence.
69. The Glossary in the Local Plan should be expanded. It needs to include the full national definition of affordable housing including a reference to First Homes, a discounted home ownership model which is the Government's preferred option for delivering affordable homes.
70. At a very basic level viability can be improved by reducing costs or increasing values. Sometimes, therefore changing the type of affordable housing provided can help to improve viability of a specific site, and the plan should recognise this. Flexibility within the Affordable Housing policy is needed.
71. The difference in viability between greenfield and brownfield sites need to be recognised. The ability of greenfield sites to deliver more affordable housing needs to be understood within the wider context of the Plan policies and strategy.
72. It will be important for the affordable housing policies to be subject to robust testing through the whole plan viability appraisal.

Mix of Housing

Question 44: Should the mix of sizes apply to all developments or only those over a set size threshold?

Question 45: How should the plan deal with the demand for bungalows?

73. It will be important that the HENA data is kept up to date to reflect the latest evidence and information on housing mix. It will be important for the Plan to allocate a mix and range of housing sites in order to ensure the provision of a mix and range of housing types. This will need to include the allocated of a range of sites included greenfield sites which may be better suited to the delivery of family housing, when compared against brownfield and/or town centre sites which may be better suited to a certain of housing type, often apartments which appeal to a particular kind of buyer. Any policy on housing

³ PPG ID: 70-012-20210524

mix must include flexibility to allow for site-specific circumstances to be taken into account.

74. HBF note that bungalows are often a lower density form of development, and this can impact on viability. HBF suggest that a scenario for a bungalow development could usefully be tested through the whole plan viability appraisal, and the findings of this could assist in policy formulation.

Accessible and Adaptable and Wheelchair User Dwellings

Question 47: Should all dwellings be required to meet the M4(2) standard (accessible and adaptable dwellings) and 10%-25% of homes be required to meet the M4(3) standard (wheelchair user dwellings)?

Question 48: Should the approach to accessibility standards be different for market housing and affordable homes?

75. HBF note that the requirements to meet Part M4(2) will be superseded by changes to residential Building Regulations. The Government response to 'Raising accessibility standards for new homes' 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.
76. A distinction needs to be made between M4(3)a wheelchair adaptable housing and M4(3)b wheelchair accessible housing. The whole plan viability assessment should be explicit in whether it was applying M4(3)a or M4(3)b but as the latter can only be sought on affordable housing where the Council has nominations and is considerably more expensive than the former.

Space Standards Question 49: Should this Local Plan include a requirement to use the nationally described space standard?

77. HBF does not support the introduction of the optional Nationally Described Space Standard though policies in individual Local Plans. If the Councils wish to apply the optional NDSS to all dwellings, then this should only be done in accordance with the NPPF (paragraph 130f & Footnote 49) which states that "policies may also make use of the NDSS where the need for an internal space standard can be justified". As set out in the NPPF, all policies should be underpinned by relevant and up to date evidence, which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned.
78. PPG (Ref ID: 56-020-20150327) identifies the type of evidence required to introduce a policy on NDSS. It states that 'where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

- Need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.
- Viability – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.
- Timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.

79. The Council will need robust justifiable evidence to introduce the NDSS, based on the criteria set out above. The HBF considers that if the Government had expected all properties to be built to NDSS that they would have made these standards mandatory not optional.
80. HBF would also remind the Council that there is a direct relationship between unit size, cost per square metre (sqm), selling price per sqm and affordability. The policy approach should recognise that customers have different budgets and aspirations. An inflexible policy approach to NDSS for all new dwellings will impact on affordability and effect customer choice. Well-designed dwellings below NDSS can provide a good, functional home. Smaller dwellings play a valuable role in meeting specific needs for both open market and affordable home ownership housing.
81. An inflexible policy approach imposing NDSS on all housing removes the most affordable homes and denies lower income households from being able to afford homeownership. The introduction of the NDSS for all dwellings may mean customers purchasing larger homes in floorspace but with bedrooms less suited to their housing needs with the unintended consequences of potentially increasing overcrowding and reducing the quality of their living environment. HBF suggest that Harborough Council should focus on good design and usable space to ensure that dwellings are fit for purpose rather than focusing on NDSS.

Accommodation for Gypsies and Travellers Question 50

82. HBF have no comments on this policy area.

Self-build and Custom Housebuilding

Question 52: How should the Local Plan address meeting demand for self-build and custom housebuilding?

Question 53: Should large sites be required to provide a percentage of their plots as serviced plots for self-build?

Question 54: Should the plan make site specific allocations for self-build and custom housebuilding?

Question 55: Should the Council decide to introduce a Local connection test, is the Local connection test set out above suitable to use for the Self-build and

Custom Housebuilding register?

Question 56: Does the Council have strong justification to introduce the local connection test?

83. HBF advocates for self and custom-build policies that encourage self and custom-build development by setting out where such developments will be supported in principle. 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. HBF does not consider that requiring major developments to provide for self-builders is appropriate.
84. 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.
85. Although HBF do not support the requirement for self-build plots on larger allocations, if such a policy were to be introduced it will be important that it is realistic to ensure that where self and custom build plots are provided, they are delivered and do not remain unsold. If demand for plots is not realised, there is a risk of plots remaining permanently vacant effectively removing these undeveloped plots from the Council's Housing Land Supply S. Therefore, the Council should consider the application of a non-implementation rate to its HLS calculations.
86. Any policy would also need to be clear what happened where plots are not sold. HBF suggest any unsold plots should revert back to the developer. It is important that any plots should not be left empty to the detriment of neighbouring properties or the whole development. The timescale for reversion of these plots to the original housebuilder should be as short as possible from the commencement of development because the consequential delay in developing those plots presents further practical difficulties in terms of co-ordinating their development with construction activity on the wider site. There are even greater logistical problems created if the original housebuilder has completed the development and is forced to return to site to build out plots which have not been sold to self & custom builders.
87. HBF considers that a policy which encourages self and custom-build development and sets out where it will be supported in principle would be more appropriate. HBF considers that the 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. The HBF does not consider that requiring major developments to provide for self-builders is appropriate.

Town Centres, Retailing and Leisure, and Tourism
Question 57 and Question 58

88. HBF have no comments on these policy areas.

Transport

Question 59: Which of the above options or option do you think should be followed in the new Local Plan? Are there any other options to consider?

89. Development can only be required to mitigate its own impacts and cannot be required to address existing issues and shortfalls in provision. It would be unreasonable and fail the CIL tests for developers to be expected to pay to address existing deficiencies. It is not appropriate for the methodology of site selection to increase the likelihood of a site being allocated on the basis of how much it could contribute to transport projects.

Local Services and Infrastructure

Question 60: Which of the above approaches to infrastructure delivery do you prefer? Are there any other options that could be considered?

90. The Council is suggesting there are three possible approaches to local services and infrastructure:

- Option A: Continue with current approach of seeking on-site provision and financial contributions to a wide range of infrastructure where new development requires the provision. It ensures that developments support a wide range of services and facilities (including health, education, policing, libraries and other forms of social infrastructure).
- Option B: Prioritise infrastructure. This would help to prioritise scarce financial resources towards key infrastructure to be agreed as the Local Plan progresses. This could prioritise certain types of infrastructure helping to focus investment plans of other agencies and support funding bids.
- Option C: Focus new development on areas where there is existing capacity or certainty about the delivery of infrastructure improvements. This would result in an infrastructure-led approach where development sites are chosen depending on the existing or potential supply of infrastructure.

91. Development can only be required to mitigate its own impacts and cannot be required to address existing issues and shortfalls in provision. It would be unreasonable and fail the CIL tests for developers to be expected to pay to address existing deficiencies. It is not appropriate for the methodology of site selection to increase the likelihood of a site being allocated on the basis of how it could address existing infrastructure problems, or over deliver against policy requirements.

Future Engagement

92. 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.

93. 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,

A handwritten signature in blue ink that reads "R. H. Danemann". The signature is written in a cursive style with a light blue background behind it.

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