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Dear Sir / Madam,

## **BLACKBURN WITH DARWEN LOCAL PLAN 2018-2037: CONSULTATION DRAFT**

1. Thank you for consulting with the Home Builders Federation (HBF) on the Blackburn with Darwen Council Local Plan 2018 – 2037 Consultation Draft.
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 work with the Council in order to achieve an adopted local plan which enables the delivery of homes across Blackburn with Darwen.

### **Vision and Objectives**

4. The HBF generally supports the housing needs objective which seeks to widen the choice of high-quality homes to meet the full diversity of local housing need, supporting the growth of mixed communities.

### **Core Policy 2 (CP2): Housing Development**

#### Housing Requirement

5. This policy states that the Council will seek to deliver a minimum of between 358 and 411 net new dwellings per annum (dpa) over the plan period. It also states that sufficient land to meet the upper end of this range will be identified, including a buffer to allow for flexibility, choice and competition.
6. The NPPF<sup>1</sup> states that to determine the minimum number of homes needed, strategic policies should be informed by a local housing needs assessment, conducted using the standard method set out in the PPG. The PPG sets out the method for calculating the

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<sup>1</sup> NPPF Paragraph 60



minimum annual local housing need figure<sup>2</sup>. The Standard Method identifies a minimum Local Housing Need (LHN) of 154dpa<sup>3</sup>. The PPG also sets out when it might be appropriate to plan for a higher housing need figure than the standard method, these include where there are growth strategies for the area, where there are strategic infrastructure improvements, where an authority is taking unmet need from a neighbouring authority, and where previous levels of housing delivery, or previous assessments of need are significantly greater than the outcome from the standard method.

7. The Housing and Economic Needs Assessment (HENA) identifies a need for 411 dwellings, this is identified as what is required to meet the economic growth scenario. The 358dpa also relates to the economic growth scenario but does not include the same adjustments to the household formation rates.
8. The HBF generally supports the Council in utilising a figure over and above the LHN identified by the Standard Method and supported by their own HENA evidence. The HBF does however, have concerns about the use of a range of figures and strongly recommends that as the Council sees the entire range as a minimum and not a cap that the Council just uses the 411dpa figure for their housing requirement. The HBF does not consider that the policy as proposed with a range of housing requirements is clearly written and unambiguous as required by the NPPF.
9. The currently adopted Blackburn with Darwen Local Plan Core Strategy (Part 1) (adopted January 2011) sets a housing requirement of 9,365 dwellings over the period 2011 to 2026, this is set as a stepped requirement for each year, with a figure of 625dpa for the period 2016 to 2021. However, over the last five years (2015/16 to 2019/20) based on the MHCLG net additional dwellings the Council has provided an average of 260dpa. This is significantly below the housing requirement. Therefore, the HBF considers that it will be particularly important for the Council to work closely with the homebuilding industry to ensure that the locations identified for residential development are appropriate and deliverable.

#### Affordable housing needs

10. The policy states that on developments of 10 or more dwellings at least 20% of homes delivered will be expected to be affordable units.
11. The HENA identifies an affordable housing need of 108 affordable homes each year. The HBF supports the need to address the affordable housing requirements of the borough. The NPPF<sup>4</sup> is, however, clear that the derivation of affordable housing policies must not only take account of need but also viability and deliverability. There does not appear to be a viability report available with this document and therefore at this point it is not possible for the HBF to comment on the viability of this policy or others within the document. However, it is noted that the previous affordable housing policy has had

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<sup>2</sup> PPG ID:2a-004-20201216

<sup>3</sup> MHCLG Household Projections 2014 2020: 58,121, 2030:59,603, average change 148.2. Adjustment factor 2019: 1.04.

<sup>4</sup> NPPF Paragraph 34

limited success in delivering affordable housing<sup>5</sup> and therefore the HBF considers that the Council should consider reducing the requirement. The Council should be mindful that it is unrealistic to negotiate every site on a one-by-one basis because the base-line aspiration of a policy or combination of policies is set too high as this will jeopardise future housing delivery.

#### Housing for Older People

12. This part of the policy states that in residential developments of 10 dwellings or more, at least 20% of homes should be appropriate to accommodate the needs of older people. It goes on to state that the nature of this provision (whether lifetime homes, bungalows etc) will be determined on a site-by-site basis depending on demand in a particular area and the site context.
13. The HBF does not consider it is appropriate to refer to the lifetime homes standard, the lifetime homes standard is no longer applicable following the Government's Housing Standards review, Lifetime Homes have now been replaced by the optional Building Regulations accessibility standards (M4(2) and M4(3)). These standards can be introduced via a plan but only where there is specific evidence to justify their inclusion, as set out above. The HBF is unaware that the Council can provide the necessary evidence and as such this requirement is not supported.
14. It is also not clear if this requirement is in addition to the requirement in part 15 for at least 20% of homes to be built to the accessible and adaptable standard in Part M4(2).

#### House Mix and Design (including Optional Standards)

15. This part of the policy looks for all new major housing schemes to widen the choice of housing types available in Blackburn with Darwen, reflecting the Council's latest evidence housing need and market demand. It also requires **all** new dwellings to comply with the nationally described space standards (NDSS). And finally, it looks for all residential schemes of 10 dwellings or more to provide at least 20% of homes as M4(2) standard, unless specific site conditions make this impractical and 5% of homes to be wheelchair accessible (M4(3)) .
16. The HBF understands the need for a mix of house types, sizes and tenures and is generally supportive of providing a range and choice of homes to meet the needs of the local area. The HBF recommends a flexible approach is taken regarding housing mix which recognises that needs and demand will vary from area to area and site to site; ensures that the scheme is viable; and provides an appropriate mix for the location.
17. The NDSS as introduced by Government, are intended to be optional and can only be introduced where there is a clear need and they retain development viability. As such they were introduced on a 'need to have' rather than a 'nice to have' basis.

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<sup>5</sup> MHCLG Table 1011: additional affordable housing supply, detailed breakdown by local authority

18. PPG<sup>6</sup> identifies the type of evidence required to introduce such a policy. 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’.*
19. 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.
20. The HBF is generally supportive of providing homes that are suitable to meet the needs of older people and disabled people. However, if the Council wishes to adopt the higher optional standards for accessible, adaptable and wheelchair homes the Council should only do so by applying the criteria set out in the PPG.
21. PPG<sup>7</sup> identifies the type of evidence required to introduce such a policy, 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. It is incumbent on the Council to provide a local assessment evidencing the specific case for Blackburn with Darwen which justifies the inclusion of optional higher standards for accessible and adaptable homes in its Local Plan policy. If the Council can provide the appropriate evidence and this policy is to be included, then the HBF recommends that an appropriate transition period is included within the policy.
22. The PPG also identifies other requirements for the policy including the need to consider site specific factors such as vulnerability to flooding, site topography and other circumstances, this is not just in relation to the ability to provide step-free access.

#### Efficient and Effective use of land and buildings

23. This policy proposes a minimum density of 45 dph in town centres and other locations that are well served by public transport with minimum densities of between 25-35dph.

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<sup>6</sup> PPG ID: 56-020-20150327

<sup>7</sup> PPG ID: 56-007-20150327

24. The HBF considers that the Council should include a level of flexibility within this policy, the HBF would recommend amendments to create greater flexibility to allow developers to take account of individual site characteristics and evidence in relation to demand, market aspirations and viability.
25. The Council would also need to consider its approach to density in relation to other policies in the plan. Policies such as open space provision, space standards and parking provision will all impact upon the density which can be delivered upon site.

### **Core Policy 5 (CP5): Climate Change & the Natural Environment**

#### Renewable Energy and Energy Performance

26. This policy states that all major residential development should be accompanied by an Energy Statement which demonstrates that water consumption rates of 110 litres or less can be achieved, per person per day.
27. It should be noted that all new homes already have to meet the mandatory national standard set out in the Building Regulations (of 125 litres/person/day). PPG<sup>8</sup> does allow for a higher standard of 110 litres/person/day to be applied where there is a clear local need. The PPG also sets out the evidence that should be used to establish a clear need, the Council will need to provide a local assessment evidencing the specific case for Blackburn with Darwen which justifies the inclusion of these optional higher standards. It is noted for example that the United Utilities area is not included on the Environment Agencies Water Stressed Areas Classification as an area of serious water stress.

#### Biodiversity and Green Infrastructure

28. This policy proposes a biodiversity net gain of no less than 10%. The justification states that the Biodiversity net gain should be calculated using the Defra Biodiversity Metric (v2.0 expected December 2020).
29. It is the HBF's opinion that the Councils should not deviate from the Government's proposals on biodiversity gain. In 2019 Spring Statement, the Government announced that it would mandate net gains for biodiversity in the forthcoming Environment Bill. This legislation will require development to achieve a 10% net gain for biodiversity. The Government will use the DEFRA Biodiversity Metric to measure changes to biodiversity under net gain requirements established in the Environment Bill. The mandatory requirement offers developers a level playing field nationally and reduced risks of unexpected costs and delays. It is also likely that Government will set out the potential exemptions to the requirement.

### **Core Policy 8 (CP8): Transport and Accessibility**

30. This policy looks for appropriate provision to be made for parking (vehicle and cycle facilities) and charging for plug-in and other ultra-low emissions vehicles in accordance with the Council's latest standards to assist with the decarbonisation of transport over the plan period.

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<sup>8</sup> PPG ID: 56-014-20150327

31. In relation to electric vehicle charging points (EVCP) the Department of Transport held a consultation on Electric Vehicle Charging in Residential & Non-Residential Buildings (ended on 7th October 2019) set out the Government's preferred option to introduce a new functional requirement under Schedule 1 to the Building Regulations 2010. The inclusion of EVCP requirements within the Building Regulations 2010 will introduce a standardised consistent approach to EVCPs in new buildings across the country. The requirements proposed apply to car parking spaces in or adjacent to buildings and the intention is for there to be one charge point per dwelling rather than per parking space. It is proposed that charging points must be at least Mode 3 or equivalent with a minimum power rating output of 7kW (expected increases in battery sizes and technology developments may make charge points less than 7 kW obsolete for future car models, 7 kW is considered a sufficiently future-proofed standard for home charging) fitted with a universal socket to charge all types of electric vehicle currently on the market and meet relevant safety requirements. All charge points installed under the Building Regulations should be un-tethered and the location must comply with the Equality Act 2010 and the accessibility requirements set out in the Building Regulations Part M. The Government has estimated installation of such charging points add on an additional cost of approximately £976.
32. The Government has also recognised the possible impact on housing supply, where the requirements are not technically feasible. For example, the Government recognises that the cost of installing charge points will be higher in areas where significant electrical capacity reinforcements are needed. Any potential negative impact on housing supply should be mitigated with an appropriate exemption from the charge point installation requirement based on the grid connection cost. The introduction of EVCPs along with other electric demand technology could lead to problems with capacity not only in the grid but inside the dwelling too. The proposals place an undue burden on new build dwellings without making any inroads into provision of EVCPs in the existing housing stock.
33. The HBF are generally supportive of the provision of electric vehicle charging points. However, the HBF would encourage the Council to work with the appropriate infrastructure providers to ensure a balanced and flexible optimised energy system that has sufficient capacity to meet any standards and requirements set by the Council in this policy and others. The HBF also recommends that the Council ensure that any standards are considered within the viability assessment.

#### **Growth Area Policy 1 (GAP1): Housing Growth Sites**

34. The HBF is keen that the Council produces a plan which can deliver against its housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period. The HBF and our members can provide valuable advice on issues of housing delivery and would be keen to work proactively with the Council on this issue.
35. The Plan's policies should ensure the availability of a sufficient supply of deliverable and developable land to deliver Blackburn with Darwen's housing requirement. This

sufficiency of housing land supply (HLS) should meet the housing requirement, ensure the maintenance of a 5 Year Housing Land Supply (YHLS), and achieve Housing Delivery Test (HDT) performance measurements. The HBF also strongly recommends that the plan allocates more sites than required to meet the housing requirement as a buffer. This buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites. Such an approach would be consistent with the NPPF requirements for the plan to be positively prepared and flexible.

36. The Council's overall HLS should include a short and long-term supply of sites by the identification of both strategic and non-strategic allocations for residential development. Housing delivery is optimised where a wide mix of sites is provided, therefore strategic sites should be complimented by smaller non-strategic sites. The widest possible range of sites by both size and market location are required so that small, medium and large housebuilding companies have access to suitable land to offer the widest possible range of products. A diversified portfolio of housing sites offers the widest possible range of products to households to access different types of dwellings to meet their housing needs. Housing delivery is maximised where a wide mix of sites provides choice for consumers, allows places to grow in sustainable ways, creates opportunities to diversify the construction sector, responds to changing circumstances, treats the housing requirement as a minimum rather than a maximum and provides choice / competition in the land market.
37. The HBF does not wish to comment upon the acceptability or otherwise of individual sites. It is, however, important that all the sites contained within the plan are deliverable over the plan period and planned to an appropriate strategy. The HBF would expect the spatial distribution of sites to follow a logical hierarchy, provide an appropriate development pattern and support sustainable development within all market areas.
38. The Council's assumptions on sites in relation to delivery and capacity should be realistic based on evidence supported by the parties responsible for housing delivery and sense checked by the Council based on local knowledge and historical empirical data.

### **Monitoring and Delivery**

39. The Monitoring Framework is not provided within the document, so it is not possible to comment on the detail. However, generally the HBF recommends that the monitoring framework includes objectives, indicators, specific monitoring triggers and potential actions. The HBF also recommend that the framework is SMART (specific, measurable, achievable, relevant and time-bound), to ensure that policies are monitorable and that appropriate actions can be identified to ensure that the plan is delivered.

### **Future Engagement**

40. I trust that the Council will find these comments useful. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry. The HBF would like to be kept informed of the progress of the document. Please use the contact details provided below for future correspondence.

Yours sincerely,

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

**Joanne Harding**

**Local Plans Manager – North**

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