

Sent by email only to localplan@westnorthants.gov.uk

30/05/2024

Dear Sir/ Madam

West Northamptonshire's new draft Local Plan Consultation (Reg 18), May 2024

1. Thank you for consulting with the Home Builders Federation (HBF) on the West Northamptonshire's new draft Local Plan.
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.
3. HBF would like to submit the following comments upon selected policies within these consultation documents. These responses are provided in order to assist the Council in the preparation of the emerging local plan. HBF is keen to ensure that the Council produces a sound local plan which provides for the housing needs of the area.
4. We have not responded to all of the survey questions only those of relevance to our members.

Concerns about documentation released mid-way through the consultation.

5. HBF note that the Council uploaded an additional and potentially very significant new document to the Local Plan web page, more than halfway through the current consultation period. Last Friday (May 25th) on Friday a new document entitled 'The traffic impact of the draft West Northamptonshire Local Plan' was published on your webpage. This would appear to be a key piece of work that our members would wish to consider and respond to as part of their representation to your current ongoing Local Plan Reg 18 consultation which closes on Sunday 2nd June.



6. In light of this new information now being available, we have already contacted you about this requesting an extension to the consultation period to enable our members to fully engage with this new document and fully consider the implications of its findings on any draft comments on this plan that have already been prepared, and indeed may have already been submitted. At the time of drafting and submitting these comments we are still awaiting a response.
7. HBF are also concerned that other documents may have been added to the evidence base during the consultation process which our members are not aware of.

General comments on the formatting and numbering of the policy

8. The layout and numbering of the policies is very confusing with the prefixes A, B, C, i, ii, iii and a.b.c. being used within the same list of policy requirements (see for example Policy BN9 on Nature Conservation). The current layout and numbering/lettering causes confusion and will affect the plans usability and effectiveness.

Chapter 1: Introduction

9. HBF welcomes the Council's efforts to ensure that they have an up to date Local Plan. Plan-making is a fundamental part of a Local Authority's role and is essential to support the delivery of new homes and jobs. With the formation of the new West Northamptonshire Council, HBF agree it is very important that a new Local Plan for West Northamptonshire is prepared and adopted as soon as possible, however this must not be at the expense of a well-evidenced, well thought through and well-reasoned spatial strategy that addresses the whole of the Local Plan area, including both Northampton and its environs, and the wider remaining rural areas.
10. HBF note the text in paragraph 1.2.1. that it was originally intended that there would be a Strategic Plan which would then be supplemented with one or more Part 2 plans. This seems in evidence from the content of the plan, which seems to be missing much of the more local policy that HBF members would perhaps be expecting in a Part 2 Plan. However, as there is now to be only one single Plan, this Plan must do everything that it needs to do, including providing a clear approach for the sustainable development of the rural areas of West Northamptonshire.
11. Although HBF supports the need for a high-level spatial development strategy, this must be complemented by the other more local policies, especially those for the rural areas of West Northamptonshire. Our overall impression of this Reg 18 consultation document is that it seems to be rushed and is missing much of the detail below the strategic level. This level of policy making is needed and should not be missing from the plan at this stage. It is not appropriate for a Reg 19 pre-submission of the Local Plan to be the first time that the rural strategy and policies are presented for public consultation.

12. As currently proposed the plan period is intended to run to 2041. HBF considers that this is unlikely to be appropriate as the NPPF states that 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. The HBF considers it is unlikely that that this Plan would be adopted in 2025 and therefore suggests that the Council should consider extending the Plan period to at least 2042, potentially longer, in order 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.

Chapter 2: Spatial Portrait, Vision and Objective

13. As mentioned in our response to Chapter One, this draft Plan appears to only be doing half of its job. Chapter Two does not say enough about the rural areas outside of Northampton and the other market towns. The rural nature of the majority of West Northamptonshire needs to be recognised in this section. The Plan must specifically consider the challenges and opportunities facing the rural areas, understand the issues with evidence and analysis and ensure the needs of rural area, including their need for housing growth and development, is fully considered and addressed. As it currently stands this is a plan for Northampton, its hinterland, and the market towns of Daventry, Towcester, Brackley. It is not a plan for the whole of West Northamptonshire, and it needs to be.
14. This Regulation 18 consultation should have included a fully drafted rural chapter. The failure to do so undermines the comprehensive spatial policy approach being pursued and fails to enable consultees to see the full picture of the strategy and approach being suggested pursued. The role of housing in rural areas need further consideration and policy responses.

Spatial Vision

15. HBF suggest that the Vision for West Northamptonshire should include reference to the need to meet the current and future housing needs of the whole community, including for market and affordable housing. The Local Plan should also recognise the connection between housing and the future aspirations for the local economy.
16. HBF do not comment on individual site allocations. However, 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 soundness of strategic and non-strategic site allocations, whether brownfield or greenfield, will be tested in due course at the Local Plan Examination. 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.

17. 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.
18. 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.
19. As HBF are suggesting that the housing requirement for West Northamptonshire should be higher, additional housing sites will be needed.

Spatial Objectives

20. HBF would question if 17 objectives for this new Local Plan are too many, and they should be refined and more focused. We would offer the following comments on the objectives most relevant to our members:

Objective 1 - Climate Change

21. Although the HBF is very supportive of the role that Local Plans can play in helping to address and mitigate the impact of climate change. HBF is very concerned about the proliferation of climate change and energy policies that are being suggested in some emerging Local Plans. HBF would caution against policies that seek to go further and faster than national policy changes that result in patchwork of differing local standards.

Objective 2 - Green Infrastructure and Natural Capital

22. HBF strongly welcomes the Councils recognition of the importance of the role of the Local Nature Recovery Strategy (LNRS) in helping to deliver nature recovery and mandatory Biodiversity Net Gain (BNG). The LNRS will be an important part of setting a spatial strategy for nature in West Northamptonshire. The link between the Local Plan and the BNG will be very important as the LNRS emerges, and as such it will be important for this Local Plan to be kept under review so that the interaction between the two documents is fully understood and/or changes to Local Plan policy to reflect the LNRS are made. HBF would welcome further public consultation as these documents emerge.
23. HBF would also encourage the Council to ensure the Local Plan fully considers and evidences how BNG has formed part of the site selection process. This should include understanding the BNG requirement, including undertaking an assessment of the baseline to support the allocation. It will be

important to understand the costs of BNG, in terms of both finance and land take, in order to ensure that individual site allocations are viable, and that the policies in the Plan when taken as a whole are not so burdensome on development they make delivery unachievable. It will be important to consider how BNG impacts on viability, and how this works with other policy requirements such as affordable housing, and other s106 contributions.

Objective 12 - Housing

24. HBF are supportive of the need for new homes and as such welcome the inclusion of an Objective for Housing within the West Northamptonshire Local Plan. The Plan will need to deliver a range of housing sites providing a range of housing types, sizes and tenures. This will need to include a full range of housing including family housing. 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. Meeting West Northamptonshire's housing needs in full should also be a key objective of the Local Plan.
25. It will also be important to ensure allocated sites are deliverable, and effective monitoring of housing delivery is undertaken so if monitoring identifies any under-delivery of housing, measures can be taken to address this as soon as possible.

Objective 14: Economic Advantage

26. HBF note this objective relates to the role of the new Plan in supporting employment and growth in West Northamptonshire. We would suggest that there is a need to consider the interaction between employment and housing. An increase in the number of jobs can itself generate a requirement for additional housing, and HBF suggests that the Council needs to fully consider this relationship and the implication for the housing and spatial strategy in this Plan.

Chapter 3: A Spatial Strategy for West Northamptonshire

27. HBF strongly support the need for more housing in the West Northamptonshire for a variety of reasons including addressing the current housing crisis, meeting housing need, providing affordable housing, to support small and medium house builders and to support employment growth. HBF would request that the Council considers the proposed housing requirement fully and considers all of the issues that may result in a need for a higher housing requirement, including 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.
28. HBF would expect this new Plan to be an ambitious plan that plans for the future development of the area, detailing where new housing will go, meeting housing needs, providing certainty for the house building industry and setting out a long-term vision for the area, in accordance with the NPPF. However,

the absence of a rural chapter within the Plan means that policies to address issues facing rural areas, including addressing rural housing and employment needs, and the evidence behind them, are being left for a later date. This means that the first time they will be available for public comment and scrutiny will be in the Regulation 19 consultation, which is simply not appropriate. 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.

29. HBF would also expect the housing land supply, including the sum of all the allocations, to meet the housing need of West Northamptonshire. 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. We are concerned that the assumptions used in relation to commitments, windfalls, lapse rate, and brownfield deliverability may be overly optimistic, and the lack of a viability assessment for this Regulation 18 consultation does nothing to allay those fears.
30. Although HBF recognise the important role that brownfield development plays in delivering much needed housing, it must also be recognised that the viability of brownfield sites can be more challenging and result in less affordable housing delivery. There is also a need to provide for a range and mix of housing types and tenures including both affordable and open market homes.
31. We are very concerned by the over-reliance of the plan on brownfield development within the urban areas of Northampton and the other towns, which face delivery challenges and are more suited to flatted developments. In order to deliver a wide range of housing to meet all of the needs of West Northamptonshire a wide range of sites of different types in a wider range of locations will be needed. The lack of a clear rural strategy is troubling and undermines confidence in the Council's conclusion that a single plan for West Northamptonshire is appropriate, now that the previously envisaged Local Plan Part Twos are no longer being progressed.
32. Some types of sites may be better suited to some types of housing development than others, for example an inner-city brownfield sites may be a good location for higher density residential apartments, but less suitable for lower density family housing. HBF therefore suggest the plan should more explicitly recognise that it is necessary to also include some greenfield development as part of the long-term planning for the sustainable development of West Northamptonshire, and in particular at its rural villages. HBF suggest this should be in a planned way through allocations, which provide certainty for developers, landowners and communities. HBF are of the view that a balanced approach to housing delivery would help to ensure the sustainable development of the whole of West Northamptonshire.
33. There is a need for the Plan to provide much more detail on the planning policies that will apply in rural areas. As currently drafted the Plan is simply not planning positively for the future of vibrant and sustainable rural

communities. New housing in rural areas should be a key element of these considerations.

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 be used negatively to become a way of preventing development in certain communities rather than promoting improved villages and neighbourhoods. The Plan's spatial strategy and the site selection methodology should reflect this position.
36. HBF are aware of that there are approximately 50 designated neighbourhood areas in West Northamptonshire. Para 67 of the NPPF requires that policies should set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and scale of development and any relevant allocations. This adds further weight for the need for a rural spatial strategy, especially if the Council is looking to rely on any Neighbourhood plan allocations as part of the housing land supply for West Northamptonshire.

Chapter 4: Place-making

Policy PL1 - Sustainable Design and Construction

37. HBF recognises that the Local Plan has a key role to play in helping adapt to, and mitigate, the impacts of climate change. We are however very concerned about the proliferation of climate change and energy policies that seek to go further and faster than national policy changes that result in patchwork of differing local standards. There is simply no need for Local Plans to include policies on matters already adequately addressed through Building Regulations, other consenting regimes and other regulations.

Policy PL7 – Design and Amenity

38. It is not appropriate for Criterion vii of this policy to seek to give Local Plan status to the existing SPDs, especially when the policies that the SPD hangs from are to be replaced by the new Local Plan. Planning policy must be made through the Local Plan process. This is subject to mandatory

requirements for public consultation and independent scrutiny through the Examination process. If the Council wish to provide additional advice on the interpretation of any policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to effectively save existing SPDs by giving them Local Plan status.

Chapter 10: Homes

Policy HO1- Housing Requirement

39. This policy states that “Provision will be made for about 39,150 new homes to be built in West Northamptonshire over the Plan period 2023-2041.”
40. The West Northamptonshire Local Plan also needs to set out how and when housing monitoring will be undertaken, and more is needed on what action(s) will be taken when if monitoring shows under delivery of housing. HBF would question if a global overall target is the most appropriate to set the housing requirement for the Plan, especially as housing monitoring is usually undertaken annual. We therefore suggest Policy H1 should include reference to a dwellings per annum target and set out what action would be taken if the annual dwellings per annum target is not achieved.
41. The Council will need to monitor the delivery of housing and publish progress against a published Housing Trajectory Housing monitoring should be undertaken on a site-by-site basis. Therefore, the detailed housing trajectory including delivery from the four different sources should be included, to enable targeted actions to be taken if under delivery against one, or more, source of supply was to occur.
42. The housing requirement should also be expressed as a minimum target, in line with NPPF requirements. The phrase ‘for about’ is not appropriate.
43. In relation to the figure for the West Northamptonshire housing requirement itself, HBF would observe that the NPPF 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 minimum annual local housing need figure. 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. HBF request that Council explicitly consider if these factors, individually and/or cumulatively result in the need for a higher housing requirement for West Northamptonshire and a subsequent need for additional allocations. HBF believes it does.

Policy HO2- PSID Affordable Housing

44. This policy seeks to require affordable housing as a proportion of the total number of dwellings to be delivered on individual sites of 10 or more dwellings. However, the Plan does not include an affordable housing percentage. Instead, wording is included which says “in the submission version of this Plan, the requirements in this policy will be expressed as a percentage age and will be informed by the HENAU and viability evidence”. It is disappointing that the Plan does not include a target, and some initial viability work has not already been undertaken to help inform the delivery of this plan. This all adds to the feeling that this plan has been rushed and is not supported by the robust evidence that is necessary.
45. It will be important for the Affordable Housing percentages to be robustly tested through the whole plan Viability Study. This needs to fully consider the wide range of challenges and additional costs facing developers at this time. For example, HBF information suggests that complying with the current Building Regulations new part L is costing £3500 per plot. The Future Homes Standard Part L in 2025 is anticipated to cost up to £7500+ per plot. There will also be the addition of the Building Safety Levy that is coming in to pay for cladding. This will be a per plot basis around the UK, and initial values are around £1500- £2500 per plot.
46. Other factors that need to be taken into account include increasing costs of materials and labour due to inflation and the costs of mandatory BNG, which are still emerging as the off-site market is yet to be established. HBF members are reporting costs of £20-30k per off-site BNG unit. Although the initial price of statutory credits is now known this national fallback option has been deliberately highly priced to discourage their use. Whilst this intention is understandable, at present the lack of functioning local markets for off-site credits causes viability problems because HBF members experience to date suggests that any scheme that needs to rely on statutory credits would become unviable.
47. Whole Plan viability testing is an important part of the plan-making process. However, as noted in PPG (ID: 10-003-20180724) assessing the viability of plans does not require individual testing of every site or assurance that individual sites are viable, and therefore flexibility in the amount of affordable housing sought may be needed to deal with site specific issues.
48. HBF are unclear what PSID acronym in the title of this policy refers to, this term should therefore either be explained or removed.
49. HBF would question if an overage clause is always appropriate when sites have encountered viability issues.
50. Whole Plan viability testing is an important part of the plan-making process. However, as noted in PPG (ID: 10-003-20180724) assessing the viability of plans does not require individual testing of every site or assurance that individual sites are viable. HBF would therefore request that the affordable housing additional flexibility should be included within this policy. This was

needed because whole plan viability assessments use methodologies that test typologies of sites, and not the detailed circumstances of individual sites. As such there may be individual sites that are already not viable, for example if the costs or values of a specific site fall outside the parameters used of a typology that was tested. Some site will be on the very margins of viability and other sites may already be unviable even without a change of circumstances. Therefore, additional flexibility is needed in the policy, and without this flexibility the plan is unsound because it was neither justified nor effective.

51. HBF would therefore suggest that the policy wording should include the opportunity for negotiation around policy requirements for site specific reasons, as any sites whose circumstances fall outside the parameters of the typologies tested could already be unviable under the proposed Local Plan policies.

Policy HO6- Mixed Communities

52. The wording of this policy lacks precision and it is therefore unclear how a developer would show compliance with it. For example, what would a developer need to do in order to demonstrate that they had provided for a range of specialist housing types within their new residential development of 500 or more dwellings?

Policy HO7 - Standards for Accessibility, Space and Water Efficiency in New Homes

53. HBF note that at criterion i. the policy seeks all to require 'an appropriate proportion of homes must be designed, but what that appropriate proportion is, is not defined. This will make it very difficult for a developer to understand what is required of them, and how they can show compliance with this policy.
54. 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. There is therefore no need for a policy on this issue within the West Northamptonshire Local Plan. This issue should be left to Building Regulations
55. Although HBF welcomes the Council's attempts to differentiate between Part a) and part b) of M4(3) technical standards, the wording and formatting of criterion ii is confusing results in an unclear policy. M4(3)a sets out standards for wheelchair adaptable housing, where M4(3)b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights.

56. This issue should also be factored into the whole plan viability assessment as both M4(3)a and M4(3)b impact on viability, with M4(3)b being considerably more expensive.
57. This draft policy is therefore seeking 5% of new market dwellings to comply with M(4)3a and 10% of affordable homes to comply with M(4)3b. HBF would question to impact of this policy on viability, especially as whole plan viability assessment has yet to be undertaken, and indeed the affordable housing percentage that will be sought currently remains unknown.
58. The second criterion i. in the policy seeks to require Nationally Described Space Standards (NDSS) on all new-build homes. HBF does not support the introduction of the optional NDSS through policies in individual Local Plans. If the Council wanted to do this, they will need robust justifiable evidence to introduce the NDSS, as any policy which seeks to apply the optional nationally described space standards (NDSS) to all dwellings should only be done in accordance with the NPPF, which states that “policies may also make use of the NDSS where the need for an internal space standard can be justified”.
59. The NPPF requires that 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. The PPG (ID: 56-020-20150327) 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’.
60. HBF 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 Council’s 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.

61. 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. The Council should focus on good design and usable space to ensure that dwellings are fit for purpose rather than focusing on NDSS.
62. 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.
63. If the proposed requirement for NDSS is carried forward, then the Council should put forward proposals for transitional arrangements. The land deals underpinning residential sites may have been secured prior to any proposed introduction of the NDSS. These sites should be allowed to move through the planning system before any proposed policy requirements are enforced. The NDSS should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.
64. The second criterion ii. in the policy seeks to require energy efficiency measures. HBF note that the current Part G Building Regulations requires developments to compliance with a limit of 125 litres per day. House builders are frequently delivering 115-110 litres per day which means the house building industry is already improving upon the regulations. HBF would caution against policies that seek to go further and faster than national policy changes that result in a patchwork of differing local standards. There is therefore no need for a policy on this matter in a Local Plan.
65. The layout and formatting of this policy is also confusing. We would suggest the prefixes A and B are not needed as they cause confusion, indeed we wonder if the inclusion of them is in fact an error. We would suggest only the prefixes i and ii. iii etc. are needed.

Policy HO8 - Self-Build and Custom Build Homes

66. 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 out 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.

67. 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.
68. 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 (HLS). Therefore, the Council should consider the application of a non-implementation rate to its HLS calculations.
69. 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 and custom builders. In HBF's view this should be a maximum of 6 months.
70. HBF also note that the that the Council intends to require the developer to have already provided the installation of roads and utilities before the 12-month marketing period begins. This is completely unreasonable and will have a significant impact on the viability of these plots, and the wider housing allocations. This policy will need to be subjected to viability testing as part of the whole plan viability assessment, but HBF would request in any event the requirement to provide roads and utilities before it is confirmed that the plots will be built out as self-build plots must be removed.

Chapter 12: Built and Natural Environment

Policy BN8 - Green Wedge

71. As part of a fully formed new Local Plan including a comprehensive and positively prepared approach for planning in the rural areas of West Northamptonshire HBF would have expected to see a comprehensive review of Green Wedges and their boundaries. Such a review should be undertaken to ensure that both the Green Wedge policy and individual green wedge boundaries remain appropriate in both form and function.

72. In light of the HBF's view that additional housing allocations are needed to, including some new housing in rural areas to support sustainable rural development, a full review of Green Wedges should be an important part of the evidence base in support of this Local Plan. Without this information being available it is difficult to weigh up the benefits of maintaining a green wedge policy when compared against the urgent need for housing in the midst of a housing crisis.

Policy BN9 – Nature Conservation

73. It is not appropriate for Criterion B of this policy to seek to give Local Plan status to the existing Northamptonshire Biodiversity SPD, especially when the policies that the SPD hangs from are to be replaced by the new Local Plan. Planning policy must be made through the Local Plan process. This is subject to mandatory requirements for public consultation and independent scrutiny through the Examination process. If the Council wish to provide additional advice on the interpretation of any policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to effectively save existing SPDs by giving them Local Plan status.

Policy BN10 – Biodiversity Net Gain

74. 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 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 complies with the latest policy and guidance now it 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.
75. 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 Plan should provide certainty for developers and a clear BNG policy with a fixed 10% figure, rather than the policy including the phrase "at least 10%" would help to provide this.
76. There are significant additional costs associated with biodiversity gain, which will need to 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 discussions, any policy requirements over 10% can be. Any policy seeking more than 10% BNG needs to reflect this position.
77. 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.

78. 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 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.
79. 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. The costs relate both the financial costs and also land take- which will impact on densities achievable if BNG is provided on site.
80. 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 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.
81. HBF suggest that there is also a need for this policy and supporting text to say more about 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 to reflect the LNRS may be needed.
82. As previously mentioned, 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.
83. 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 parts of the hierarchy work in different ways and that they seek to achieve different aims.

84. 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.

85. The new DEFRA and DHLUC guidance is clear that going beyond the mandatory 10% requires evidence and there is a need to show that this will not impact viability. No such evidence exists to support a higher figure in West Northamptonshire.

Chapter 13: Transport

86. As we mentioned at the start of our representation HBF is concerned that a new and significant document entitled 'The traffic impact of the draft West Northamptonshire Local Plan' was only published on the Local Plan web page Friday May 25th, with only one week of the current consultation period remaining.

87. Our members would wish to be able to consider the implications of this new document on the current draft Local Plan and their representations. This will however not be possible in light of the consultation deadline. HBF have already requested an extension to the consultation period to enable our members to fully engage with this new document and fully consider the implications of its findings on any draft comments on this plan that have already been prepared, and indeed may have already been submitted. At the time of drafting and submitting these comments we are still awaiting a response.

Chapter 14: Infrastructure

Policy IN1 - Infrastructure Delivery and Funding

88. HBF note that para 14.4.6 of this document says that "by the time this Local Plan is adopted, it is intended that there will be a single strategy for planning obligations within West Northamptonshire." It is disappointing that this strategy is not already available, as an understanding of the full range of developer contributions being sought is needed to enable our members to comment meaningfully on the Local Plan policies and individual site allocations.

89. Development can only be required to mitigate its own impact and cannot be required to address existing deficiencies in infrastructure or services. It is therefore essential for the IDP to clearly show the existing and known deficiencies in the current infrastructure, before reaching any conclusion on the cumulative effects of new development, and any contribution that is needed from new development to mitigate any additional individual and/or cumulative impacts.
90. It is essential that developer contributions are fully set out in the final Local Plan so developers can fully factor in the policy expectations into their considerations. It is also essential that developer contributions are not unilaterally increased post adoption. The Plan should therefore clearly set out how the level/rate of any contribution being sought will be reviewed and possibly updating during the plan making period.

Policy IN2 – Viability

91. It will be essential that the policy requirements in the West Northamptonshire Plan is subject to robust viability testing through the whole plan viability assessment. The Council has not undertaken a viability assessment to support of this Reg 18 consultation version of the plan. Ideally policy requirements will be subject to viability testing throughout the plan-making process to help inform policy choices, especially where viability issues are identified which would mean some requirements may need to be balanced against others and may result in trade-offs being needed. Experience suggests viability is likely to be a particular challenge for plans with a high reliance on brownfield sites.

Chapter 15: Implementation and Monitoring Framework

92. Although HBF is pleased to see a clear monitoring framework within the Local Plan itself we would request that the Council provide more details as to how the plan will be monitored, including identifying when, why and how actions will be taken to address any issues identified.
93. 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 deliver, much more quickly than would be possible through the production of another plan, or plan review.

Future Engagement

94. 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.

95. 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 Faithfully

A handwritten signature in blue ink that reads "R. H. Danemann". The signature is written in a cursive, slightly informal style.

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