

Leeds Local Plan
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SENT BY EMAIL
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Dear Planning Policy Team,

**LEEDS LOCAL PLAN: A PLANNING FRAMEWORK FOR DEVELOPMENT (2024 TO 2042)
(REG 18)**

1. Thank you for consulting with the Home Builders Federation (HBF) on the Leeds Local Plan A Planning Framework for Development (2024 to 2042) (Regulation 18) consultation.
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 would like to submit the following comments upon selected policies and approaches within the Local Plan regulation 18 consultation document. These responses are provided to assist the Council in the preparation of the emerging local plan. The HBF is keen to ensure that Leeds produce a sound local plan which provides appropriate policies for the area.

Plan Period

4. The Council proposes that the Local Plan should cover the period 2024 to 2042. 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 into account the likely timescale for delivery. The HBF considers that the Council may want to be looking to prepare a new Local Plan that will look forward to at least 2045 to ensure that it covers

¹ NPPF December 2023 Paragraph 22 / NPPF 2024 Paragraph 22

the 15-year period, they may also want to consider whether any strategic sites require the Council to plan over a longer period for these areas.

Vision and Objectives

5. The vision suggests that people living in Leeds will have access to a wide range of housing, including affordable housing that will meet all of their diverse needs. The Council suggests that the Local Plan objectives will include addressing the needs of the district, the first objective will be to identify land for 75,976 homes to deliver the 69,069 new homes required to meet local housing needs across the district using the Government standard method. Other objectives look to deliver significantly more affordable houses in all communities at a level of affordability that meets local needs, and to deliver a locally evidenced mix of housing across the district including homes of the right type and size and significantly more homes to meet specialist needs for older people and disabled people.
6. The HBF considers that the Local Plan should ensure that meeting the current and future housing needs should be a key part of the vision and objectives for the Plan, this includes the housing needs for market housing, family homes, homes for older people and homes for first-time buyers. The HBF considers that the vision and objectives should address the issues and challenges that are current in Leeds. The HBF have commented on the housing supply and requirement later in the response.
7. The Vision also suggests that Leeds will be a net zero city. The move towards net zero is laudable, however, the HBF is concerned as to how the Council expects to become a net zero city, whether it expects this to happen within the Plan period or in line with Government standards and how it will seek to measure this. For example, the HBF notes that new build homes are already making major savings when it comes to carbon emissions. The average new build property now emits just under 1 tonne of carbon per year, compared to 3.4 tonnes that the average existing property emits.

Spatial Strategy Part 1: Distribution of housing and economic growth

8. The Council suggest that there are four broad approaches that could be taken, either on their own or in combination with others. Option 1 is to maximise brownfield land within settlements and avoid any Green Belt releases; Option 2 is to create a new settlement; Option 3 is to focus on new mass transit growth corridors and Option 4 is to meet needs locally. Option 5, which is the emerging preferred approach, is a mix of options 1, 3 and 4.
9. The HBF considers that it is important that the spatial strategy allows for the delivery of sufficient homes to meet the local housing needs, across the range of housing needs in a variety of locations. The HBF considers that this is likely to require more than just homes on previously developed land within the existing settlements, and that it is likely to see a level of Green Belt release.
10. The HBF supports the Council in considering the implications of patterns of growth on the delivery of affordable homes and other planning gain, this is an issue that the HBF have

raised during many of the previous consultations in relation to the Leeds Local Plan. The HBF considers that the focus of development within the City Centre and Inner Areas has, and will have implications for the types, size and tenure of homes provided, and will not address the affordable housing need, does not provide the appropriate mix of homes needed to meet the housing needs across the area, and will reduce the level of planning gain available.

Spatial Strategy Part 2: The Settlement Network

11. The Council propose that the Plan will define a settlement network, it suggests that there will be six categories: the Main Urban Area; Major Settlements including Garforth, Guiseley / Yeadon / Rawdon, Morley, Otley, Rothwell and Wetherby; Smaller Settlements; Defined Villages; Strategic Employment Hubs; and Countryside.
12. The 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.

Spatial Strategy Part 4: Approach to Green Belt and Rural Land

13. The Council proposes to undertake a Green Belt Review, and suggests that the Review will also identify land that may be classed as 'Grey Belt'.
14. The Council will need to ensure that they are able to fully evidence the exceptional circumstances for Green Belt release, the NPPF states that these can include but are not limited to where an authority cannot meet its identified need for homes through other means. The HBF also considers that the Council will need to undertake a Green Belt Review to assess which sites may be appropriate for release. This will need to be considered alongside the spatial strategy.

Complete, Compact and Connected Neighbourhoods

15. The Council's preferred approach to this policy would see them maximizing densities; ensuring development is safe for pedestrians and cyclists and optimised active transport; delivering a mix of housing types and a range of affordable housing. It would also include a policy to set out how new developments would be assessed against these principles.
16. The HBF considers that the complete, compact and connected neighbourhoods concept can be a useful consideration when determining the appropriate location of development. However, the HBF does not consider that it should be used as a blunt tool for development management or site allocations. The HBF considers it will also be appropriate to consider the range and variety of development provided, it may be that additional development could help a smaller settlement or cluster of settlements to support more services and therefore contribute to the creation of a complete, compact and connected neighbourhood or a more sustainable neighbourhood. The Council may also want to consider that larger developments may also be able to contribute to the creation of services or improved active travel infrastructure or open spaces. The HBF considers that there is a need for flexibility within

the policy to allow for the development and promotion of sustainable developments, and to ensure that the policy is not used negatively to prevent development. The Councils will also need to work on making active travel and public transport quick, easy to use, well maintained, safe and available to all, and therefore more appealing than using a car.

Density

17. The Council proposes to introduce a new policy continuing to set out minimum densities but introduce a new geographical tier to the policy, to seek a minimum of 75 dwellings per hectare (dph) around town centres and transport interchanges. It suggests that the policy will also increase the minimum density figures in the City Centre and other tiers, and ensure that the policy aligns with other policies in the Plan.
18. The HBF generally supports the Council in setting a density policy, optimising the use of land and meeting as much of the identified need for housing as possible in accordance with NPPF².
19. The HBF supports the Council in recognizing the need to consider other policies specifically design, heritage and transport but it will also be important that the Council consider the implications of a density policy on the whole plan including policies in relation to the use of the M4(2) and M4(3) standards, the NDSS, provision of cycle and bin storage, the mix of homes provided, the availability of EV Charging alongside parking, the provision of tree-lined streets, the requirements in relation to Biodiversity Net Gain, changes to the Building Regulations requirements in relation to heating and energy and the Future Homes Standard.
20. The HBF is also concerned that the use of higher densities has implications for the type, size and tenure of the homes provided and may mean that the Council is not always able to provide an appropriate housing mix across the Council area. This may mean that the homes delivered do not meet the housing needs of the local community or the market demand in the area.

Overall Housing Needs and Distribution

21. For Leeds, the current figure is 3,851 new homes per year (based on the 2025 Local Housing Need). Over the full 18-year Local Plan period (from 1 April 2024 to 31 March 2042), this means a minimum of 69,069 new homes will be needed. The Council also identify that the housing need figure may change and that flexibility is needed, they propose a 10% buffer, raising the total for allocations to 75,976 homes.
22. The HBF notes that due to the housing stock figures being updated in May 2025, the housing need figure has actually increased to 3,898 dwellings per annum and brings the overall total over 18 years to 70,164. The HBF agrees that there will need to be some flexibility in the housing supply to ensure that the housing needs are met, and the HBF agrees that a

² NPPF 2024 Paragraph 130

buffer in the supply would be useful. The HBF notes that with the 10% buffer the housing supply would increase to 77,180 dwellings.

23. The Council identify that 4,311 new homes have already been completed in 2024/25 and that 40,769 homes already have planning permission or are allocated, land suggests that that leaves a net requirement of 30,896 dwellings. The Council propose to include a wind-fall allowance of 12,750 dwellings, reducing the number of homes that need to be allocated on new sites to 18,146 dwellings.
24. The Council also identify the surplus of supply within the City Centre, the Plan suggests that there is a need for 4,079 homes, whilst there has been 2,361 homes completed in 2024/25 and there is a supply of 19,590 homes on sites with planning permission or allocations. The Council therefore propose that there is no additional need for sites in the City Centre.
25. A table is provided within the Plan that sets out the total housing need by area, the residual need having considered the current supply and recent delivery, and then an adjusted need based on a proportional reduction to take into account over provision in the City Centre. The Council state that these figures are not proposed plan targets, and that determining the housing provision for each area will need to take into account other plan objectives such as delivering affordable housing, housing mix, Green Belt, spatial strategy, regeneration etc.
26. The HBF considers that it will be important for the Council to ensure that sufficient housing is provided across the district, and that all of the housing needs are met, including those for first time buyers, families, older people and across the tenures. The HBF considers that the Council may want to review the allocations and planning permissions within the City Centre to determine if these are deliverable or will be deliverable over the Plan period. It may be that this supply is not as guaranteed as the Council as the Council currently assume. The Council may also want to consider if adjusting the housing need in each area due to the oversupply within the city centre will actually ensure that all of the housing needs are addressed.

Affordable Housing

27. The Plan states that the latest Leeds Strategic Housing Market Assessment (2025) shows that the need for affordable housing in the city has increased significantly over the last 8 years. 1,518 new affordable homes would need to be built per year until 2040 (presuming clearance of the backlog over 10 years, and spending 30% of household income of housing) to meet this need. The Council's preferred approach to addressing this need is to update the affordable housing policy, to increase the number of affordable homes delivered and to ensure the type, size, tenure and location of affordable homes meet the mix of needs across Leeds. The Council suggests that this could be done by updating the target percentages for affordable housing, allocating sites for 100% affordable housing, responding to viability challenges, and setting the tenure split of 80% rented and 20% affordable home ownership. The Council also suggests that they will have a specific policy for affordable housing within City Centre/high density inner-city development due to the particular issues and challenges for

affordable housing delivery in these locations such as the dominance of build to rent and flatted development. It also suggests that they have a specific policy for affordable housing within specialist housing developments e.g. elderly, students to address the specific needs, the particular challenges and ways this type of accommodation is delivered.

28. The HBF considers that it is appropriate for the Council to plan for the affordable needs of its community, and to ensure that it does this in line with the requirements in the NPPF³. This should ensure that any affordable housing requirements are clearly set out, are evidenced as viable through an assessment, and that flexibility is provided within the policy where viability may be an issue.
29. The HBF considers that it is important that the Local Plan works with the homebuilding industry and registered providers to create a strategy which seeks to deliver more affordable homes to meet local needs. This may mean increasing the housing requirement, as set out in the PPG⁴, or increasing the numbers of allocations in area where a greater proportion of affordable housing is deliverable or increasing the flexibility in the tenure of the affordable homes to deliver more affordable housing.

Minimum Space Standards

30. The current Leeds Local Plan already includes the Nationally Described Space Standards (NDSS) for residential development. The Council propose to retain this policy and to include a new policy on space standards for the large scale co-living development, purpose built student accommodation and HMOs.
31. The HBF considers that the Council will need to consider the viability of introducing these standards for further types of development.

Housing Mix

32. The Plan identifies that over the last five years (2019 to 2024) the number of new flats built across the district has significantly exceeded what the current policy recommends. The Council propose to update the housing mix policy to reflect the SHMA's findings, with broad ranges for the number of bedrooms tailored to affordable housing and market housing, different areas of the city and specific needs like bungalows and level-access homes. The Plan includes a table setting out the potential percentage ranges.
33. 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. It is, however, important that any policy is workable and ensures that housing delivery will not be compromised or stalled due to: overly prescriptive requirements; requiring a mix that does not consider the scale of the site; requiring a mix that does not consider the viability of the site; or requiring the applicant to provide significant amounts of additional evidence. The

³ NPPF 2024 paragraphs 35, 64-66

⁴ PPG ID: 2a-024-20190220

HBF would expect the Council to ensure that the policy is applied flexibly and makes allowance for home builders to provide alternative housing mixes as is required by the market.

Housing for Older People

34. The Plan states that the SHMA identifies that by 2040, Leeds will need 8,805 more homes for older people, including sheltered housing, Extra Care, co-housing and residential care. The Council propose to update the Plan to include a policy based on the SHMA recommendations and require specialist older persons housing in areas of the district where need is demonstrated. The Plan contains several scenarios as to how this could be achieved including a policy supporting older persons housing on all housing schemes, setting a proportion of older persons accommodation required on over 100 units or more, allocate sites, have a separate policy for older persons in the City Centre, and / or a policy setting out development requirements for the different types of housing.
35. The HBF is generally supportive of providing homes that are suitable to meet the needs of older people and disabled people. Whilst there is general support for such development, the HBF would recommend that the Council should be more proactive in working with providers of this type of development to identify appropriate sites for allocation. This approach would provide far more certainty to the council that the need for such accommodation will be met in full. The HBF considers that the Council should note the difference between homes suitable for older people and specialist housing for older people, and the difference in need and demand for these types of homes.
36. The PPG⁵ states that the need to provide for older people is critical, and that offering older people a better choice of accommodation to suit their changing needs can help them live independently for longer, feel more connected to their communities and help reduce costs to the social care and health systems. It goes on to state that Plan-making authorities should set clear policies to address the housing needs of groups with particular needs such as older and disabled people and that Plans need to provide for specialist housing for older people where a need exists⁶. It also notes that allocating sites can provide greater certainty for developers and encourage the provision of sites in suitable locations. As such, the HBF considers that the Council needs to work closely with the providers of older persons housing to identify appropriate sites or to provide appropriate policies.

Accessible and Adaptable Homes

37. The Plan proposes to update the accessible and adaptable homes policy based on the SHMA recommendations to increase Policy H10 so that developments of fewer than 30 new homes 100% should be designed to M4(2) and in developments of 30 or more new homes 96% should be designed to M4(2) and 4% should be M4(3(2a)).

⁵ PPG ID: 63-001-20190626

⁶ PPG ID: 63-006-20190626 & ID: 63-012-20190626

38. 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. PPG⁷ identifies the type of evidence required to introduce a policy seeking the use of the M4(2) and M4(3) standards, including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability. It is incumbent on the Council to provide a local assessment evidencing the specific case for Leeds 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.
39. The PPG⁸ 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, which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access can not be achieved or is not viable.
40. The HBF considers that if the Council has the evidence to introduce this policy, it may want to consider the most appropriate way to deliver the homes they require to meet their needs. The HBF considers that this may not always be in the form of M4(3) homes, and may need further consideration.

Self-build and Custom Housebuilding

41. The Council propose to support self- and custom housebuilding, and have a policy that requires sites of 100 or more new homes will provide at least 5% of the total capacity will be dedicated serviced plots for self and custom build homes.
42. The PPG⁹ sets out how local authorities can increase the number of planning permissions which are suitable for self and custom build housing. These include supporting neighbourhood planning groups to include sites in their plans, effective joint working, using Council owned land and working with Home England. The HBF considers that alternative policy mechanisms could be used to ensure a reliable and sufficient provision of self & custom build opportunities across the Borough including allocation of small and medium scale sites specifically for self & custom build housing and permitting self & custom build outside but adjacent to settlement boundaries on sustainable sites especially if the proposal would round off the developed form.
43. The HBF does not consider that requiring a proportion of self and custom building on all new residential development schemes of more than a certain size is the correct approach. In-

⁷ PPG ID: 56-007-20150327

⁸ PPG ID: 56-008-20160519

⁹ PPG ID: 57-025-20210508

stead, 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 or by allocating small and medium scale sites specifically for this purpose. 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. The HBF also notes that many self-builders would prefer not to be on a large residential development.

Health Impact Assessment

44. The Council propose a new policy for health impact assessment, looking for applications to demonstrate that they contribute to reducing the causes of ill health, improving health and reducing health inequalities. They propose a policy that would apply to residential developments of 100 or more dwellings or other developments that would have a significant adverse effect on impact on health and wellbeing, health impact assessment would become a new validation requirement for large developments.
45. The HBF generally supports plans that set out how the Council will achieve improvements in health and well-being. In preparing its local plan the Council should normally consider the health impacts with regard to the level and location of development. Collectively the policies in the plan should ensure health benefits and limit any negative impacts and as such any development that is in accordance with that plan should already be contributing positively to the overall healthy objectives of that area.
46. The PPG¹⁰ sets out that HIAs are 'a useful tool to use where there are expected to be significant impacts' but it also outlines the importance of the local plan in considering the wider health issues in an area and ensuring policies respond to these. As such Local Plans should already have considered the impact of development on the health and well-being of their communities and set out policies to address any concerns. Consequently, where a development is in line with policies in the Local Plan a HIA should not be necessary. Only where there is a departure from the plan should the Council consider requiring a HIA. In addition, the HBF considers that any requirement for a HIA should be based on a proportionate level of detail in relation the scale and type of development proposed. Only if a significant adverse impact on health and wellbeing is identified should a HIA be required, and it should set out measures to substantially mitigate the impact.

Child Friendly Cities

47. The Council propose to create key principles and priorities for children and young people, including the need for development to consult with local children and young people, facilitate safe, easy and accessible opportunities for play, recreation and hanging out, and increase opportunities for playful interactions outside of formal play spaces.

¹⁰ PPG ID:53-005-20190722

48. The HBF is concerned about the practicality or realism of delivering this policy. For example, how do the Council see that consultation with young people taking place? Would this be through a Council supported organisation such as a Youth Council or would it be through consultations with local schools or would applicants be expected to employ professionals used to working with young people and children. The HBF is concerned that in areas of growth this could potentially lead to consultation overload for certain groups of young people. The HBF would recommend that the Council seek to include young people and children in the policy making process, as a more appropriate and controlled way to involve young people in planning for their local area.
49. The HBF is also interested as to how the Council envisages developments planning for interactions outside of formal play spaces or creation of areas for teenagers to hang out, and more detail may need to be provided as to what these elements might look like. The HBF also considers that many of the other elements listed here are already covered by other policies and may not need repeating here. Finally, the HBF is also concerned how this policy may sit alongside other policy requirements such as density of developments, design, open space provision, BNG etc.

Whole Life Carbon Cycle Assessments

50. The Council propose to promote the reuse of buildings and require a whole life-cycle carbon assessment to be submitted in support of all planning applications and adopt benchmarking through a future plan review.
51. The HBF considers that if the Council is to introduce a policy in relation to whole life carbon (WLC) it will have to closely consider how it will be monitored and what the implications are for the preparation of any assessment, particularly in relation to how easily accessible any data is, and that it will have to take into consideration that much of the responsibility for emissions will lie in areas outside of the control of the homebuilding industry, including material extraction and transportation, occupation and maintenance, demolition and disposal. The Council will also have to consider how the policy will interact with other policies, for example in relation to energy efficiency or resilience to heat, as well as the viability and delivery of development.
52. The HBF considers that if this policy were to be introduced then the Council should provide a transitional period to give the industry time to adjust to the requirements, to upskill the workforce as needed and for the supply chain to be updated or amended as required.
53. Aecom on behalf of MHCLG have undertaken a research report on the practical, technical and economic impacts of measuring and reducing embodied carbon in new buildings¹¹. They highlight issues with the lack consistency in reporting on carbon assessment outputs, the quality of carbon assessments, large gaps in the availability of both product specific

¹¹ <https://www.gov.uk/government/publications/consideration-of-embodied-carbon-in-new-buildings>

EPDs and generic data, the variation in product carbon results for similar building products, lack of consistency across carbon tools. They also highlight issues with the uptake of lower embodied carbon materials and products due to the costs, risks and insurance, the need to up-skill the industry and access to carbon tools. Whilst this report makes recommendations as to how all of the challenges they identify can be addressed, they have not been addressed yet, and are not likely to be addressed in the short term. The HBF is concerned that as such, there are significant challenges with introducing a policy in relation to WLC, for many of the reasons identified in this research.

Operational Energy

54. The Council propose to introduce a policy that improves the fabric efficiency, minimises the total energy demand (unregulated and regulated energy) and maximises the onsite renewable energy generation of new buildings. The Council suggests that this would be done by seeking an energy balance through the implementation of Energy Use Intensity and Space Heating Demand Targets.
55. The HBF continues to recognise the need to move towards greater energy efficiency via a nationally consistent set of standards and timetable, which is universally understood and technically implementable. This is in line with the Written Ministerial Statement of December 2023 (WMS)¹², which states that the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned building regulations.
56. The WMS clearly states that any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned building regulations should be rejected at examination if they do not have a well-reasoned and robustly costed rationale that ensures: that development remains viable, and the impact on housing supply and affordability is considered in accordance with the NPPF; and the additional requirement is expressed as a percentage uplift of a dwellings Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).
57. The HBF does not consider that it is a reasonable requirement for development to maximise opportunities to generate energy from renewable sources. The HBF recognises that there may be potential for energy to come from renewables, however, it may not always be the most sustainable, efficient or effective approach.

Sustainable Construction Standards

58. At present the Council have not provided any detail for this policy, other than to suggest that they will require development to achieve a specific sustainable construction rating / standard. Therefore, at present the HBF is not able to comment on this policy, other than to recommend that any standards used should be realistic and deliverable.

¹² WMS December 2023 <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/hcws123>

District Heating Networks

59. Leeds City Council and its partners Vital Energi are constructing a heat network, via underground pipes, around Leeds City Centre which re-uses the heat produced from the Recycling and Energy Recovery Facility (RERF) to supply a low carbon form of heat in the urban area to local homes and businesses. The Council suggest that the preferred option is review and amend the current policy to also include reference to other heating technologies if not within an area suitable for a heat network.
60. The HBF considers that it is important that any policy in relation to heat networks is not seen as a requirement and is instead implemented on a flexible basis. Recognising that Heat networks are one aspect of the path towards decarbonising heat, and that air source heat pumps, ground source heat pumps, and other technologies can all contribute.
61. Government consultation on Heat Network Zoning¹³ also identifies exemptions to proposals for requirements for connections to a heat network these include where a connection may lead to sub-optimal outcomes, or distance from the network connection points and impacts on consumers bills and affordability.
62. Furthermore, some heat network consumers do not have comparable levels of satisfaction as consumers on gas and electricity networks, and they pay a higher price. Currently, there are no sector specific protections for heat network consumers, unlike for people on other utilities such as gas, electricity or water. A consumer living in a building serviced by a heat network does not have the same opportunities to switch supplier as they would for most gas and electricity supplies.

Water Efficiency

63. The Council propose to combine Policy Water 1 with Policy EN2 Sustainable Construction, with the overall policy requirements remaining the same. As such, the HBF currently has no comments.

Biodiversity Net Gain

64. The Council propose to include a new policy on biodiversity net gain (BNG) that sets out how the requirements of the Environment Act and accompanying regulations and guidance will be applied in Leeds. It proposed that the policy will seek BNG on the development site and that any provided off site will need to be clearly justified, the policy will also identify local priority locations for off-site BNG, require the use of the biodiversity metric and require details of long term monitoring, maintenance and management.
65. The HBF notes that there are specific exemptions from biodiversity net gain for certain types of development. The exemptions are set out in paragraph 17 of Schedule 7A of the Town

¹³ Heat Networking Zoning consultation (2021) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1024216/heat-network-zoning-consultation.pdf

and Country Planning Act 1990 and the Biodiversity Gain Requirements (Exemptions) Regulations. It is not necessary for this policy to repeat them or to set different standards.

66. The Environment Act is clear that BNG requirements can be met on-site, off-site or as a last resort through statutory credits (see <https://www.gov.uk/guidance/understanding-biodiversity-net-gain>). Whilst on-site provision should be explored first there may be many reasons, including for example design and practicality, why on-site BNG is not deliverable and/or not the preferred approach of the applicant and/or the Council and/or the community and/or statutory consultees. Factors that may need to be considered in reaching a view that off-site BNG may be acceptable, could include for example, whether the site is suitable for the type of BNG to be provided, what the priorities of the Local Nature Recovery Strategy are and/or the opportunity to coordinate contributions from a range of sites to provide for large landscape scale BNG schemes. The metric already compensates for off-site BNG provided when this is provided further away from the site, including outside of the LPA area. Likewise, private gardens can make a positive contribution to biodiversity and whilst appropriate planting and ongoing management may not be possible to secure in the long term the Metric recognises this in its scoring of the value of gardens. The Local Plan policy therefore should not seek to limit flexibility in BNG provision, to seek to do so is in conflict with national policy.
67. It is noted that the PPG¹⁴ in relation to BNG states that Plan-makers should highlight the statutory framework for biodiversity net gain, but they do not need to include policies which duplicate the detailed provisions of this statutory framework. The HBF considers that the Council will need to revise this policy in light of the Government guidance and regulations in relation to BNG.

Trees and Woodland

68. The Council propose to protect and expand tree cover by replacing lost trees by using the methodology devised by the University of Leeds and the United Bank of Carbon, which calculates the number of new trees required to achieve the same level of carbon which calculated the number of trees required to achieve the same level of carbon sequestration as the tree which is removed. They also propose to support the planting of new trees, including the provision of street trees.
69. The HBF is concerned by the potential tree replacement strategy provided, this could have significant potential implications in terms of viability of the development, not only due to the replacement costs but also in terms of efficient land use, site layout and highways considerations. The HBF understands the Councils desire to prevent the loss of carbon sequestration capacity, but would question whether the tree replacement strategy proposed is the best way to do this, and whether other options may be more appropriate, and whether this policy needs to be applied much more flexibly in order to take into consideration other requirements and circumstances.

¹⁴ PPG ID: 74-006-20240214

70. The HBF also considers that the Council may need to take a practical approach to the provision of street trees, and determine whether this is appropriate for all schemes, and across entire sites. It may be that the layout or highways concerns make this impractical in some circumstances.

Food System Resilience

71. The Council propose a policy which places weight and support for local food growing, encouraging community allotments and location for food growing.
72. The HBF considers that there is no justification or evidence for this policy requirement. The HBF is also concerned in relation to the implications of this policy in terms of viability, efficient use of land and site layouts. The HBF is also not sure whether residents of all new developments would want fruit trees or community food growing opportunities, and it is not clear what would happen where these facilities are not used in an appropriate manner or are not maintained for food growing or are removed.

Approach to allocations (including phasing and safeguarding)

73. The Council will look to allocate specific, deliverable sites for development to meet the needs for the first five years, they will allocate more deliverable and developable sites for the rest of the plan period, they will also identify broad locations for growth, and will allow for windfall development. At this stage the Plan has not identified the potential allocations. The Council have stated that they do not intend to phase the release of sites, and that they will reassess the safeguarded sites. The Council state that they will not propose new safeguarded land.
74. The HBF recommend that the Council's housing land supply includes a short and long-term supply of sites with both strategic and non-strategic allocations for residential development. Housing delivery is optimised where a wide mix of sites is provided, with a range of sites by both size and market location. 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 and competition in the land market. The Council should also ensure that they identify at least 10% of their housing requirement on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target in line with the NPPF requirements.

Plan Implementation and Delivery

75. The Council propose that there should be an overarching policy that makes clear how decisions should be taken in different circumstances that might arise over the plan period. It suggests that this will include stating that developers must help fund necessary infrastructure and facilities through tools like S106 agreements. And to set out the limited circumstances when reduced developer contributions may be accepted due to financial viability issues and allow for clawback clauses in legal agreements to recover more developer contributions if the development is more profitable than expected.

76. 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 Infrastructure Development Plan (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.
77. The HBF considers that whilst the Council could set out some examples of the circumstances when reduced developer contributions may be accepted, this should not be a limited list and should be applied flexibly, particularly if it is to be used alongside a clawback mechanism. This would be much more effective in ensuring the delivery of homes, even in more challenging circumstances.

Monitoring

78. The HBF recommends that the Council include an appropriate monitoring framework which sets out the monitoring indicators along with the relevant policies, the data source and where they will be reported, this should also include the targets that the Plan is hoping to achieve and actions to be taken if the targets are not met. The HBF recommends that the Council provide details as to how the plan will actually be monitored, and identifies when, why and how actions will be taken to address any issues identified.

Viability

79. The Council will also need to ensure that they have considered viability, viability assessment should not compromise sustainable development but should be used to ensure that policies are realistic, and that the total cumulative costs of all relevant policies will not undermine deliverability of the Plan. The Council needs to ensure that policy requirements should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned development to be deliverable without need for further viability assessment at the decision-making stage.

Future Engagement

80. 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.
81. The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,



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