

South Worcestershire Local Plan Team

SENT BY EMAIL

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17th Feb 2026

Dear Planning Policy Team,

### **South Worcestershire Local Plan Main Modifications Consultation Feb 2026**

1. Thank you for consulting with the Home Builders Federation (HBF) on the South Worcestershire Local Plan Main Modifications Consultation Jan- Feb 2026. We have provided some specific comments on individual Main Modifications as well as some wider contextual comments that reflect the ongoing changes in planning policy and other related issues.
2. As you know 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. We attended several of the Hearing Sessions into this Plan, particularly around housing matters and Biodiversity Net Gain.
3. HBF continues to welcome the Council's efforts to ensure that they have an up to date Local Plan. Plan-making remains a fundamental part of a Local Authority's role and is essential to support the delivery new homes and jobs. We appreciate the challenges facing Local Planning Authorities preparing plans against ongoing changes to national policy and practice; of particular relevance are the recent DEFRA announcements around BNG. It remains important that the Plan reflects national policy on its adoption; in our view this includes reflecting the current DEFRA requirements around BNG.

### **Observation on the impacts of removal of the legal requirement of Duty to Cooperate**

4. As you will be aware the Government is not saving the Duty to Cooperate (DTC) requirement as a legal test for new Local Plans. However, there is clearly still an expectation that Councils will work together on effective plan-making and there remains a clear expectation that the housing needs of an area will still be met in full. Although compliance with DTC is no longer a legal compliance it is still part of the tests of soundness for the Plan.

### **Impacts of the Dec 2025 NPPF consultation**

5. As you will be also be aware, the Government published its long-awaited proposed revisions to the NPPF for consultation on 16<sup>th</sup> Dec 2025. Whilst this is clearly still consultation it clearly sets out the expectations and direction of travel of the Government. The new NPPF clearly shows the importance that is being placed on addressing the housing crisis and the clear move towards a more rules-based planning system that provides more certainty for everyone. It is very clear that the Government is expecting Local Plan to do more to help to address the housing crisis and the need for plan-making to refocus on planning matters and not issues already addressed in Building Regulations and other regulatory regimes.

6. The Dec 2025 NPPF consultation clearly sets out the Government's intention to move towards a new more rules-based approach with consistency across standard common matters being provided at the national level. The consultation sets out that Local Plans should not include policies on matters already addressed through Building Regulations and other regulatory regimes except when it comes to parking standards and the percentage of homes locally required to meet the accessibility standards M4(3)a and M4(3)b. The proposals clearly set out that the Government's view is that Local Policies which conflict with the new NPPF will not be able to be taken into account in decision-making. This position seems to add weight to concerned we have expressed during the Examination.

### **MM31 to Policy SWDPR30: Biodiversity Net Gain**

7. HBF welcome the Councils' engagement post the EIP BNG Hearing sessions about the wording of the policy. The resulting policy is a significant improvement and goes quite some way to better reflect the national BNG policy.
8. However, HBF also note that the Government (via DEFRA) recently undertook a consultation on potential revisions to the national BNG requirements and practice. The Government is now proposing sites under 0.2 Ha are exempt from BNG and therefore seeking BNG on sites smaller than this would be in conflict with this policy. Further work on other possible improvements to how BNG is working in practice are still under consideration. A further consultation on brownfield sites, BNG and viability is expected shortly and HBF understand proposals to exempt brownfield sites of up to 2.5HA are under consideration.
9. The current NPPF (Dec 2025) consultation indicates that the only time where it may be appropriate to seek more than 10% BNG through local policy relates to allocations, and even then only where this is clearly evidenced and justified. Taken together this evidence further underpins HBF's view that the policy in the SWLP should only refer to 10% BNG, and nothing more.

### **MM41 to Policy SWDPR 40: Water Resources, Efficiency and Wastewater Treatment**

10. This Modification intends to introduce a requirement for developers to prove adequate water supply and water treatment before commencement of development, including confirmation from the water company. This requirement for an assessment of water and waste water capacity on a site by site basis is entirely inappropriate.
11. Although HBF agrees that there must be sufficient water and waste-water treatment capacity to serve new development, this must be for the Council and water company to determine as part of the preparation of this Local Plan and the through the Water Resource Management Plan. It cannot be left to the development management process to assess on a case-by-case basis. If there is insufficient water and/or waste-water treatment capacity to address the needs of development in future, then the only assumption must be that the plan is not deliverable over the plan period and as such unsound.

### **MM73 to Policy 72: Implementation and Monitoring**

12. As we have said in our Reg 19 response and at the EIP sessions, there is clear need for a Monitoring Framework to be an integral part of the plan, monitor, manage approach. This modification removes the commitment to a partial or full review of the Plan if it fails to meet its objectives from the

wording of the Local Plan policy, relegating it instead to being in the supporting text. Although HBF have been critical of policies that only require a review of a Local Plan, noting this does nothing in the short term to resolve any under-delivery of housing, these comments have always sought additional actions and timeframes to be included, not a removal of the policy requirement.

13. We also note that there are expected to be significant changes to the plan-making system through the introduction of the new process for a 30 month Plan review. However there remains uncertainty of the timeframe for these changes, which HBF believes makes it necessary to include a plan review policy within this this Plan.
14. In relation to the issue of Monitoring and Local Plan Review policies, we would highlight the recent findings in the Inspector's report to Leicester City Council which is requiring the following Local Plan review policy to be included:

***New Policy: Plan Review***

*A whole Plan review will be commenced immediately upon adoption of this Local Plan.*

*On adoption the council will publish a Local Development Scheme to set out the timescales for completion of such a review.*

*The review will particularly focus upon the following areas:*

- *housing*
- *employment*
- *Gypsy and Travellers' accommodation*
- *minerals*
- *waste*

*The expectation is that the review will be complete within three years of adoption of this Local Plan, and will have regard to changes to relevant legislation, policy and guidance.*

See here for more details

<https://www.leicester.gov.uk/leicester-local-plan-2020-2036-examination/latest-news>

15. Although HBF welcome the addition of new para 1.7 that sets out the proactive actions that the Council may seek to undertake to help address any under delivery as this is something HBF called for; this should not be in place of a Policy commitment to review the Local Plan. Both are needed
16. 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.
17. 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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