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Dear Planning Policy Team,

Forest of Dean (Reg 18) Consultation January - March 2026

1. Thank you for consulting with the Home Builders Federation (HBF) on the Forest of Dean Local Plan (Reg 18) Consultation March 2026.
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. We provided details comments to the Forest of Dean Local Plan Options to Deliver the Additional Housing Requirement consultation that was undertaken in the Summer of 2025 and our response to this consultation both build on these comments and highlight new issues that arise from the proposed changes to the plan-making system and other Government guidance.
4. We note the ambition of timetable for the plan preparation. We note that in order to progress under transitional arrangements as this Plan has only reached Reg 18 in March 2026 then it will be required to plan for the new standard method housing requirement in full in order to be able to proceed. We also note that the Plan will need to be submitted to PINS before the end of the year. We also note that this consultation is another Reg 18 consultation and therefore a further Reg 19 consultation will be needed as part of the process. We would suggest that the Council may want to consider a slightly longer consultation period than is mandated if this consultation is to take place over the summer holiday period
5. HBF also notes the Government's Dec 2025 NPPF consultation clearly sets out its intention to move towards a new more rules-based approach with consistency across standard common matters being provided at the national level. The consultation set 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. **HBF would therefore strongly encourage the Council to fully consider the scope and content of this Plan. The proposals clearly set out that the Government view is that Local Policies which conflict with the new NPPF will not be able to be taken into account in decision-making. HBF encourages the Council to reflect on the implications of this proposed approach especially as further clarity on the Government's policy on this issue is likely to emerge during the Examination of the Local Plan and before its adoption.**

6. Having said this, HBF supports the plan-led system and 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. Government policy has clearly set out the need for a significant increase in house building in order to deliver the 1.5 million new homes in this Parliament and Local Plans have a clear role in helping to deliver this objective.

Impacts of removal of the legal requirement of Duty to Cooperate

7. 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. The DTC evidence will therefore need revisiting and reformatting to reflect the changes to the DTC and shift to an issue of soundness.

Impacts of the Dec 2025 NPPF consultation

8. As you will be aware the Government published its long-awaited proposed revisions to the NPPF for consultation on 16th 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 there is a clear expectation that all Councils should be planning to meet their housing needs in full.
9. HBF welcomes the Council calculating the local housing need calculated using the government's standard method, and note that this is a clear requirement of the transitional arrangements. However, we would still suggest that this should be the starting point for establishing the housing requirement which should also consider other factors that may justify a higher housing requirement.

Plan period

10. The NPPF requires strategic policies to 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 time-scale for delivery. HBF note that the Plan period runs from 2025-2045, in order to have fifteen years on adoption and recognising the time it takes for a Local Plan to progress through Examination including consultation on Main Modifications. The evidence base will also need to reflect the Plan period.

Context for Strategic and Core Policies

Objectives

11. HBF would request that the vision for Forest of Dean is more explicit about its ambitions to meet the housing needs of Forest of Dean in full. This should also be an objective of the Plan.

Local Plan Strategy

12. The status of the Local Plan Strategy within the Plan is unclear. It is shown within a blue box suggesting it is a policy, but it does not have a policy number. Clarity is needed on this matter.

Policy RLP1 Sustainable Development

13. HBF are concerned about the assertions about this policy that are set out in the supporting text. It is for the Plan to demonstrate that the sites being allocated are deliverable in line with all the policies in the Plan. For the Plan to be sound it must be effective, justified, in line with national policy and positively prepared. It is not reasonable to require an applicant to make this on a case-by-case basis. The whole plan viability approval should be an important part of the evidence base

Policy RLP 2 Infrastructure

14. Similarly, Policy RLP 2 Infrastructure seems to require an applicant to make this on a case-by-case basis so that it can deliver the infrastructure required. Again, in order to pass the test of soundness it is important for the Local Plan through its evidence base to prove that the policies and strategies are deliverable.

Policy RLP 3 Settlement Hierarchy

15. Similarly, Policy RLP 3 does not set out a full settlement strategy for the Plan. Such a policy would include a list of the different types of settlement and which settlement is in which category. Instead the list of villages is relegated from the policy to text below. This is not appropriate as it would leave the status of the list of villages in question at the planning application stage. The policy wording also includes phrases like 'broadly' 'usually' and 'normally'. These are unhelpful and do not provide the clarity needed in planning policy.

Policy RLP 4 A Quality Living and Working Countryside (Outside Settlement Boundaries)

16. HBF remains concerned that the Plan is not allowing for sustainable rural development, and that this can and should include housing allocations in the rural areas.

Strategic Locations Of New Development

17. We note that para 4.16 of the plan states "at present the need is for new housing to match the expected total of about 12,000 dwellings to be delivered between 2025 and 2045, or about 604pa." However, there is no policy which sets out this per annum housing requirement, which will be important to enable housing delivery to be monitored. Monitoring is essential for a Plan to be effective.
18. The total housing figure, the dwellings per annum figure and the intended breakdown of supply should all be part of a Housing Policy within the Plan, not in text the status of which is unclear.
19. Although the Local Plan strategy allocates three major sites likely to be brought forward in the later part of the plan period at Beachley plus the 2 new proposed settlements, and HBF do not comment on individual sites, we would observe that it will be necessary for the Plan to provide for housing over the whole plan period and ensure there is five year housing land supply on adoption. In HBF's view this will require the allocation of a range of sites in a range of locations to ensure the full range of housing needs can be met.
20. 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 NPPF also states that the requirement may be higher than the identified housing need, if for example, it includes provision for neighbouring areas or reflects growth ambitions linked to economic development or infrastructure investment. The PPG continues to state that 'an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes'.

21. HBF strongly supports the need for more housing in the Forest of Dean Local Plan for a variety of reasons including addressing the current housing crisis, meeting housing needs, providing affordable housing, to support small and medium house builders and to support employment growth. The HBF would request that the Council considers the standard method figure as only the minimum starting point and fully 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.
22. In relation to windfalls, the NPPF only permits an allowance for windfall sites if there is compelling evidence that such sites have consistently become available and will continue to be a reliable source of supply. The HBF is of the view that any supply provided by windfall sites should be in addition to the buffer added to the housing need figures derived from the Standard Method to provide choice and competition in the land market. However, by including windfalls within the Plan's housing requirement supply, any opportunity for windfalls to provide some additional housing numbers and flexibility is removed. Windfalls do not provide the same choice and flexibility in the market as additional allocations. HBF is therefore concerned about the Council's reliance on windfall in place of allocating housing sites.
23. HBF are also of the view that any allowance for windfall should not be included until the fourth year of a housing trajectory, given the likelihood that dwellings being completed within the next three years will already be known about (as they are likely to need to have already received planning permission to be completed within that timeframe).
24. HBF would also question if the proposed buffer is enough to provide for a range and choice of sites and demonstrate that the Plan has been positively prepared.
25. We would also suggest that to be effective a diagram showing the housing trajectory should be included in the Plan. This is important for monitoring, and ensuring the plan is effective.

Policy RLP.6 Other Housing Sites

26. Again, allocation for housing should be made within the policy and not within a Table below the policy.

Homes and Communities

Policy RLP 7 Housing Delivery

27. This policy is unclear and mixes up housing delivery and monitoring, and a policy on how any housing sites not allocated in the Plan will be assessed.

Chapter 9 Environment

Policy RLP 124 Biodiversity And Biodiversity Net Gain

28. It is simply not appropriate, or sound, for this policy to seek to add to and augment the national policy on BNG, and indeed national policy explicitly seeks to prevent this from happening. This policy seeks to require 20% in some circumstances, and HBF cannot support this approach.
29. HBF was involved in a significant amount of work, being led by the Future Homes Hub, on BNG preparedness for some time, including feeding into the BNG Planning Practice Guidance and the DEFRA BNG Guidance, and continue to be involved in this work through sitting on the FHH BNG Implementation Board. This group seeks to ensure that BNG can deliver the win for nature and the win for housing as intended, by identifying challenges in the implementation of this policy and trying to find solution to them. HBF recognises the role that development can play in helping to support nature recovery. However, it is also important BNG delivers the win-win intended and does not become a barrier to housing delivery.
30. Experience has found that delivering the 10% BNG requirements can be very challenging in some cases, particularly on brownfield sites where open mosaic habitat is present, and on some of the smallest sites where on-site BNG provision requires a disproportionate amount of the developable area to be used for BNG. As 10% BNG is mandatory, where viability challenges are encountered then it is usually affordable housing that it reduced to accommodate this.
31. The Government (via DEFRA) recently undertook a consultation on potential revisions to the national BNG requirement and is now intending that sites under 0.2 Ha are exempt from BNG. Further work on other possible improvements to the working of the policy in practice are ongoing and it will be important that the Plan's policy on this issue is kept under review.
32. The recent 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. BNG implementation is an area of work being led by DEFRA and is required under the Environment Act. As such changes to how BNG is operationalised will need to be fully considered in the Local Plan. and reflected in any Local Plan, whichever version of the NPPF (2023, 20204, or 2025) it is being progressed under.
33. In order for the Forest of Dean Plan to be sound it must comply with the Environment Act and DEFRA Guidance. This is separate from and in addition to MHCLG advice and the NPPF. Care is therefore needed to ensure that any policy on Biodiversity Net Gain policy complies with the latest policy and guidance on adoption, and it is noted that some of this DEFRA guidance and legislation is currently under review. In Feb 2025 the Government also published additional Guidance on how Local Nature Recovery Strategies should be integrated with/feed into Local Plan Making. This Plan should fully reflect this and any new guidance.
34. It should also be noted that the PPG is clear that there is no need for individual Local Plans to repeat national BNG guidance, and that additional advice on phased development has been provided in the BNG PPG 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.
35. Again, HBF also note the 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 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 Derby Plan should do all it can to explain how the two hierarchies work in different ways and that they seek to achieve different aims. We would suggest the use of the term “BNG spatial hierarchy” may help with this issue.

36. As highlighted earlier HBF would question the range and scope of this Chapter especially in light of the proposed new approach to Local Plan content set out in the current Dec 2025 NPPF consultation. It will be important for this suite of policies to be fully evidenced and justified and do not repeat national policy. The Plan will also need to be clear how all the natural environment policies are intended to work together. For example, how does the requirement for the 10% national mandatory Biodiversity Net Gain for work with the other proposed policies on protecting trees and hedgerows and woodland. Similarly, how does mandatory BNG work with the policies on Blue and Green Infrastructure?

Policy RLP 127 Sustainable Design, Construction and Low Carbon Energy

37. As highlighted earlier HBF would question the range and scope of this Chapter especially in light of the proposed new approach to Local Plan content set out in the current Dec 2025 NPPF consultation. It will be important for this suite of policies to be fully evidenced and justified and not repeat national policy. Government has made its intention clear that the once the new (Dec 2025) NPPF is in place policies in Local Plans that duplicate or conflict with it will no longer be relevant for decision-making. This is likely to require the Council to rethink its approach to the detailed DM policies being proposed in this Plan.
38. This policy seeks to impose a requirement for sustainable building standards which go beyond that which will be required by Future Homes Standard which HBF cannot support.
39. Although HBF recognises the role that developers can play in helping to mitigate and address climate change and increase energy efficiency we would caution against policies that seek to go further and faster than national legislation and policy changes. This would lead to the creation of a patchwork of differing local policies which could inadvertently undermine the delivery of the wider environmental objectives the Council is seeking and create unnecessary delays to much needed new housing.
40. HBF does not consider that the Council setting its own standards is the appropriate. We are concerned about Councils adding to the complexity of policy, regulations and standards that housebuilders are already expected to comply with. The key to success is standardisation and avoidance of individual Councils specifying their own policy approach, which undermines economies of scale for product manufacturers, suppliers and developers. The impact of these cumulative local requirements along with others Section 106 asks may have considerable viability implication and may lead to the non-delivery homes and needs to be fully considered within the Viability Assessment.
41. HBF do not support Local Plan policies on matters that are already addressed by Building Regulations and other regulatory regimes. A plethora of local standards can actually undermine the objectives the Council is seeking to achieve, for example by seeking to introduce uncertainty and variability to the timetable for the introduction of the national Future Homes Standard.

Policy RLP. 128 Climate Adaptation

42. As we have set out elsewhere, HBF does not consider that the Council setting its own standards is the appropriate. We are concerned about Councils adding to the complexity of policy, regulations and standards that housebuilders are already expected to comply with. The key to success is standardisation and avoidance of individual Councils specifying their own policy approach, which undermines economies of scale for product manufacturers, suppliers and developers.

Chapter 10 Monitoring

43. Monitoring is an essential, yet often neglected part of the Plan, Monitor, Manage approach. The Forest of Dean Plan should include a Review policy. This policy should include clear timeframes and triggers, it must also be noted that preparing a new plan, does in fact nothing in the short or medium term to address the under-delivery of housing. The HBF therefore request that the Plan and monitoring framework should include actions to be taken if the targets are not met. For example permitting departure sites, working with developers to help bring any stalled forward, considering applying flexibility in relation to some other policy requirement(s) if there are deliverability issues, and such like.

Future Engagement

44. 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.
45. 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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