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21/11/2019

Dear Sir/ Madam

## **Response by the Home Builders Federation to the consultation on the Fenland Local Plan – Issues and Options Consultation**

Thank you for consulting the Home Builders Federation (HBF) on the issues and options consultation for the new local plan. The HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year. Outlined below are our comments on the approach taken by the Council to increasing the supply of land for residential development and the policies being proposed with regard to the management of new development in future.

### **Question 2: Housing Need**

The local housing needs assessment using the standard method is the minimum number of homes the Council need to plan. The NPPF and PPG both set out a number of circumstances where a higher figure may be required, these are considered below.

Firstly paragraph 60 of the NPPF states that the housing need figure should take into account any needs that cannot be met within a neighbouring area. The Council will therefore need to ensure that it has engaged with the appropriate LPAs in neighbouring areas identify whether there are any unmet needs and if there are consider how these can be addressed. It will also be important for the Council not to merely look at neighbouring authorities. The NPPF states in paragraph 60 that Council's must consider needs in neighbouring "areas" which would suggest that the Council should consider, as minimum, housing needs and supply in neighbouring Housing Market Areas or Counties.

Secondly the Council must consider whether the economic circumstances faced by Fenland or neighbouring areas would require additional delivery. It will be important for the Council to engage thoroughly with the Cambridge and Peterborough Combined Authority to consider the impacts on Fenland from future growth strategies and infrastructure funding bids on the need for housing not only in Fenland but across the Joint Authority.



Thirdly, the Council will need to consider, as set out in paragraph 2a-024 of PPG, whether an increase in the total amount of housing is necessary to help deliver the required number of affordable homes. It would appear that the Council needs to allocate more land to improve delivery given that in the last two monitoring years the Council delivered just 48 affordable homes against an annual need of circa 170.

In addition, it will be necessary for the Council to include a buffer in its planned supply to ensure that its housing requirement is met. This buffer will ensure that any unforeseen delays in allocated sites coming forward and slower than expected delivery rates on sites under construction will still allow the Council to meet its housing requirement for the plan period. We suggest a buffer of 20% is necessary to ensure that there is sufficient capacity in the borough's land supply to ensure that unforeseen circumstances do not derail the overall objectives of the plan with regard to housing delivery.

#### **Question 4: Settlement boundaries**

We would support a flexible policy that would allow development to take that adjoins a settlement. One approach to supporting development on the edge of settlements that has been recently found sound is policy HOU5 in the Ashford Local Plan and is set out below.

*“Proposals for residential development adjoining or close to the existing built up confines of [list settlements] will be acceptable provided that each of the following criteria is met:*

- a) The scale of development proposed is proportionate in size to the settlement and level, type and quality of day to day service provision currently available, and commensurate with the ability of those services to absorb the level of development in combination with any planned allocations in the Local Plan and committed development in liaison with service providers;*
- b) The Site is within easy walking distance of basic day to day services in the nearest settlement and/or has access to sustainable methods of transport to access a range of services;*
- c) The development is able to be safely accessed from the local road network and the traffic generated can be accommodated on the local and wider road network without adversely affecting the character of the surrounding area;*
- d) The development is located where it is possible to maximise the use of public transport, cycling and walking to access services;*
- e) Conserves and enhances the natural environment and preserves or enhances any heritage assets in the locality; and*
- f) The development (and any associated infrastructure) is of a high-quality design and meets the following requirements:*
  - i) It sits sympathetically within the wider landscape;*
  - ii) It preserves or enhances the setting of the nearest settlement;*

- iii) It includes an appropriately sized and designed landscape buffer to the open countryside;*
- iv) It is consistent with the local character and built form, including scale, bulk and the materials used;*
- v) It does not adversely impact on neighbouring uses or a good standard of amenity for nearby residents;*
- vi) It would conserve biodiversity interests on the site and/or adjoining area and not adversely affect the integrity of international and nationally protected sites in line with Policy.”*

This approach allows the Council to take a more flexible approach that is proportionate to the size and nature of the settlement without compromising the integrity of the Council’s spatial strategy and settlement hierarchy. Such an approach will better support the Council in meeting its ambitious targets and provide flexibility in delivering both market and affordable homes that will improve the vibrancy and vitality of Fenland’s rural communities.

#### **Question 5: Growth Options**

It is unlikely that any single option will provide the solution for delivering balanced growth across the plan period. We would expect to see elements of each of the options set out in chapter 5 that would allow for the delivery of strategic sites (either as urban extensions or new settlements) as well as medium sized and smaller allocations in a variety of settlements. The most important element of any strategy is that it is not overly reliant on a few larger sites to deliver the majority of its development. Only by providing allocations that provides a diverse range of sites in a wide range of communities will the Council be able to meet the breadth of housing needs in the Borough.

#### **Question 7: Health and Well Being**

Whilst we support plans that set out how the Council will achieve improvements in health and well-being, we are opposed to the requirement for any scale of residential development providing Health Impact Assessments. In preparing its local plan the Council should have considered 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. If they do not then that is a failure of the plan not the development. The Council should be using the plan to reduce the amount of documentation required not adding to it.

#### **Question 8: Renewable energy**

In considering the requirement for the inclusion of renewable energy within developments the Council must test the impact of this policy viability and should be explicitly addressed within the whole plan viability assessment. It will also be necessary to ensure that the policy is flexible and allows for the variation of local requirement on

the basis that its provision is either unfeasible or unviable, as required by paragraph 153 of the NPPF.

#### **Question 9: Energy Efficiency and Question 10: Facilitating Low Carbon Future**

The Council should not go beyond current building regulations. The HBF acknowledges that the Government has not enacted its proposed amendments to the Planning & Energy Act 2008 to prevent the Council from stipulating energy performance standards that exceed the Building Regulations but consider that the Councils should comply with the spirit of the Government's intention of setting standards for energy efficiency through the Building Regulations and to maintain this for the time being at the level of Part L 2013 (as set out in Fixing the Foundations, HM Treasury, July 2015).

Under the 2019 NPPF new development should be planned to help reduce greenhouse gas emissions by its location, orientation, and design. Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards (para 150b). The Government has sought to set standards for energy efficiency through the Building Regulations. The starting point for the reduction of energy consumption should be an energy hierarchy of energy reduction, energy efficiency, renewable energy, and then finally low carbon energy. From the start, emphasis should be on a "fabric first" approach which by improving fabric specification increases thermal efficiency and so reduces heating and electricity usage consequentially newly built homes are far more energy efficient than the existing housing stock.

The HBF support the movement towards greater energy efficiency via a nationally consistent set of standards and a timetable for achieving any enhancements which is universally understood and technically implementable. It is the HBF's opinion that the Councils should not be setting different targets or policies outside of Building Regulations. The key to success is standardisation and avoidance of every authority in the country specifying its own approach to energy efficiency which would mitigate against economies of scale for both product manufacturers, suppliers, and developers.

#### **Question 12: Other proposals to reduce Green House Gas Emissions**

The provision of allotments should be based on the need for such infrastructure and be directly related to the scale and necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. Whilst there may be other benefits arising from such infrastructure these additional benefits cannot be considered sufficient justification to require their provision from new development.

#### **Question 14: Optional Standards**

If the Council are to adopt these standards it must provide the necessary justification as set out in PPG to show that they are both needed and that they would not

compromise the viability of development. In considering viability of these standards the Council must assess the cumulative impact of all its policies in the local plan. The increasing policy burdens in local plans on development need to be properly tested if the Council is to be certain that the deliverability of the local plan is not undermined and that development that is compliant with the local plan can be assumed to be viable.

**Question 15: Meeting housing needs**

We recognise that consideration needs to be given as to the size and type of home needed across the Borough. However, we would suggest the Council avoids placing specific requirements on development with regard to housing mix. Borough wide assessments provide a helpful guide as to the overarching mix the Council is seeking to achieve and whilst helpful for monitoring, they cannot be used to define what individual developments should deliver. The most effective mechanism for delivering a mix of housing types and size that meets the needs of the market is by providing a diverse range of sites that will support a range of different providers and ultimately ensure the type of houses that are required within Fenland are delivered.

**Question 18: Plots for Self-Builders**

We would not support the Council imposing a requirement to provide self-build plots on large residential developments. Planning Practice Guidance sets out in paragraph 57-025 that in carrying out its duty with regard the provision of self-build plots and outlines that Councils should engage with landowners to encourage them to consider self-build and custom housebuilding. This suggests that the Council should work with landowners to identify suitable sites for self-build and then allocate these sites rather than impose a top down target which will not deliver more new homes only alter the way those homes are delivered. The Council must also take into account that the majority of self-builders will not be looking for a plot on a large house building site and should consider policy mechanism that will bring forward appropriate sites that will established demand. For example, the Council could consider whether a self-build exception policy for sites on the edge of smaller settlements could be a way of bringing forward smaller plots in areas that are likely to be more in line with the expectations of those wishing to build their own home. Such sites would also contribute additional homes rather than the same house just built differently.

**Question 24: Natural Environment**

As the Council recognise in the consultation document, the Government are currently in the process of preparing legislation to require developments to provide net gains in biodiversity. If this does become a requirement the Council will need to ensure that its impact on viability is properly tested. Having reviewed the Council's viability assessment we note that the Council has increased the fees assumption by 1% to cover the potential costs of this policy. This is unlikely to be sufficient. Delivering a minimum 10% net improvement in biodiversity will have a significant cost impact on development. In particular the cost of developing greenfield sites could be a considerable expense and a more considered approach as to the impact of this policy

requirement is necessary. The Government's latest impact assessment<sup>1</sup> suggest an average cost in the region of £20,000 per hectare. However, research by Savills<sup>2</sup> suggests that this could be substantially more at between £9,000 and £15,000 per dwelling.

## **Conclusion**

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

Yours faithfully



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<sup>1</sup> <https://www.gov.uk/government/consultations/biodiversity-net-gain-updating-planning-requirements>

<sup>2</sup> [https://www.savills.co.uk/research\\_articles/229130/292298-0](https://www.savills.co.uk/research_articles/229130/292298-0)