

Sent by email to: myharlow@harlow.gov.uk

27/05/2020

Dear Sir/ Madam

Response by the Home Builders Federation to the consultation on the main modifications to the Harlow Local Plan

Outlined below are the Home Builders Federation (HBF) representations on the proposed main modifications to the Harlow 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.

MM14

We are concerned that the proposed modifications to the text supporting policy PL3 are not consistent with the way the policy is worded. The policy as set out in the submitted local plan states that support will be given to “*development where it meets or exceeds minimum standards required by building regulations*”. The minimum requirement in this policy was for development to meet building regulations with the Council seeking to encourage applicants to go further where possible. Yet the supporting text at paragraph 13.17 states that “*Development will be supported where it exceeds the minimum standards required by Building Regulations*” and goes on to set out the degree to which applicants should exceed the requirements of Building Regulations. This proposed modification moves away from the original policy that is seeking to encourage improvements rather than require them. Given that the Council are proposing to support development that meets the minimum requirements of building regulations whether or not they should be exceeded, and if so by how much is for the applicant to decide. In order to ensure consistency between the supporting text and the Council’s policy we would suggest the following amendments.

- Remove the new sentence proposed to be included at the end of paragraph 13.16. This sentence refers to the preferable amount by which building regulations should be exceeded.



- Amend the proposed modification to paragraph 13.17 to read: *“Development will be ~~supported where it~~ encouraged to exceeds the minimum standards required by Building Regulations. ~~The amount by which the standards should be exceeded is preferably at least 19%.~~ The Council supports development that follows the principles of sustainable construction, and encourages developers to deliver schemes which adopt a fabric-first approach to development and meet the performance and quality set by appropriate standards, such as Passivhaus, Home Quality Mark (HQM) and BREEAM UK New Construction 2018.”*

MM15

The decision to include a policy relating to the Green Belt is unnecessary as this merely seeks to summarise national policy. The danger of such an approach is that in summarising national policy some elements can be missed. For example, 145 of the NPPF – relating to new buildings that are exceptions to paragraph 144 – includes cemeteries, burial ground, and allotments – yet these are omitted from the Council’s proposed modification. These could be added; however, we would suggest an alternative approach would be more effective if the inspector is minded to include a policy on Green Belt. Rather than repeat national policy verbatim we would suggest that instead policy PL4 is amended to include reference to the Green Belt. The changes we would recommend are:

- The title of PL4 be amended to read *“Green Belt, Green Wedges and Green Fingers”*;
- The policy be amended to begin *“Development on land designated as Green Belt will be severely restricted in line with national policy to ensure it continues to fulfil the five purposes of the Green Belt. The essential characteristics of Green Belts are their openness and their permanence. Substantial weight will be given to any harm to the Green Belt when assessing planning applications.”*
- The text set out MM15 relating to the justification for and implementation of Green Belt policy to be included in the relevant sections for PL4.

Such an approach would allow for the inclusion of a policy on Green Belt but ensure that it remains consistent with national policy by avoiding the risk of summarising the relevant paragraphs in the NPPF. It is also simpler and reduce the risk of the local plan being out of date should there be changes to Green Belt policy in future.

MM25

Whilst we support the proposed modification to H9 we would recommend removing the term major which the Council are no doubt aware has a specific legal and policy definition when used in relation to sites. The amended modification should read: *“Housing sites of greater than 50 dwellings must include the provision of fully serviced plots for self or custom build housing within each phase to ensure as far as possible the continuous availability of such plots throughout the development”*. This amendment whilst small will ensure that there is no conflict with regard to the size of development that will be expected to address policy H9.

Conclusions

We trust you will find these suggestions helpful and if you require any further information please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to read 'Mark Behrendt', with a stylized flourish at the end.

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