

	<p>Surrey Heath Borough Council</p> <p>Pre-Submission Surrey Heath Local Plan (2019 – 2038) : (Regulation 19)</p> <p>Representation Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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Please return to: planning.consultation@surreyheath.gov.uk
OR
Planning Policy and Conservation, Surrey Heath Borough Council,
Surrey Heath House, Knoll Road, Camberley, Surrey GU15 3HD.

By 12.00 noon 20th September 2024 NO LATE REPRESENTATIONS WILL BE ACCEPTED

This form has two parts:
Part A – Personal Details
Part B – Your representation(s). (Please be aware that this together with your name will be made publicly available)
Please fill in a separate sheet for each representation you wish to make.

Surrey Heath Borough Council's Privacy Statement is [here](#).

Please read the separate [guidance notes](#) before completing this form.

Part A

1. Personal Details*		2. Agent's Details (if applicable)
*If an agent is appointed, please complete only the Title, Name and Organisation boxes below but complete the full contact details of the agent in 2.		
Title	Mr	
First Name	Mark	
Last Name	Behrendt	
Job Title (where relevant)	Planning Manager	
Organisation (where relevant)	Home Builders Federation	
Address Line 1	[REDACTED]	
Line 2	[REDACTED]	
Line 3		
Post Code	[REDACTED]	
Telephone Number	[REDACTED]	

E-mail Address

Do you wish to be notified of when any of the following occurs? (place an X in the box to indicate which applies)

	Yes	No
• The Pre-Submission Local Plan has been submitted to the Secretary of State for independent examination?	X	
• The independent examiner's recommendations are published?	X	
• The Local Plan has been adopted?	X	

Please note that your formal comments (known as representations) and your name will be made available on the Council's website. All other details in Part A of this form containing your personal details will not be shown.

The Council cannot accept confidential comments as all representations must be publicly available.

Part B – Please use a separate sheet for each representation

Your representation should cover all the evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations following this publication stage.

After this stage, further submission will only be at the request of the Inspector, based on the matters and issues he/she identifies for examination.

Name or Organisation :

Home Builders Federation

3. To which part of the Pre-Submission Local Plan does this representation relate?

Paragraph

Policy

Other, e.g.
policies map,
table, appendix

4.(1) Legally compliant (please refer to guidance notes)

Yes

No

4.(2) Sound (please refer to guidance notes)

Yes

No

4.(3) Complies with the Duty to Co-operate (please refer to guidance notes)

Yes

No

5. Please give details of why you consider the Pre-Submission Local Plan is not legally compliant or does not meet the tests of soundness or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Pre-Submission Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments. You are advised to read our Representations Guidance note for more information on legal compliance and soundness.

See attached representations

(Continue on a separate sheet / expand box if necessary)

6. Please set out what modification(s) you consider necessary to make the Pre-Submission Local Plan legally compliant and sound, having regard to the matters you have identified at 5 above.
(Please note that non-compliance with the duty to co-operate is incapable of modification at examination)
You will need to say why each modification will make the Pre-Submission Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

See attached representations

(Continue on a separate sheet / expand box if necessary)

Please note your representation should cover succinctly all the evidence and supporting information necessary to support/justify your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions will be only at the request of the Planning Inspector, based on the matters and issues he/she identifies for examination.

7. If your representation is seeking a modification to the Pre-Submission Local Plan, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the oral examination

Yes, I wish to participate at the oral examination

Please note - whilst this will provide an initial indication of your wish to participate in the examination, you may be asked at a later point to confirm your request to participate.

8. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

To represent the views and concerns arising from the 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.

Please note - the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination. You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Sent by email to: planning.consultation@surreyheath.gov.uk

20/09/2024

Dear Sir/ Madam

Surrey Heath Local Plan

1. Thank you for consulting the Home Builders Federation (HBF) on the Surrey Heath 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.

Consultation on the NPPF

2. At the end of July, the Government commenced a consultation on a number of amendments to the NPPF. The proposed revisions will make significant changes to the current document and there is a strong possibility that Surrey Heath, and many of its neighbours, will be required to prepare plans that are consistent with the changes being proposed, should they be adopted. Alongside the changes to the NPPF the Government have consulted on a new standard method. While our comments will be based on the current NPPF we will refer to the potential impact of the proposed changes within our representations.
3. HBF are concerned that Councils such as Surrey Heath will, in the face of increases in its housing needs, seek to move quickly to submission in order to benefit from the transitional arrangements. Whilst it is for the council to decide on the timescale for the submission of its local plan this cannot be at the expense of the documentation and the evidence required on the submission of a local plan. For example, the council will need to ensure that it has taken into account the impact of any changes resulting from the NPPF in neighbouring areas as part of its duty to co-operate. The Council will be aware that this work must be done prior

to submission for the council to show that they have fulfilled their duty to co-operate a point we discuss in more detail below. Therefore, while HBF understand that the proposed amendments cannot be given much weight with regard to the local plan at this point in time our representations will refer to the consultation and how this might impact on the strategy being proposed by the council.

Duty to Cooperate

4. As part of the Duty to Co-operate the Council have set out that Hart District Council have agreed to take 42 homes per annum to 2032 to help meet some of its housing needs. This is set out in the local plan itself and confirmed in the statement of common ground. While the HBF do not disagree with the current commitment this is based on the current NPPF and standard method. As SHBC will be aware, under that proposed Standard Method Hart's housing need increases from 297 dpa to 734 dpa. As such there can be no guarantee that the commitment will last until 2032 as is suggested in the local plan. Prior to submitting the local plan, the Council will need to discuss whether this commitment is still relevant especially as the Hart local plan, and the policies affecting housing needs, will be considered out of date from April 2025 and it would be unable to meet its own needs to 2032, if the proposed framework being consulted upon is adopted, let alone support Surrey Heath during this period.

5. Given this will have fundamental impact on the local plan and whether the Council can meet its housing needs in full this will need to be discussed prior to submission. If the council choose not to address this issue HBF would consider this to be a failure to co-operate effectively on a key cross border or strategic issue and the plan would not be legally compliant with the S33A(1) of the Planning and Compulsory Act (2004). It must also be remembered that such matters cannot be rectified post submission and HBF would point to failure in co-operation between Sevenoaks District Council and Tonbridge and Malling Borough Council (TMBC) and the inspectors the inspector reports for both these plans as an example of where the required discussions on changes in housing supply led to both authorities failing the duty to co-operate. In brief a decision by Sevenoaks Borough Council (SBC) not to meet housing needs in full had not been properly discussed prior to the submission of the Sevenoaks Local Plan leading to the inspectors examining both plans to conclude that the engagement between SBC and TMBC was neither ongoing nor constructive.

6. As such should SHBC fail to engage constructively with Hart on the change in their circumstances prior to submission of this plan there would be strong reasons to suggest that co-operation in this cross boundary and strategic matter had not been sufficiently constructive and on-going for the council to show the duty to co-operate had been fulfilled.

Plan Period

The plan period is inconsistent with national policy and unjustified.

7. The proposed plan period of 2019 to 2038 is unsound on two grounds. Firstly, it does not extend for more than 15 years from the point at which the plan is adopted, as required by paragraph 22 of the NPPF. If the Council adopt this plan, as they suggest in table 1, by Autumn 2025 then the plan period will need to be extended to 2041 to ensure that there is at least 15 years remaining post adoption.
8. Secondly, it is considered unsound to have a plan period that commences in 2019 which will be nearly five years prior to the point at which the plan is submitted. In considering the plan period it is important to recognise that local plans are meant to look forward at what needs to be delivered with past delivery being taken into account through the standard method. This is clear from paragraph 2a-005 notes that when setting the baseline for the standard method the current year is used as the starting point for calculating growth. The standard method also requires the affordability adjustment to be the most recent data, for the case of Surrey Heath the median affordability ratio for 2023 that was published in March 2024. This adjustment is to reflect the price signals in the market and ensure that housing needs are responding to these signals which suggests that the starting point for any plan should be the year to which the affordability ratio relates.
9. As such it is neither logical nor consistent with national policy for the plan period to start in 2019/20. It should start in 2023/24. Most recently the Inspectors examining the West Berkshire Local Plan and North Norfolk Local Plan have, following similar concerns, required the plan period to be extended in response to paragraph 22 of the NPPF and for the starting point of the plan to be brought forward a year to reflect national policy with regard to the assessment of housing needs. In particular we would point the council to paragraph 6 of the Inspector's post hearing note on the North Norfolk Local Plan which states in relation to a plan period starting in 2016 and ending in 2036:

“At present, there are only 12 years of the plan period remaining, and once the further steps necessary to ensure a sound plan have been taken, it is likely to be nearer to 11 years. The National Planning Policy Framework (NPPF) states in paragraph 222 that strategic policies should look ahead a minimum 15 years from adoption, and to be consistent with this the plan period should be extended to 31 March 2040 to allow for adoption during the next 12 months. Turning to the base date of the plan, this should correspond to the date from which the housing needs of the district are quantified. As set out in paragraph 12 below, this should be April 2024. The plan period should therefore be 2024-40.”

10. In order to be consistent with national policy and as such sound the Council should amend the plan period to start in 2023/24 and end in 2040/41.

SS1: Spatial Strategy

Policy is unsound as it is, not positively prepared, unjustified, ineffective as well as being inconsistent with national policy.

Housing needs

11. Paragraph 2.5 of the local plan notes that the local housing need for Surrey Heath is 321 dwellings per annum (dpa) a total of 6,111 homes over the plan period 2019 to 2038. However, in considering their housing requirement the council are taking into account the 41 dwellings per annum that the Hart Local Plan states will be delivered in order to address some of Surrey Heaths housing needs. This supply in Hart goes to 2032 and the council have reduced their housing requirement by 533 homes. This is then reflected in part 2 of SS1 which states that over the plan period 2019 to 2038 the Council will deliver at least 5,578 new homes.
12. While the HBF would not disagree that the Standard Method result in annual housing need of 321 dpa we have a number of concerns regarding the soundness of the Council's housing requirement. Firstly, the council can no longer rely on Hart to meet any of its housing needs. As set out above the Government proposed amendments to the Standard Method would see Hart's housing needs in future increase from 297 dpa to 734 dpa. This is also some 311 dpa homes above the 423 dpa requirement in the existing plan and further 416 dpa above the average annual supply expected between 2024/25 to 2028/29 of 318 dpa.

Therefore, once the plan is five years old, in April 2025, and supply is assessed against the new assessment of housing need, if adopted, there will be a significant shortfall in supply and the plan will be considered out of date. It will also not be possible for SHBC to conclude that there is sufficient supply to meet any of their housing needs.

13. As mentioned above HBF recognise that if submitted under the transitional arrangements their plan will be examined under the current NPPF. However, if the changes are adopted the plan must have regard to the impact of any changes to the NPPF being proposed on assessed housing needs in neighbouring areas. If the Council are to continue to rely on this, they will need to have further discussions with Hart with regard to the implications of the proposed changes to the NPPF and their ability to meet some of Surrey Heaths housing needs in future. This will need to be done prior to the submission of the local plan. Until such discussion take place the HBF would recommend that the 41 homes supplied by Hart are removed from the housing requirement.
14. Alongside amendments to the plan period the HBF consider the minimum housing need the Council are required to plan for across the plan period is 5,778 homes, 200 more than is proposed by the Council over the same period.

Housing Supply

15. Over the plan period 2019 to 2038 the Council's housing trajectory shows that it expects 6,012 homes to be delivered. However, as stated above this plan period is unsound as it is inconsistent with national policy. If the plan period starts in 2023/24, as the HBF contend is necessary for soundness, the Council has an identified supply of 4,511 homes to 2037/38. At this point the plan is 300 homes short of meeting needs (assuming the supply of Hart is not included, and the housing requirement is 320 dpa). But the plan must also be extended to 2040/41 to be consistent with paragraph 22 of the NPPF. This means that the Council must identify a further 1,267 homes to meet needs in full. Even if the supply from Hart is taken in to account the Council would still need to find an 898 homes in order to meet needs in full.
16. Much of the identified land supply for housing are in Camberley Town Centre with 1,176 homes planned to come forward on sites allocated in this area. This is 26% of the Council's total land supply from 2023/24. While HBF does not comment on whether or not sites are suitable for development we are concerned that the expectation with regard to when some

of these sites will be delivered is optimistic. For example, HA3 Land East of Knoll Road is expected to start delivering new homes in 2028/29, just around three years post adoption of this plan. The development of this site will require the council and SCC to relocate yet HBF could not find any evidence as to where they will relocate to in order to facilitate this development. This site and others allocated in the Town Centre have been in the pipeline for development for many years yet limited progress has been made. HBF is supportive of the council bringing forward these sites and regeneration of Camberley in general, but without more evidence of developer interest in these sites the HBF would suggest they are included in the later years of the plan period and certainly not within the first five years after adoption.

17. In addition, HBF have some concern regarding delivery rates set out in the housing trajectory in Appendix 6 of the SHLAA. Firstly, it would be very surprising if HA1/04 and HA1/02 delivered five units per annum between 2028/29 and 2032/33. Small sites such as this are likely to be built out in a single year and this should be reflected in the housing trajectory.
18. Secondly large scale higher density presumably flatted development such as HA1/03 and HA2 are unlikely to come forward in such a consistent manner with phasing of development likely to lead to far fewer homes being available soon after development commences. This is not necessarily an issue where development is expected to come forward much later in the plan period but where schemes are considered to be deliverable in the first five years post adoption of the local plan such considerations must be taken into account in the delivery trajectory. For these town centre sites HBF would expect more detail as to the mix of homes and how these are intended to be delivered if they are to be included in the trajectory as proposed. These changes may impact the five year land supply on adoption and HBF reserve the right to comment on land supply at the hearings.

Green Belt and exceptional circumstances

19. As outlined above HBF do not consider the council to be able to meet their housing needs over a policy compliant plan period with a shortfall of between 900 and 1,200 homes. As such the Council will need to consider allocating additional sites for residential in order to meet needs in full. The NPPF sets out that in the first instance the council should examine the potential for urban areas, previously developed land and land beyond the Green Belt in order to meet housing needs. If after revisiting the potential for development in these

locations needs still cannot be met, then the Council should consider whether exceptional circumstances exist to amend Green Belt boundaries. Our comments here are made against the December 2023 NPPF but as the Council are fully aware a current Government are proposing significant changes to Green Belt policy – in particular stating that not being able to meet housing needs is to be considered an exceptional circumstance supporting amendments to Green Belt boundaries. Therefore, if the new NPPF is adopted and the plan submitted under this new framework the Council would be required to review its Green Belt boundaries in order to meet housing needs in full.

20. However, if the plan is submitted prior to a new NPPF being adopted and examined under the December 2023 NPPF states that there is no requirement for Green Belt boundaries to be reviewed or changed where plans are being prepared or updated, this is considered to be a choice for the Council. While the NPPF clearly places a high bar with regard to Green Belt release this does not, in HBF opinion, absolve the Council from considering whether exceptional circumstances exist in order to meet its housing needs in full. HBF could not find any evidence indicating that the Council had considered what the exceptional circumstances might be. However, this is perhaps not unsurprising given that the Council consider that needs can be met elsewhere and as such the consideration of exceptional circumstances is unnecessary. However, this assumption was based on an unsound plan period. Therefore, the council will need to consider whether exceptional circumstances may be present to support amendments to the Green Belt boundary before making any decision. This will need to be undertaken prior to the plan being submitted for examination.
21. A key part of these considerations must be the need for affordable housing and the lack of supply that has been available to meet those needs. Under the current local plan, the Council has delivered 566 affordable homes – an average of just 39 affordable homes per annum. This is against a need for such homes set out in the LHNA of 184 homes for affordable or social rent each year each year – around 57% of 320 homes needed each year. In terms of proposed supply over the plan period 73% of the homes built would need to be affordable in order to meet the need for such homes. However, the strategy chosen by the council means that only a fraction of these needs will be met due to the largest sites in Camberley Town Centre delivering at best 25% of the homes as affordable. This is a clear indication that the only way to improve the supply of affordable housing is through the release of land in the Green Belt for development.

22. HBF recognises that the NPPF does not require affordable housing needs to be met in full. But the Council cannot ignore the pressing need for affordable housing that is being exacerbated by its decision not to amend the Green Belt and deliver sites that could support their delivery. Given that the Council does not have sufficient land to meet its housing needs the issue of affordable housing delivery must be taken into account in its decision making process and whether there are potentially exceptional circumstances to amend Green Belt boundaries.

Review

23. Policy SS1 is also likely to require modification to set out an immediate review of the plan to take account of proposed changes to the NPPF that are currently being consulted on. While these changes are still out for consultation should the remain as currently presented consideration will need to be given to paragraph 227 which states:

“Where paragraph 226 c) applies, local plans that reach adoption with an annual housing requirement that is more than 200 dwellings lower than the relevant published Local Housing Need figure will be expected to commence plan-making in the new plan-making system at the earliest opportunity to address the shortfall in housing need.”

24. The proposed standard method would see Surrey Heath’s housing needs, across the whole of the Borough, increase from 320 dpa to 658 dpa and will require the council to prepare a new plan immediately. However, it is the HBF’s experience that without an incentive to review a recently adopted plan these are rarely undertaken rapidly. Therefore, a strong review policy is required that set out clear dates as to when a new plan will be submitted, and the consequences should that plan not come forward in the agreed timescale. HBF would recommend a policy is included in SS1 along the lines of that adopted in the Bedford Local plan 2030 (reproduced in appendix A). This policy was included in the Bedford Local Plan in similar circumstances when the NPPF was amended in 2018 requiring the use of the Standard Method to assess housing needs.

Conclusion on the spatial strategy

25. The spatial strategy as it relates to housing delivery is unsound as it fails to meet housing needs in full without providing adequate justification to support its approach. The Council

must revisit its spatial strategy prior to submission to consider options for meeting needs in full and in particular whether there are any exceptional circumstances that would support amendments to the Green Belt to facilitate the delivery of new homes.

H5: Range and Mix of Housing

Self-build requirements in part 6 of the policy is unjustified.

26. Paragraph 10.20 of the LHNA notes that there are currently only 2 active individuals on the Council's self-build register. While the report notes that the decline dates from the point at which the local connection test was introduced and an annual fee required this does not provide a picture of an active population of people looking to build their own homes and certainly not sufficient evidence to suggest 5% of plots on sites of 20 or more homes should be reserved for self-build.
27. The LHNA points to broader evidence from the NaCSBA based on the Right to Build Register and suggest a need of 29 plots over the next 10 years. This is relatively small, and we would question whether it requires all development of 20 units to deliver 5% of the plots for self-build. Some evidence is needed as to how many plots the council expects to delivery from this policy and whether it is appropriate. The Council must also consider whether windfall delivery will meet this level of need of the plan period. It is also not clear from the evidence whether the Council have removed any double counting from the evidence where individuals have expressed an interest in different postal districts. If not, there is a risk of numerous LPAs seeking to deliver plots for the same individual.
28. Finally, it is also not clear from the evidence provided is whether those on the Right to Build register want a plot on major development site. The register allows for those signing up to register to state a preference as to the type of plot they want. Such information would have been helpful in determining the approach the council should take rather than assuming many of those want to self-build will want a plot on a strategic house building site.
29. Therefore, at present HBF consider the policy to be unjustified and should be deleted. If the policy is retained HBF would suggest that the Council include in policy its position with regard when plots return to the developer to be built out. This is currently in paragraph 3.65 and states that after 12 months plots will be offered to the council or registered providing before being built out. However, this approach will need to be amended. It is not sound for

these to be offered to the council or registered provider (RP) first. Self-build plots are market homes and not part of the affordable housing offer. There is no justification for these to be offered to the council or an RP first. and should return to the developer to be built out if they are not sold. HBF would also suggest the marketing period is reduced to six months. If there is demand for self-build a 12 month marketing period is unnecessary.

Policy E3: Biodiversity Net Gain

The policy is unsound as it is unjustified.

30. The HBF consider the requirement for new development to deliver a 20% net gain to be unjustified. The latest guidance published by Government on the 14th of February and highlight the statement that:

“... plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies, they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented”.

31. It is important to note that the starting point is that local plan should not seek a higher requirement. This is different to a permissive policy allowing local plans to seek a higher level of BNG where justified, and the HBF would argue that it should be considered a high bar with regard to the evidence required to justify such a policy. There must be very robust evidence that the area is significantly worse than the country as whole with regard to the negative impacts on biodiversity from development and that the viability evidence has considered in detail the actual costs facing development rather than assumed costs based generalised national data.

32. The HBF does not disagree with the broad thrust that the UK has seen a significant loss in biodiversity not just in recent past but previous centuries and as such recognise the importance of ensuring that the outcome of new development in future is that there is a net gain in biodiversity. However, it is important to recognise that in recent years new residential development has not been the driver of declining biodiversity either locally or nationally and

in particular over the last 50 years. The main drivers of declining biodiversity in England, as outlined in the State of Nature Report 2023 (State of Nature Partnership, 2023), as being *“Intensive management of agricultural land, largely driven by policies and incentives since World War II, has been identified as the most significant factor driving species’ population change in the UK”*. Therefore, whilst it is important for development to ensure that it improves the natural environment the main driver of biodiversity it is important to also recognise it is not currently a significant driver of biodiversity decline in Surrey Heath.

33. The Council’s evidence note in 11.5% species in Surrey are classified as threatened which the Council note is higher than for the country as a whole. However, it is notable that the national State of Nature Reports published in 2016, 2019 and 2023 note the number of species classified as threatened across England and at risk of extinction from Great Britain as a whole was 12%, 13% and 12.9% respectively. This would suggest that Surrey Heath and Surrey have fewer threatened species compared to the national picture. HBF do not seek to diminish or dismiss the risks to nature in Surrey, but the evidence presented by the Council does not point to biodiversity in the area being at a greater risk to the rest of the Country and as such require residential development to deliver a higher level of BNG.
34. Given that the Government has stated that plan makers should not seek to apply a higher level of BNG the evidence presented is clearly insufficient to state that a 20% BNG requirement is needed in Surrey Heath.
35. With regard to viability the Council’s Viability Assessment (VA) states in paragraph 4.34 uses the Government 2019 Impact Assessment (IA). Whilst in the absence of other costs these have been used across the country for assessing viability. However, it must be noted that the IA is an examination of the broad costs to the development industry based on a range of assumptions that will not necessarily reflect the type and location of development coming forward in Wealden and the costs of delivering BNG. In addition, the cost of creating and maintaining one hectare of habitat on site is based on 2017 study by Natural Trust, RSPB, and the Wildlife Trust in relation to farms and not residential development. In particular the on site management costs may well be higher compared to the study and the Council will need to provide evidence to what these costs are rather than rely on those set out in the IA.
36. Furthermore, the IA makes no consideration as to the potential reduction in the developable area in order to deliver at least 50% of net gains on site. This is the assumption made in the

central estimate and which used in the Council's VA. In some cases, this may have limited impact whereas on some sites it will impact significantly on the number of homes delivered. These assumptions will need to be tested with regard to allocated sites to understand the degree to which BNG can be delivered on site whilst still delivering expected levels of development. We recognise that many of the sites put forward by the council are pdl in town centre locations but in some case, these can be classified as open mosaic habitat and have a high level of biodiversity that is not easily replaced through off site mitigation.

37. Sites falling into the category of Open Mosaic Habitat (OMH) where species can be rarer than those found on farmed countryside and are considered to be areas of high distinctiveness. This would result in the loss of 6 units/ha rather than 2units/ha for bare ground. Such habitats are also difficult to create and as such require 1ha of OMH to be replaced with 1.9ha of the same habitat of the same quality. However, until the baseline assessment is undertaken it is not known what habitats occur and the difficulty of meeting the required level of BNG and why it is important that some assessment of biodiversity on allocated sites is necessary to show that they are deliverable.
38. Finally in using the cost estimate in the IA the Council are underestimating the cost of offsite delivery to meet net gains. The IA applies a cost of £11,000 per offsite credit. This much lower than current prices in the market which are in the region of £30,000 to £50,000 per offsite credit. These costs could also be higher still if there are insufficient credits locally. If credits are bought elsewhere then the spatial risk multiplier in the BNG Metric will increase the number of credits that are required. It will therefore be necessary for the Council to set out whether there will be sufficient credits to deliver net gains offsite within Surrey Heath. If not, then the costs in the VA will need to be increased. It should also be noted that a 20% BNG requirement may require more offsite delivery if a developer is to maintain viable levels of housing delivery on site. This will mean that it is likely that more than 50% of the BNG Surrey Heath potentially increasing the price per unit.
39. If it is considered sound to maintain the 20% requirement the policy must recognise that the whilst the statutory 10% is fixed the additional 10% can be reduced where this impacts on the viability of development. Given the concerns raised above with regard to the difficulties of assessing the cost of BNG and a Local Plan Viability Assessment the Council must be clear that it will reduce the 20% to the statutory minimum in order to support the delivery of new development. Paragraph 58 of the NPPF recognises that there will be circumstances where development cannot meet all the policy costs placed on it by the local plan and that

negation may be necessary in order to ensure a development can come forward. As such we would suggest the following sentence is included in E3: *“Where it is shown that 20% is not viable the development will revert to providing the statutory minimum.”*

40. Turning to the rest of the policy the HBF consider there to be no need for hierarchy in paragraph 6.35 to be included in the local plan. There is already an incentive for developers to deliver BNG on site or within the borough given that the metric imposes and multiplier the further the net gain is delivered from the development. HBF therefore suggest that paragraph 6.35 and the final sentence of part 1 of E3 are deleted.

DH3: Residential Space Standards

The policy is unsound as it has not been justified.

41. HBF could not find the Council’s evidence showing that Nationally Described Space Standards to are required in Surrey Heath. The NPPF states at footnote 52 that *“policies may also make use of the nationally described space standard, where the need for an internal space standard can be justified”*. As required by PPG this will need to include both evidence of need as well as the impact of space standards on viability and the affordability of new homes in Surrey Heath. While HBF and our members support the delivery of well-designed homes we also recognise that this can be achieved in a home built below space standards and that such homes can meet the needs of many households with regard to both cost and the number of rooms required.

DH8: Building Emissions Standards

The policy is unsound as it is not effective.

42. HBF question whether part 1 of the policy is justified. HBF recognise the importance of reducing carbon emission but consider that the objectives of part 1 of this policy will be achieved by the implementation of the Future Homes Standard. This will see all new homes built to this standard being zero carbon ready. This means that once the national grid decarbonises these homes will be zero carbon homes. As such all new home will through building regulation already positively contribute to addressing climate change rendering part 1 of DH8 unnecessary. It is also the case that no testing has been undertaken as to the impact of going beyond the Future Homes Standard and reducing carbon emissions further.

Conclusion

43. At present we do not consider the plan to be sound, as measured against the tests of soundness set out in the NPPF. I can therefore confirm that the HBF would like to participate in any hearing sessions held at the examination in public on the matters raised in our representations and that we would like to be kept informed of the submission and examination of the local plan.

Yours faithfully

[Redacted signature]

Mark Behrendt MRTPI
Planning Manager – Local Plans
Home Builders Federation
Email: [Redacted]
Tel: [Redacted]

Appendix 1: Review Policy from Bedford Local Plan 2030.

Policy 1 - Reviewing the Local Plan 2030

The Council will undertake a review of the Local Plan 2030, which will commence no later than one year after the adoption of the plan. An updated or replacement plan will be submitted for examination no later than three years after the date of adoption of the plan. In the event that this submission date is not adhered to, the policies in the Local Plan 2030 which are most important for determining planning applications for new dwellings will be deemed to be 'out of date' in accordance with paragraph 11 d) of the National Planning Policy Framework 2019.

The plan review will secure levels of growth that accord with government policy and any growth deals that have been agreed. The planning and delivery of strategic growth will be aligned with the delivery of planned infrastructure schemes including the A421 expressway, Black Cat junction, East West Rail link and potentially the A1 realignment.

The review will also serve to build stronger working relationships with adjoining and nearby authorities and may result in the preparation of a joint strategic plan based on a wider geography.