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Dear Sir/ Madam

## **TENDRING LOCAL PLAN**

1. Thank you for consulting with the Home Builders Federation (HBF) on the Tendring Local Plan.
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 include 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.

## **Draft National Planning Policy Framework**

3. HBF recognise the draft NPPF will have no weight until it is formally adopted. However, consideration will need to be given as to how the new NPPF, when it is published later this year, impacts on the soundness of policies in the local plan.
4. On the basis of paragraph 4 and 8 in Annex A of the draft NPPF this local plan, which the Council propose to submit under the current plan making process, will be examined under the NPPF24. However, it is also notable that in relation to decision making Annex A also states that from the date the new NPPF is published local plan policies that are "...any way inconsistent with national decision making policies in this Framework should be given very limited weight, except where they have been examined and adopted against this Framework". Therefore, should this new iteration of the NPPF be adopted unchanged the Council will need to have regard to national policies for decision making given that any inconsistency would effectively render many of the development management policies proposed in this consultation that are not consistent with the new Framework redundant as soon as the local plan is adopted.
5. It is clear from the draft NPPF, and the decision to establish national policies for decision making, that the Government are seeking to limit the number of development management policies in local plans that seek to gold plate policies and go beyond national standards which place significant burdens on applicants as well as their own officers. As such, when the final version of the NPPF is published it is HBF's contention that any policies which are inconsistent with the new framework should be deleted in order to avoid unnecessary and length discussions on an application by application basis as to the weight that should be attached to the policies in the adopted local plan.

## **Duty to Co-operate.**

1. The publication of the Housing and Planning Minister's Written Ministerial Statement on Reforming Local Plan Making published on the 27th of November states that the Government has decided not to save the Duty to Co-operate. The relevant statute has now been laid before parliament and once these regulations come into force local planning authorities will no longer be under a legal duty to co-operate.
2. While the legal duty to co-operate will therefore not apply to this local plan this does not remove the requirement in the NPPF that in order to be considered sound a local plan must be "based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground". The only difference arising from the removal of the duty is that a failure to co-operate effectively is a soundness matter. Given that the Council anticipates that there will be unmet needs arising from this plan, the Council will need to be able to show that it has been proactive in its efforts to ensure these needs are met elsewhere.

### **HP1: Improving Health and Wellbeing**

3. This is a very long policy, and consideration should be given simplifying it to ensure clarity for applicant and decision maker alike. For example, the opening two paragraphs of Part A and Part B read more like justification as to why a policy on health and wellbeing is required rather than policy that will be used to determine a planning application. These should be deleted or related to the supporting text. It is also unclear as to why in part B sub points h to m are necessary given that these are already set out in other policies. The Council may want to make reference of these in the supporting text as to how the Council is seeking to improve health infrastructure in the district but there is no real need to repeat these in policy.
4. HBF also considers it unjustified to require a health impact assessment (HIA) on all development of 50 or more dwellings. While there are clearly significant health issues to be addressed in Tendring, HBF considers that this is for the plan to address through its policies. Developments that are consistent with the policies in the plan should by dint be supporting the objectives of the plan to encourage a healthy lifestyle. Ergo there is no need for development to undertake a HIA. Our position is also supported by points a to g which are all addressed by other policies in the local plan making an HIA superfluous to decision making.
5. Therefore, as currently written HBF considers this policy to be unnecessary as it adds nothing to the decision maker that is not addressed by other policies in the local plan. While the health inequalities are clearly severe within parts of Tendring this does not necessarily mean that a separate policy is required. Instead, we would suggest that commentary in the supporting text on how the other policies in the local plan support the wider objective of improving health and wellbeing in Tendring would be more effective and prevent unnecessary duplication.

### **HPO5: Open space, sports and recreation facilities.**

6. This policy states in the opening sentence of the third paragraph that open space that is also identified as local green space will be given extra protection and its loss will not be permitted over the life of this local plan. This

is not consistent with paragraphs 103 to 108 which established that there may be circumstances where open space and local green space (LGS) maybe developed. While HBF recognise that LGS and open spaces are often highly valued by residents there may be circumstances over the course of the plan where circumstances allow for their loss. The protection afforded by national policy is considered to be sufficient and this sentence should be deleted.

### **LP1: Housing Supply**

7. The Council is proposing to meet housing needs of 1,063 dpa in full, which would deliver a minimum of 18,071 new homes over the plan period. In meeting these needs the Council have identified sites that will deliver a total of 19,517 homes over the plan period. As the Council notes in paragraph 5.13 this provides a contingency of 8% to provide flexibility to take account of unforeseen delays to strategic sites. While HBF welcomes the inclusion of this contingency within supply we would suggest that it needs to be in excess of 10% where a substantial amount of development is expected to come forward in new settlements.
8. HBF is supportive of the allocation of such sites but the complexity of bring forward these sites means they are more prone to delay than smaller scale development. For example, the Colchester/ Tendring Border Garden Community has not come forward as was expected in the adopted local plan, with the application only being submitted in the last month. This has resulted the delivery expectation in the adopted local plan which plan expected 625 homes to be delivered by 2029/30 have been reduced to 325 homes and with more delivery now expected beyond the end of the plan period of the adopted local plan. Given that nearly 10,000 of the 19,500 homes that are expected to be delivered over the plan period are on new allocations of 900 or more homes HBF considers a contingency closer to 20% would be more appropriate.
9. It is also notable that our assessment of land supply (attached in appendix A) using the housing trajectory in the Housing and Economic Land Availability Assessment (HELAA) the Council will not have a five year land supply on adoption in 2027/28 with supply subsequently falling below five years between 2030/31 and 2032/33. This suggests that land supply in the middle of the plan period is relatively weak and that additional supply from small to medium sized sites would ensure a most robust land supply that ensures needs are met consistently across the plan period.

#### *10% small sites*

10. In paragraph 5.10 the Council notes the requirement in paragraph 73 of NPPF that at least 10% of the homes delivered over the plan period should be on sites no larger than one hectare. In meeting its minimum housing need the Council will need to ensure that at least 1,870 homes are delivered on sites no larger than one hectare. In meeting the requirement of paragraph 73 the NPPF is clear that these homes must be on identified sites – either as an allocation in the local plan or as a site in the Council’s Brownfield Register. This cannot include windfall development which is defined in the NPPF Glossary as “*Sites not specifically identified in the development plan*”. As such the Council cannot rely on assumed levels of windfall delivery on small sites to meet this requirement.

11. The Council should also recognise that allocating small sites and supporting SME house builders not only ensures a stronger supply in the short term but also improves the diversity of choice within local housing markets, support local and regional supply chains and are often pivotal in bring forward innovation and supporting jobs growth locally, with 1 in 5 of the SME work force comprising of apprentices. A failure to allocate small sites will contribute to the continued decline in small and medium sized house builders. Recent research by the HBF has found that there are 85% fewer small house builders today than there were 20 years ago and that of a survey of SME house builders 93% said that planning was a major barrier to SME growth. Whilst this decline is due to a range of factors, more allocations of small sites would ease the burden on many SME developers and provide more certainty that their scheme will be permitted, allowing them to secure the necessary finance that is often unavailable to SMEs until permission is granted.

#### **LP4: Development Design and Layout.**

12. The Council state in part a that actively promote health and wellbeing includes “*delivering the required measurable biodiversity gain on site*”. While national policy suggests that as much biodiversity net gain should be delivered on site as possible, national policy recognises that this may not be possible and allows offsite delivery or the purchase of national credits. Given that the Council’s own policy recognises this as well part a should be amended accordingly.
13. Part c states that Suds must be in line with the latest best practice and current policy requirements. Firstly, development should only have regard to the latest best practice rather than be in line with it. In effect the Council are giving the weight of policy to best practice, which is not consistent with legislation supporting the preparation of development plans and supplementary guidance. Secondly there is no need to state that SUDs should be in line with current policy requirements as this is simply a statement of the obvious. HBF would suggest the policy is amended to “*...implementation of SUDS, having regard to the latest best practice*”.
14. Similarly part g states that development should be in accordance with EPOA Parking Guidance. This should be amended “*... to have regard to EPOA Parking Guidance*”.

#### **LP5: Affordable Housing**

15. HBF are concerned that the costs relating to BNG and energy efficiency have been underestimated and that these higher costs could impact on viability and the level of affordable housing provision that can be achieved in Tendring. These must be tested prior to the preparation of the next iteration of this local plan.
16. It is also notable that the Viability Assessment indicates that development of PDL will be challenging at 20% affordable housing in addition to the other policy costs and that these should not be relied on to deliver homes across the plan period. The evidence would suggest that the policy requirement for affordable housing on such sites is reduced or removed entirely, especially as there a significant windfall allowance within the housing trajectory.

17. HBF would also recommend that the policy should state that specialist housing for older people, such as retirement accommodation and extra care housing, is not required to provide affordable housing. Paragraph 10.79 of the Viability Assessment notes that such accommodation is not viable when all the policy costs are taken into account. The Viability Assessment goes on suggest that these should be assessed at the development stage. However, where it has been tested and found not to be viable it makes no sense not to amend policy at this stage and avoids developers of homes for older people to negotiate on a site by site basis. Such a policy would also send a signal to those developing specialist accommodation for older people that the Council is supportive of such development by proactively removing barriers to development.

#### **LP7: Self-Build and Custom-Built Housing**

18. The Council are proposing that 2% of plots on sites of 150 homes or more should be allocated for self-build or custom housebuilding. The evidenced used to support this is the Council's self-build register which has 156 households on it who have indicated they would like to build their own home. This list will need to be reviewed to identify whether those on the list are still looking for a plot to build their own home and have the means to do so. The Council should also ascertain the type of site that those on the list are looking for. Many of those looking to build their own home will not want a plot on a major development site and therefore a policy that seeks to provide plots in this way is unlikely to meet the needs of self-builders in Tendring. Without a thorough review this evidence cannot be relied on to justify this policy.
19. If the policy is retained, then the marketing period before homes can be built out be the developer should be reduced to 6 months. If the Council are confident that there is demand for these plots, then a 6 month marketing period should be more than sufficient and will ensure that plots do not remain unbuilt for longer than is necessary.

#### **PPL4a: Biodiversity Net Gain in Tendring.**

20. HBF does not consider the policy requiring a major development to deliver 20% Biodiversity Net Gains (BNG). As the Council will be aware, the draft NPPF published for consultation at the end of last year 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. This is a clear direction of travel with regard to BNG that there should not be general requirements for development to deliver beyond hit 10% required by the Environment Act.
21. However, even if the approach being proposed in the draft NPPF is not taken forward HBF does not consider the approach to be justified. In considering the soundness of this policy it is necessary to consider paragraph 74-006-20240214 of PPG which states 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”.*

22. 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 a very clear and robust justification that the area is significantly worse than the country as whole and that this decline is directly related to the new development rather than, for example, the result of changes in agricultural practices or industrial pollution. It is not sufficiently robust to highlight declines in species that whilst an important issue is not necessarily as a result of new homes being built.
23. However, HBF could not find any justification in the plan or evidence base as to why development in Greater Cambridge should be delivering more than the 10% statutory requirements. The HBF does not disagree that the UK has seen a 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 it is important to also recognise residential development is not a significant driver of biodiversity decline in Greater Cambridge. Similarly, the lack of national or internationally important protected areas or low percentages of open access land and accessible open green space, as outlined in paragraph 3.25 of the topic paper does not indicate that there is a local need for new development to deliver beyond the 10% required by statute. These reflect long term agricultural practices and as such there is no justification for requiring new development to address a problem it has not created.
24. The Council must also be able to show that the 20% net gain is viable and will not compromise the deliverability of sites or the local plan as a whole, and that if it is delivered wholly onsite there would be no material impact on the viability of development. However, what must be recognised by the Council with regard to BNG is that the approach to delivering either a 10% or 20% net gain in biodiversity is the type of habitat that is currently on site. On some sites it may be relatively simple to deliver 10% or 20% net gain. These could be on sites where there is minimal biodiversity or where the habitats are of low distinctiveness. However, on some sites this will not be the case. Habitats may be of a higher distinctiveness, and it may be more difficult to deliver BNG on site. In such cases meeting the 10% will be a challenge and 20% even more so with the likelihood that a significant proportion of the biodiversity units required to achieve 20% net gain will be delivered off site.
25. Where offsite delivery is required, it will mean costs increase due to the spatial risk multiplier. This does not appear to have been considered in the Viability Assessment with the consideration of costs relying on research

undertaken to inform plan making in Essex, which relies heavily on the DEFRA impact assessment which significantly underestimates the cost of offsite credits and takes no account of the spatial risk multiplier. For example, offsite delivery in an adjoining local planning authority or national character area would require would increase the number of biodiversity units required by 1.5 and another part of England by 2. Given recent evidence from Biodiversity Units UK shows that offsite credits range from £25,000 to £190,000 the impact of the multiplier could be significant if delivery of BNG cannot be onsite or within Tendring. As such without an understanding of the baseline biodiversity on a site it is difficult to know what impact a 20% BNG requirement will have on viability. Due to this uncertainty HBF would suggest that rather than seek to go beyond the statutory requirement the Council should be working with developers to ensure that 10% can be delivered in a manner that maximises the benefits for local people.

26. With regard to the statement in the fourth paragraph of PPL4a that delivery of net gains must be in line with the guidance and legislation HBF would suggest that this deleted as it is simply restating a requirements that are adequately set out in PPG and the legislation governing the delivery of BNG.

**PPL5a: Water conservation, drainage and sewage.**

27. As there is no evidence that water supply in Tendring is an issue that is preventing development from coming forward the requirement for new residential development is designed to utilise no more than 100 lppd should be amended to 110 lppd to reflect the lower threshold in PPG. Consequently, the requirement in part 2, 3 and 4 should also be deleted as achieving the 110 lppd is addressed through building regulations.
28. The final paragraph should be deleted. Development proposals should not have to demonstrate that adequate sewage disposal exists at the point of application. The provision of sewage disposal is the responsibility of the water provider who has a statutory responsibility to provide these services and connect new homes to the waste water network. Section 106 of the WIA 1991 confers a power to connect to a public sewer. Section 106(1) states that the owner of any premises or the owner of any private sewer which drains premises, shall be entitled to have its drains or sewer communicate with the public sewer of any sewerage undertaker and therefore discharge foul water and surface water from those premises or that private sewer.
29. Specifically, in relation to wastewater, the Supreme Court considered this matter in 2009 – see Barratt versus Welsh Water [2009] UKSC 13. Paragraph 23 of the decision is salient. Given its importance in the context of wastewater, it is recited in full below:

*“The right to connect to a public sewer afforded by section 106 of the 1991 Act and its predecessors has been described as an “absolute right”. The sewerage undertaker cannot refuse to permit the connection on the ground that the additional discharge into the system will overload it. The burden of dealing with the consequences of this additional discharge falls directly upon the undertaker and the consequent expense is shared by all who pay sewerage charges to the undertaker. Thus, in Ainley v Kirkheaton Local Board (1891) 60 LJ (Ch) 734 Stirling J held that the exercise of the right of an owner of property to discharge into a public sewer conferred by section 21 of the 1875 Act could not*

*be prevented by the local authority on the ground that the discharge was creating a nuisance. It was for the local authority to ensure that what was discharged into their sewer was freed from all foul matter before it flowed out into any natural watercourse.”*

30. It is therefore inappropriate to include a policy in the local plan requiring a housebuilder, or other applicants for development, to assess the capacity or otherwise of the water company to provide waste water connections as they are an attempt to get applicants to do things for which they are not legally responsible. Rather it is the responsibility of water companies, working with local authorities and the Environment Agency, to plan for the future demand for such services relating to the development requirements proposed in local plans. If the Council cannot show that there is sufficient waste water infrastructure to meet the level of development set out in the local plan, then it cannot be considered to be deliverable.

**PPL10a: Operational Energy and Carbon Net Zero.**

31. As set out above while very little weight can be attached to the current consultation on the NPPF careful attention will need to be given to the outcomes of the consultation and the final document that is adopted. With regard to standards related to carbon emission and energy efficiency standards consideration will need to be given to PM13 which states that other than standards for accessibility, water efficiency and nationally described space standards local plans should not cover matters already addressed in building regulations. In addition, it is also notable that the latest consultation on the NPPF proposes to amend the Planning and Energy Act 2008 in relation to the setting of local energy efficiency standards that go beyond building regulations to make clear that local plans should not set higher energy efficiency standards for residential development. Once adopted the NPPF would also replace the 2023 Written Ministerial Statement (WMS) ‘Planning – Local Energy Efficiency Standards Update’. As such If PM13 remains this policy would be inconsistent with national policy from the point at which the new NPPF is adopted with limited weight being given to these policies with decision making. In such a situation HBF would suggest that these policies are deleted.
32. However, at present the Planning and Energy Act 2008 and the WMS allow local planning authorities to set standards that are higher than building regulations, with the WMS noting that “*Compared to varied local standards nationally applied standards provide much-needed clarity and consistency for businesses, large and small, to invest and prepare to build net-zero ready homes*” and that local standards can “*add further costs to building new homes by adding complexity and undermining economies of scale*”. After setting out these concerns, the 2023 WMS does go on to state that any standard that goes beyond building regulations should be rejected at examination unless the LPA does not have a well-reasoned and robustly costed rationale that ensures:
- That development remains viable, and the impact on housing supply and affordability is considered in accordance with the National Planning Policy Framework.
  - The additional requirement is expressed as a percentage uplift of a dwelling’s Target Emissions Rate (TER) calculated using a specified version of the Standard Assessment Procedure (SAP).

33. HBF does not consider the approach set out in CC/NZ to be consistent with the WMS nor that the implications of such a policy have been properly assessed in the supporting evidence base. Our detailed points are set out below.
34. The approach proposed by the Councils based on energy use is inconsistent with the approach set out in the WMS and as such is unsound. The intention of the WMS and the Planning and Energy Act was to enable local authorities to go beyond building regulations but not to set wholly new standards. This was noted in by Justice Lieven's decision which referred to statement by the Minister at the time where the minister confirmed that councils "*can go further and faster than building regulations, but within the national framework*" and that the intention was for "*... local authorities, in setting energy efficiency standards, to choose only those standards that have been set out or referred to in regulations made by the Secretary of State, or which are set out or endorsed in national policies or guidance issued by the Secretary of State. That approach was taken with a view to avoiding the fragmentation of building standards, which could lead to different standards applying in different areas of the country ...*".
35. It should also be noted that the Government have considered as part of consultation on the Future Homes Standard whether it was appropriate to use a delivered energy metric such as the one being proposed in the policy position paper and have concluded that these do not offer any additional benefits to those being taken forward by Government. Therefore, if the Council are to require standards above those set out in building regulations they must be expressed as a percentage of the target emission rate and not as an energy use target in order to avoid fragmentation of the standards with different requirements being set in different areas which it must be recognised was not only an expectation of the WMS but also of the legislation that permits council to adopt higher standards in local plan in the first place. HBF are aware that planning inspectors examining other local plans have considered it to be justified to depart from the national policy continue there to be no justification for departing from either the WMS or the Planning and Energy Act (2008) in setting a wholly different standard to that required by Building Regulations.
36. With regard to the costs of this policy to new development HBF the Council costs are set out in Viability Study as being 6% above existing building regulations. The costs for similar standards to those being proposed can be found in the Future Homes Hub report 'Ready for Zero'. This study tests a number of archetypes against a range of specifications from the current standards set out in the 2021 Building Regulations through to standards that will achieve similar standards to those proposed by the Council. The Viability Study seeks to dismiss these costs on the basis that they are not directly comparable however, they do represent costs based on evidence provided by house builders and their experience of meeting the sale levels of space heating standard being proposed by the Council and should not be dismissed so readily. Given this is a new standard HBF would recommend that it is necessary to be cautious and apply the higher cost assumptions in the FHS report given that these come from those who will be expected to build these homes.
37. The various specifications and costs considered are summarised in Figure 8 of 'Ready for Zero' and indicates that in order to deliver standards to the same level as is being proposed by the Council on a three bedroomed

end of terrace house (specifications CS3, CS4 and CS5 in the FHH report) would be around 15-19% higher than the 2021 Building Regs, around £17,000 to £22,000 more per unit, and significantly higher than the Council's evidence suggests would be the cost of achieving this policy. Given that there is still significant uncertainty as to the cost of delivering the standards being proposed the Council will need ensure that further sensitivity testing is undertaken in the viability study.

38. However, in addition to considering viability the Council will also need to provide evidence as to the potential impact on the affordability of new homes and the ability of the development industry to meet these standard when the plan is adopted. To start, HBF would not disagree that the proposed standards are technically feasible. However, HBF are concerned as to the impact these requirements will have on the rates at which sites can deliver new homes on all types of sites. Given that the standards proposed are higher than those proposed by Government in the Future Homes Standard and will require higher levels of fabric efficiency, which in turn will require new skills and materials that may not be readily available, HBF are concerned this could slow delivery in the short to medium term as supply chains are developed.
39. It has been recognised by the FHH that to deliver higher standards will require phased transitional arrangements to enable a steady build-up of skills and ensure quality. The FHH also notes in 'Ready for Zero' that even if a short transition period between current standards and those similar to the Councils are proposing that this would "... create a high risk of quality problems, inflated costs and, potentially, stalled build programmes." However, HBF could find no evidence that the Council has considered whether its proposed standard will impact on the rate at which new homes can be built. The Council will need to speak directly to a range of housebuilders operating in Reading to understand the impact of its policy on the rate at which homes will be delivered on its allocated sites. Without any consideration of delivery then the Council's decision to go beyond what is required by building regulations is clearly unjustified
40. While HBF understands the desire for LPAs to go further it must be recognised that current policy outlines that even where development can viably implement higher standards this must be within a consistent technical framework and approach to assessing building performance against those technical standards. Indeed, this has long been the case in planning policy with paragraph 159b of the NPPF stating that "*Any local requirements for the sustainability of buildings should reflect the Government's policy for national technical standards*".
41. If the Councils have the evidence to show that the policy is deliverable, they will need to ensure that all other policies in the local plan are consistent with delivering the levels of embodied carbon being proposed. The most energy efficient design will inevitably lead to less variety in the built form in order to reduce the surface area of the building. This will need to be reflected in design policies and any design codes that are produced to ensure that development is not refused for seeking to meet energy efficiency standards but, for example, not being designed in the character of the local area.

#### **PPL10b: Embodied Carbon and Circular Economy in homes and buildings**

42. This policy requires an assessment be undertaken as to the total embodied carbon emitted as part of the A1 to A5 stages set out in the RICS assessment methodology and for the developer to demonstrate that each home on major development sites will deliver no more than 500 kgCO<sub>2</sub>e/m<sup>2</sup>. HBF recognise that there is a need to reduce embodied carbon but have significant concerns that seeking to introduce local standards when understanding of this across the industry is still in its infancy means that the policy will delay the delivery of new homes.
43. Firstly, it must be noted that there is nothing in NPPF to support policies that require developers to undertake whole life carbon assessments and meet specific technical standards. There has been suggestion that a standard should be set through building regulations. However, this has not happened and is an indication that council's should not be setting local standards. Secondly HBF are concerned that the Council is seeking to implement standards is that not all products will have Environmental Product Declaration (EPD) making it difficult for consistent assessments to be undertaken across the developments. This can lead to significant inconsistencies in the outcome of any assessment depending on assumptions that are used within the assessment model. This makes it difficult for the applicant to accurately show whether the standard is being met and for the decision maker to determine an application on the basis of the information provided. It could lead to confusing situations where assessments made for the same development achieve a different outcome in terms of embodied carbon. As such HBF consider the policy to be ineffective.
44. In addition, the policy is unjustified as it would appear that no additional costs have been factored into the cost of meeting this standard. While it is difficult to know how much this will cost as it will depend on the type of materials used by a specific developer and the cost differential of building using lower carbon alternatives to that developer. It will also vary significantly on the site and its topography. The Council will therefore need to include an uplift to building costs within the viability study. Without any uplift to costs to take account of this policy it cannot be considered as being justified.

#### **CP1: Sustainable Transport and Active Travel**

45. HBF would suggest that attractive is removed from the first bullet point in paragraph 3. It is unlikely that all walking routes, and in particular the most direct will be attractive – especially if they are also to be safe and direct. IN the fourth bullet point the council state that development must demonstrate greater connectivity between places and modes of transport. It is not clear why development should provide for greater connectivity. The level of connectivity should be what is required to make that development acceptable in planning terms. In some circumstances this may be more than existing provision but in others it may not. HBF would recommend that “*greater*” is replaced with “*appropriate*”.

#### **Future Engagement**

46. 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 housebuilding industry.

47. The 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,

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

**Mark Behrendt**

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