

Coventry Local Plan Review Regulation 19

Proposed Submission (Publication) Stage Representation Form (guidance note below)

Ref:

(For official use only)

Name of the
Plan to which
this
representation
relates:

**Coventry Local Plan Review – Regulation 19 Proposed
Submission (Publication)**

Please return to Coventry City Council in writing or electronically by 23:59 03

March 2025 email to planningpolicy@coventry.gov.uk, via our consultation portal
<https://coventrycitycouncil.inconsult.uk/system/home> or by post to Planning Policy Team,
PO Box 7097, Coventry, CV6 9SL

Please refer to the following data protection/privacy notice:

www.coventry.gov.uk/planningpolicyprivacynotice

Please also note that a copy of your representation(s) will be made available to the Planning Inspectorate and to the person appointed by the Secretary of State to conduct the examination (i.e. the Inspector) and the Programme Officer. and that your representation(s) will be 'made available' in line with the Regulations (The Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulations 20, 22 and 35). This includes publication on Coventry City Councils website (personal details will be redacted in line with the Privacy Notice).

This form has two parts:

Part A – Personal Details: need only be completed once.

Part B – Your representation(s).

Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

Title

First Name

Last Name

2. Agent's Details (if applicable)

Job Title	Planning Manager (Midlands and SW)	
(where relevant)		
Organisation	Home Builders Federation	
(where relevant)		
Address Line 1	HBF House,	
Line 2	27 Broadwall,	
Line 3	London	
Line 4		
Post Code	SE1 9PL	
Telephone Number		
E-mail Address		
(where relevant)		

28/2/25

Dear Sir/ Madam

Response by the Home Builders Federation to the Coventry Reg 19 consultation, Feb 2025

1. Please find below the Home Builders Federation (HBF) response to the Coventry Local Plan (Reg 19) consultation.
2. 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. In any one year, our members account for over 80% of all new “for sale” market housing built in England and Wales as well as a large proportion of newly built affordable housing.
3. We have already contacted ask under which part of the Dec 2024 NPPF transitional arrangements you intend to progress the Coventry Local Plan. Clearly the transitional arrangements apply differently to a plan that has reached Regulation 19 consultation before March 12th, versus one that has been submitted to the Secretary of state for Examination by that date. We are grateful for your prompt response confirming that you intend to submit the Plan as having reached Reg 19 (but not submission) before the 12th of March 2025, with the Plan to progressing under the previous system.
4. HBF have therefore provided comments on this basis, if there was a delay to the submission, we would welcome further discussions with you on how to proceed. However, even if this Plan is progressed under the transitional arrangements, we still believe that the clearly stated intention of the Government in relation to housing and the new Government policy and guidance provides some useful context to our comments and as such have referred to this where relevant. As such we have differentiated between the 2023 NPPF and the new 2024 NPPF where necessary.
5. HBF have not commented on every policy only those of relevance to our members.

Overarching comments- Legal compliance and DTC not met

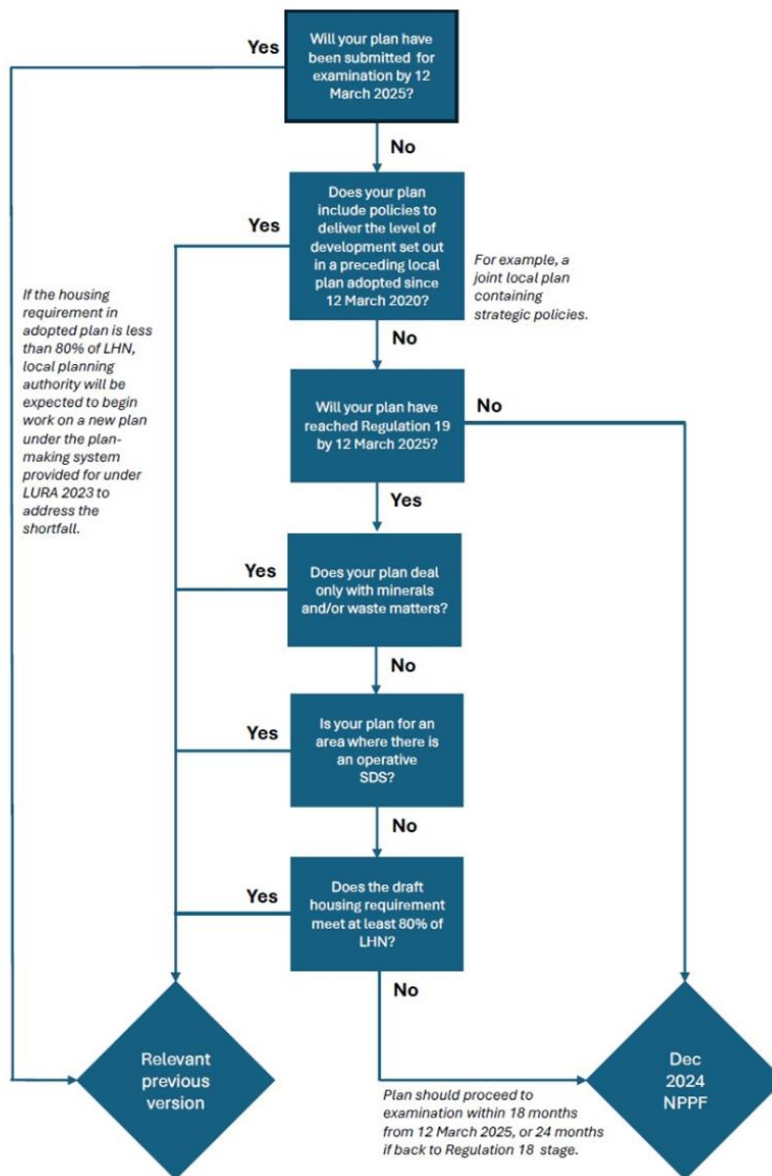
Impact of the Dec 2024 revisions to the NPPF

6. The new Government published a revised NPPF on 12th Dec 2024. This indicates that where a Plan is at Regulation 19 stage (after March 12th 2025) and the housing requirement meets less than 80% of local housing need, as would be the case with this Plan, then authorities will be required to update their plan to reflect the revised local housing need figure and the revised National Planning Policy Framework prior to submission.
7. The HBF notes a new NPPF and new standard method for calculating housing need has been published just prior to this consultation on the Coventry Local Plan, and that this may have implications for the production of the Plan and the policies it contains. The transitional arrangements set out in the NPPF¹ state that *'for the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: the plan has reached Regulation 19 (pre-submission stage) on or before 12 March 2025 and its draft housing requirement meets at least 80% of local housing need; [or] the plan has been submitted for examination under Regulation 22 on or before 12 March 2025; [or] the plan includes policies to deliver the level of housing and other development set out in a preceding local plan adopted since 12 March 2020 . . .'*
8. The HBF considers that as currently proposed the Plan will be expected to comply with the NPPF 2024, whilst the Plan as reached Regulation 19 before 12th March, it has not included a draft housing requirement, and as such the Plan as proposed will not meet the 80% requirement. The HBF considers it is unlikely the Plan will be submitted before the 12th March 2025. The Government Response to the proposed reforms to the NPPF and other changes to the Planning system consultation² provides a helpful flow diagram of the transitional arrangements, which is copied below (Figure 1).
9. The new NPPF therefore provides an important context on the wider Government's objectives around housing, which add further weight to the concerns we have raised about the failure of the West Midlands to fully grasp the challenges of meeting the housing needs and proactively plan to do so. We would suggest that the new requirements and the transitional arrangements underscore that changes are needed to this Plan in relation to housing monitoring and a new policy should be added which commits to an immediate review of the Local Plan. In our view such changes will be needed in order for the plan to be found sound, otherwise the issue of the unmet housing needs of Coventry will remain unaddressed for many more years, which in our view is not acceptable.

¹ NPPF 2024 paragraph 234

² <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/outcome/government-response-to-the-proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system-consultation#the-future-of-planning-policy-and-plan-making>

10. Figure One: Transitional Arrangements Flow Diagram



11. The new NPPF therefore provides an important context on the wider Government’s objectives around housing, which add further weight to the concerns we have raised about the failure of the West Midlands to fully grasp the challenges of meeting the housing needs and proactively plan to do so. We would suggest that the new requirements and the transitional arrangements underscore that changes are needed to this Plan in relation to housing monitoring and a new policy should be added which commits to an immediate review of the Local Plan. In our view such changes will be needed in order for the plan to be found sound, otherwise the issue of the unmet housing needs of Coventry will remain unaddressed for many more years, which in our view is not acceptable.

12. We would ask that the Council fully consider the implications of the new NPPF and new standard method on their Plan. In HBF’s view, the content of the new NPPF further underlines the importance of the Council taking efforts now to minimise the

level of any unmet and unplanned for need in the first place. The Government's intentions to meet the housing needs of the nation in full, is very clear, and this is reflected in the transitional arrangements. We would therefore support the Council if they were to choose to take a pause to update their plan to reflect the new housing requirement.

13. Both the new (2024), and previous (2023) planning guidance are clear that Local Plans should be proactively planning for their area, which includes helping to address the housing crisis. However, the Coventry Plan is not contributing as much as it could, or should, be to helping to meet this key national housing policy goal. As such the Plan is not doing what it should be to make its contribution to achieving this national policy objective, as such it is currently unsound.

New Information on BNG and LNRs

14. As you may be aware the Government recently³ published additional Guidance on how Local Nature Recovery Strategies should be integrated with/feed into Local Plan Making⁴. This guidance adds further weight to the comments we are making in relation to BNG policies in this Plan. We would encourage the Council to review the new guidance and fully consider its implications for this Plan.

Plan Period

15. HBF note that it is intended for the reviewed Local Plan to run up until 2041, rather than the 2031 of the current Plan. The NPPF⁵ states strategic policies should look ahead over a minimum 15-year period from adoption and that where larger scale developments form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take in account the likely timescale for delivery. In recognition of the time that it can take to progress a new Local Plan through all its required stages, HBF consider it is unlikely that that this Plan would be adopted in 2025, and therefore suggests that the Council should considers extending the Plan period to ensure that a 15-year period is provided post adoption of the Plan. It will also be important for the evidence base to be consistent with the Plan Period.

Duty to Cooperate

16. HBF is concerned that the Duty to Cooperate has not been met.
17. We remain concerned that the lack of joined up plan-making across the West Midlands regional poses additional challenges for Local Plans in seeking to ensure the housing needs of Coventry and the wider West Midlands region are met in full. We remain disappointed that wider collaboration and cross-boundary planning on key strategic issues and plan-making has yet to be successful in the West Midlands area, despite this being greatly needed.

³ On 19th Feb 2025

⁴ <https://www.gov.uk/guidance/plan-making> and <https://www.gov.uk/guidance/natural-environment#local-nature-recovery-strategies>

⁵ NPPF 2023 Paragraph 22

18. Plan-making is a fundamental part of a Local Authority's role and is essential to support the delivery new homes and jobs. Although we agree that it is important to ensure that there is an up-to-date Local Plan for Coventry, this must not be at the expenses of effective and pro-active plan-making to ensure the delivery of much needed housing. In HBF's view any refusal to fully grasp this issue is a failure of proactive plan-making and therefore unsound. It is therefore very disappointing that the Council is seeking to artificially reduce its housing numbers by progressing a Plan under the previous NPPF and standard method whilst at the same time not including the urban uplift which was an integral part of that system.
19. National Policy is clear is that 2014 household projections should be used. If the Council is unhappy with the standard method calculations under the NPPF in which is choosing for its Plan to be examined, it should withdraw the Plan and prepare a new one using the new standard method and NPPF as published on Dec 12th 2024. It cannot pick and choose which elements of the relevant national policy it wishes to apply, and which it does not.
20. HBF notes there is a significant interaction between housing issues across the wider South Warwickshire, Birmingham and Black County housing market(s), which are not being adequately addressed. We note the protracted and unfortunate history of unsuccessful collaboration around plan-making, which has led to the housing needs of the City Region remaining unmet and unplanned for. In the midst of a housing crisis, such an approach seems entirely unacceptable and will lead to significant negative impacts on both Coventry and its wider hinterland.
21. The previous Government made it clear that it supported the national target of 300,000 new homes per year, and the new Government has strengthened its commitment to housebuilding, with a policy aim of delivering 1.5 million homes over the next 5 years. This recognises the essential role new housing has in supporting economic growth, and the negative impacts that a lack of housing has on the local, regional and national economy.
22. The new Government has also reinforced the need for Local Plans to proactively plan for housing. Therefore, in the midst of a housing crisis and in light in the level of high housing need in Coventry HBF remain very disappointed that the Council has chosen not to review the Green Belt to address the housing and employment development shortfalls arising from the correctly calculated standard method including the urban uplift, choosing instead to artificially suppress the figure, which in fact leave a significant amount of their housing and employment needs unmet. Such an approach fails to adequately plan for the future development of Coventry, and as such is unsound.

Chapter 3. Overall Levels of Growth and the Duty to Co-operate

STRATEGIC POLICY, Policy DS1: Overall Development Needs

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

23. HBF would expect the Coventry Plan to be an ambitious plan that plans for the future development of the City, detailing where new housing will go, meeting housing needs, providing certainty for the house building industry and setting out a long-term vision for the area, in accordance with the NPPF. Instead, although the Council acknowledges the importance of housing, it then fails to follow the NPPF 2023 standard method to establish the starting point for its housing requirement, and then it does use the policy and delivery policy mechanisms available to ensure the needs are met in full, including a Green Belt review and additional housing allocations and declaring an unmet need if needed. These are the mechanisms of the NPPF 2023. It is not appropriate to pick and choose some elements from this approach, but not others.
24. If the Council is unhappy with the standard method calculation methodology under the 2033 NPPF, the version under which it is choosing for its Plan to be examined, it should withdraw the Plan and prepare a new one using the new standard method and NPPF as published on Dec 12th 2024, or return to Reg 18 stage as indicated by Transitional Arrangements Flow Diagram (see Figure One in our reps). The Council simply cannot pick and choose which elements of the relevant national policy it wishes to apply, and which it does not.
25. The Council's reliance on the previous standard method methodology, ignoring the urban uplift and reducing the housing requirement because they disagree with the 2014 population projections is simply not an appropriate way to proceed. It is noted that under the new Dec 2024 NPPF standard method calculation, the Housing Requirement for Coventry would be 1388 per annum, so a new Regulation 19 (or 18) Plan that seeks to plan for this amount of housing is an option that remains available to the Council. If, however, this Plan is to continue under the transitional arrangements that the full standard method calculations of the 2023 NPPF must be used.
26. As we set out in our response to the Regulation 18 consultation on the Coventry Plan. Paragraph 61 of the NPPF requires that in order to "determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals." Therefore, the Government requires Local Planning Authorities to use the standard method to calculate our housing need in all but exceptional circumstances.
27. The use of the 2014 population projections are an integral component of the standard method and therefore any departure from using them would be required to be exceptionally justified and reflect current and future demographic trends and market signals.
28. HBF note that the Council questions the validity of the 2014 population projections. Using the standard method as set out in Government policy would require Coventry to deliver 3,188 homes each year as a minimum (using 2021 as the starting point, at least 63,760 homes over the plan period to the year 2041). However rather than using the 2014 figures required by the standard method, the Council is seeking to

use the 2021 census figures instead. This results in a reduction in the housing requirements for 1,964 homes a year (at least 39,280 homes over the plan period to 2041).

29. HBF is sympathetic to the concerns of the Council in relation to the 2014 population figures. HBF acknowledge that this longstanding issue but it must be recognised that demographic change would not normally in itself be enough to justify a departure from the standard method. It must also be recognised that rebasing figures against the 2021 Census is not a panacea to the identified problem and that the Census is not perfect. The 2021 census was undertaken during the COVID pandemic and as such may also have issues around representative and reliability, especially in relation to students, many of whom were studying remotely during the pandemic. Although HBF is sympathetic to the need to critically consider the 2014 baseline in the standard method the Council's other departures from the standard method are clearly not justified.
30. In addition to the significant reduction in housing requirement switching from the 2014 to the 2021 figures creates, the Council is also intending to compound the situation further by removing the 35% urban uplift. No evidence or justification is given for this change other than that the Council 'does not agree' with it. The removal of the urban uplift further reduces the housing requirement for Coventry to only 1,455 homes each year or 29,100 over the plan period to 2041.
31. HBF note that issues around the population projections for Coventry are longstanding. The adopted Local Plan (page 44) already mentions the perceived problems with the census data and the unattributable population growth. Indeed, the adopted Local Plan indicates that this matter had been considered in the Joint SHMA that informed the Objectively Assessed Need in the adopted Local Plan, the method used before the standard method was introduced.
32. HBF also notes Iceni, the Council's consultants, support a deviation from the 2014 projections, but then their work goes on to then apply the standard framework method to the revised figures. Having arrived at a revised figure Iceni continue to apply the other elements of the standard method including the application of the urban uplift. This is the approach Iceni have adopted for other studies elsewhere, for example in Birmingham and in Leicester and Leicestershire. Iceni's work in Leicestershire has identified an unmet need for the city that is now being planned to be met in the Local Plans of the neighbouring Leicestershire authorities. This is how the system is intended to work. If Coventry is unable to meet all of its needs within the boundary, the unmet need should be identified and accommodated within the neighbouring authorities. Just deciding to remove the urban uplift, is unreasonable, unjustified and unsound.
33. In seeking to utilise the standard method but change two key elements of it methodology the Council is not utilising the standard method. It is in fact proposing to use an entirely different method, from the standard method, to calculate housing need. As such the approach must be justified by exceptional circumstances.

34. The Council's own evidence indicates a worsening housing crisis in Coventry, with affordability become more problematic and a significant need for affordable housing. Even if the census data issues were viewed to create the exceptional circumstances to justify departing from the 2014 figures, HBF cannot see how and further departures from the standard method is justified. There is no justification for the removal of the urban uplift, which is a national policy requirement. Currently the Council seems to be proposing an approach to the housing requirement that seeks to actively make it as small as possible, without providing good evidence or reason to do so. Such an approach also runs completely contrary to the current and future demographic trends and market signals that the NPPF requires any departure from the standard method to consider.
35. The previous Government supported the national target of 300,000 new homes per year and the urban uplift was part of securing this delivery across the country. The standard method housing requirement has always been the minimum starting point for setting the housing requirement, and HBF support more housing than the standard method housing requirement in order to support economic growth, provide a range and type of sites and to support small and medium house builders. There is a need to provide a range and choice of sites, a need for flexibility and viability considerations to be taken into account and a need for the Council to consider whether higher levels of open-market housing are required in order to secure the delivery of affordable housing and/or support economic growth.
36. NPPF (2023) para 60 still requires that in order "to support the government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay".
37. HBF cannot understand how the approach in this Plan represents a proactive approach to planning to meet the housing need of Coventry and the wider area envisaged in the adopted Local Plan- where unmet need was going to be proactively planned for in neighbouring areas. The 'new' methodology seems to have been artificially contrived to make the housing requirement as low as possible, without the exceptional circumstances that would be needed to justify such a deviation from the standard method.
38. HBF notes that some developer and land promoters have put forward alternative methods of calculating housing requirement, based on the framework of the standard method, but accepting a departure from the 2014 figures. Lichfield's work has undertaken more detailed research and analysis of the problem with the 2014 figures and how this should be addressed in plan-making. HBF support the need for a robust understanding of the issues around the problems with the housing projections in Coventry whilst at the same time using the framework of the standard method to calculate the housing requirement. HBF would be supportive of this approach.
39. In relation to the urban uplift HBF do not agree that Coventry Council can simply decide to discard this element of the standard method. The Council's own consultants seem not to support this approach as the HEDNA report prepared by Icenii still utilises the framework of the standard method, including the affordability

ratios and urban uplift. It only adjusts the census population in a way that it believes addresses the issue with the census data. Even if HBF were to accept that the longstanding issues with the census data are sufficient justification for a departure from the standard method, as the Council's consultants suggest, the recommendation from the very same consultants is that having updated this data source from 2014 to the 2021 census the framework of the standard methodology should then be applied to this figure. The Council seem therefore to have cherry picked the bits of the consultant report they like and ignored those they don't, seemingly in a conscious attempt to artificially minimise housing numbers.

40. To suggest that the approach the Council is adopting is a standard method with just a couple of tweaks- using 2021 census figures and removing the urban uplift is entirely disingenuous. The use of 2014 figures and the inclusion of an urban uplift is an integral of the standard method. The Council needs to be clear and explicit in the choices it is seeking to make and apply the tests in NPPF to see if it is justified in doing so. HBF strongly suggest it is not. As such the plan is unsound.

STRATEGIC POLICY, Policy DS2: The Duty to Co-operate and partnership working

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

41. Although HBF welcome the Councils' stated commitment to working across the housing market area and helping to ensure any unmet needs of Coventry are addressed elsewhere, such statements are undermined by the artificial suppression of the housing figures. We are unclear as to the need and justification for these commitments to be a policy in the Plan, as they are really a statement of intent. We welcome the Council's commitment to supporting economic growth but as we have suggested elsewhere within our representations, the Plan should be enabling more housing to support that growth.

STRATEGIC POLICY, Policy DS3: Sustainable Development Policy

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

42. Although HBF is very supportive of Local Plan that begin with a clear policy setting out how a planning application would be determined, this policy need expanding to reference the role of the tilted balance and more clearly set out the importance of housing monitoring and delivery, and the implications the lack of housing supply would have on decision-making. It is important for all plan-users, but particularly local communities that there is a need to embrace new development and help shape it, rather than resist the principle, and there are consequences if Councils do not permit enough housing applications.

Chapter 4. Health and Wellbeing

STRATEGIC POLICY, Policy HW1: Health and Health Impact Assessments (HIA)

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

43. Although HBF recognises that health is an increasingly important public policy consideration and that Health Impact Assessments (HIAs) can make a useful contribution to plan-making and scheme design, but their use needs to be proportionate. A requirement for all major development (over 10 houses) to require a HIA Screening report seems disproportionate.
44. It is not appropriate to reference a current or future SPD within a Local Plan Policy wording as this would give SPD Local Plan policy status. Any SPD should only be mentioned in the supporting text.

Chapter 6. Delivering Coventry's Housing Needs

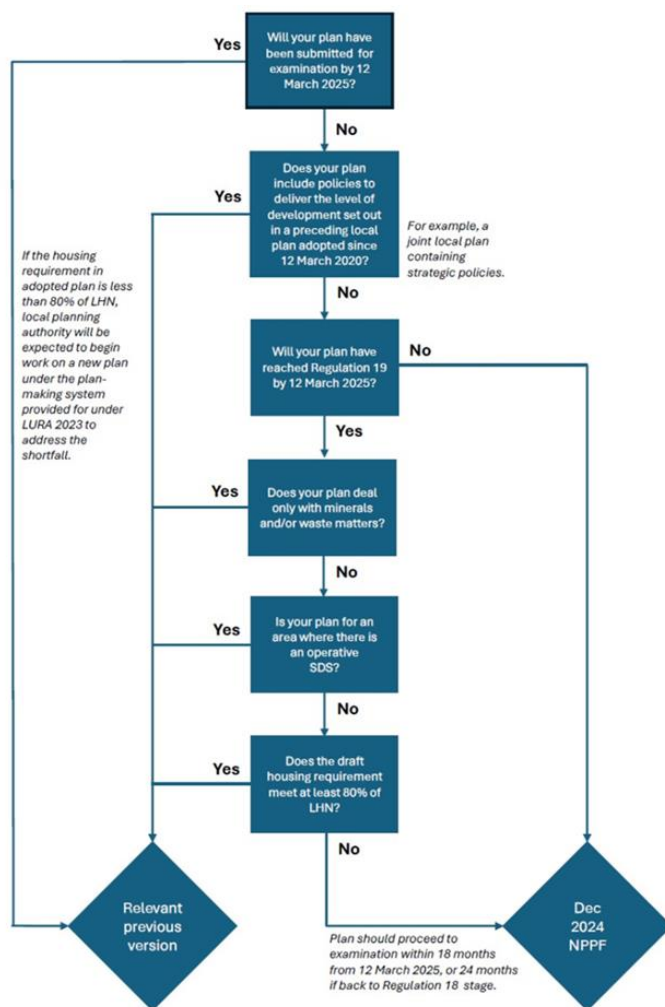
STRATEGIC POLICY, Policy H1: Housing Land Requirements

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

45. The Plan seeks to make provision for a minimum of 29,100 additional dwellings between 2021 and 2041.
46. The HBF notes a new NPPF and new standard method for calculating housing need has been published just prior to this consultation on the Reg 19 version of the Coventry Local Plan, and that this may have implications for the production of the Plan and the policies it contains. The transitional arrangements set out in the NPPF⁶ state that *'for the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply: the plan has reached Regulation 19 (pre-submission stage) on or before 12 March 2025 and its draft housing requirement meets at least 80% of local housing need; [or] the plan has been submitted for examination under Regulation 22 on or before 12 March 2025; [or] the plan includes policies to deliver the level of housing and other development set out in a preceding local plan adopted since 12 March 2020 . . . '*
47. Although this Plan will have reached Regulation 19 (pre-submission stage) on or before 12 March 2025, its draft housing requirement will not meet at least 80% of local housing need. The deviation from the standard method methodology, in particular the failure to include the urban uplift, results in a Plan that fails to deliver 80% of housing need as such it could not proceed under the Dec 2023 NPPF. As such HBF considers that as currently proposed the Plan will be expected to comply with the NPPF 2024. The Government Response to the proposed reforms to the NPPF and other changes to the Planning system consultation⁷ provides a helpful flow diagram of the transitional arrangements, which is copied (again) below.

⁶ NPPF 2024 paragraph 234

⁷ <https://www.gov.uk/government/consultations/proposed-reforms-to-the-national-planning-policy-framework-and-other-changes-to-the-planning-system/outcome/government-response-to-the->



48. We note that if the housing requirement was assessed against the NPPF 2024 housing requirement methodology then it may be that the annual requirement of it would be less than 80% below the requirements, but this is not the process. If a plan is to deliver the NPPF 2024 housing requirement calculations it needs to be progressed under the NPPF 2024, which would add further weight to our comments in relation to the Green Belt, which is one of the key areas of policy changes between the 2023 and the 2024 NPPF.

49. We have set out in detail our concerns about how the council has arrived at the Housing figure for the Coventry Plan in our response to STRATEGIC POLICY, Policy DS1: Overall Development Needs. These concerns apply equally to this policy, but in the interest of efficiency they are not repeated verbatim here, but for the avoidance of any doubt we disagree with the Housing Land Requirement and believe it should be higher. As such the Plan is unsound because it is not positively prepared, effective, justified or consistent with national policy.

50. HBF would also question the Plan period of this Plan. The NPPF states strategic policies should look ahead over a minimum 15-year period from adoption and that where larger scale developments form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take in account the likely timescale for delivery. In recognition of the amount of time it can take to progress a new Local Plan through all its required stages, HBF consider it is unlikely that that this Plan would be adopted in 2025, and therefore suggests that the Council should consider extending the Plan period to ensure that a 15-year period is provided post adoption of the Plan. It will also be important for the evidence base to be consistent with the Plan Period.
51. In relation to the policy wording itself, criteria one should clearly set out the housing requirement as both a full plan figure and an annual requirement. The annual requirement is essential for monitoring purposes and should be explicitly set out within the wording of the policy. Although HBF do not agree with the housing requirement figures for reasons set out elsewhere in our response, for the purpose of illustrating this particular point only, we would wish the wording of Criteria One should be changed to say "Provisions will be made for a minimum of 29,100 **(1455 dpa)** additional dwellings between 2021 and 2041." We also note that the target is expressed in this within Appendix 8, the Monitoring Framework.
52. Criteria 2 of the policy says: "the housing requirement is to be delivered in line with the trajectory set out in Appendix 3". However, for the policy to be effective and to aid the plan-user, the Annualised Housing Trajectory (which is illustrated within Appendix 3) should be included within the policy, or the very least within the supporting text and not relegated to an Appendix.
53. HBF welcome the commitment in criteria 3 to ensure that "housing land will be released in order to maintain a continuous 5 year supply of housing land in order to support a varied and flexible land supply to support housing delivery and sustainable development" but these need to be delivered through the other policies in the Plan. We also welcome the statement that "this will be monitored through the Council's Annual Monitoring Report." However, this further underlines the need for the housing requirement to be set out as both a total number and a dwelling per annum target.
54. In order to be effective and sound Appendix 8 of the Plan, the Monitoring Framework needs to be expanded. Monitoring is an important part of the plan. If monitoring shows the Council is not delivering the housing needed, then the Council should be required to take action to address this under supply. HBF would suggest explicit reference is made to the actions that the LPA can and would take in the case of under-delivery. Similarly, if the Council is looking to rely on development outside of its boundaries to meet its need, it clearly needs to monitor the development of both the policy and new housing to ensure this occurs. Without these elements being included within the Plan it would be unsound.
55. HBF is also concerned that the Plan clearly state that there is a need for 105 hectares of employment land only 60ha can be accommodated within the City's boundary. The Duty to Cooperate Statement is clear that there has been no agreement by any surrounding Authorities to meet this need, and as such this matter remains unresolved, this adds further weight to our concerns about the plan not being effective or positively prepared and the need for Green Belt review to

address unmet housing and employment needs. As such, the Plan is currently unsound.

STRATEGIC POLICY, Policy H2: Housing Allocations

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

56. HBF does not comment on individual sites, other than to say the Plan should provide for a wide range of deliverable and developable sites across the area in order to provide competition and choice to ensure that housing needs are met in full. The soundness of strategic and non-strategic site allocations, whether brownfield or greenfield, will be tested in due course at the Local Plan Examination.
57. Although HBF do not comment on specific site allocations, we find this policy is unsound because additional housing allocations are required. We are of the view, for the reasons details elsewhere in our representation, so not repeated here, there need to be more housing allocations. This necessitates a need for a green belt review and a revisiting of the spatial strategy of the Plan to enable additional housing sites to be allocated.
58. We would also request that sites are allocated in the policy, and not in the supporting text, so their status is clear to all plan-users including community, developers and planning application appeal inspectors.

STRATEGIC POLICY, Policy H3: Provision of New Housing

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

Criterion 1

59. The wording of criterion one is confusing and as such ineffective and unsound. HBF would suggest it should be amended to say:

All new residential development, including open market and affordable housing, conversions of buildings from non-residential to residential use and self-build and custom-build homes and community led housing, must provide a high-quality residential environment that ensures all new dwellings:

Criteria 1a

60. HBF does not support the introduction of the optional Nationally Described Space Standards though policies in individual Local Plans. If the Council wanted to do this, they will need robust justifiable evidence to introduce the NDSS, as any policy which seeks to apply the optional nationally described space standards (NDSS) to all dwellings should only be done in accordance with the NPPF , which states that “policies may also make use of the NDSS where the need for an internal space standard can be justified”.

61. The NPPF requires that all policies should be underpinned by relevant and up to date evidence, which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned. The PPG identifies the type of evidence required to introduce such a policy. It states that 'where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:

Need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.

Viability – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.

Timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions'.

62. HBF also remind the Council that there is a direct relationship between unit size, cost per square metre (sqm), selling price per sqm and affordability. The Council's policy approach should recognise that customers have different budgets and aspirations. An inflexible policy approach to NDSS for all new dwellings will impact on affordability and effect customer choice. Well-designed dwellings below NDSS can provide a good, functional home. Smaller dwellings play a valuable role in meeting specific needs for both open market and affordable home ownership housing.
63. An inflexible policy approach imposing NDSS on all housing removes the most affordable homes and denies lower income households from being able to afford homeownership. The introduction of the NDSS for all dwellings may mean customers purchasing larger homes in floorspace but with bedrooms less suited to their housing needs with the unintended consequences of potentially increasing overcrowding and reducing the quality of their living environment. The Council should focus on good design and usable space to ensure that dwellings are fit for purpose rather than focusing on NDSS.
64. HBF considers that if the Government had expected all properties to be built to NDSS that they would have made these standards mandatory not optional.
65. If the proposed requirement for NDSS is carried forward, then the Council should put forward proposals for transitional arrangements. The land deals underpinning residential sites may have been secured prior to any proposed introduction of the NDSS. These sites should be allowed to move through the planning system before any proposed policy requirements are enforced. The NDSS should not be applied to any reserved matters applications or any outline or detailed approval prior to a specified date.

Criteria 1b

66. This seeks to introduce a Local Plan policy that require new development to comply with three adopted SPDs. It is not appropriate to reference a current or future SPD within a Local Plan Policy wording as this would give SPD Local Plan policy status. The references SPDs also relate to the previous Local Plan and as such may need updating to reflect this new Plan. Any SPD should only be mentioned in the supporting text.

Criteria 1c

67. Criteria c require all new housing development to meet M4(2), HBF note that the requirements to meet Part M4(2) will be superseded by changes to residential Building Regulations. The Government response to 'Raising accessibility standards for new homes' states that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. This also may simply be impossible for conversions. There is no need for a Local Plan policy on this issue as this issue is already adequately addressed through Building Regulations.

Criterion 1d

68. This seeks to require 10% of all new major schemes to meet M(4) 3. It seems disproportionate for this to apply to sites of ten dwelling, requiring one to meet M4(3). There is also a need on a scheme of only ten dwellings. HBF are of the view that this matter should be left to Building Regulations, however if a policy were to be needed, the wording needs to differentiate between Part a) and part b) of M4(3) technical standards. M43a sets out standards for wheelchair adaptable housing, where M43b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights. Any such requirements would also need to be fully considered from a viability perspective. Experience from our membership indicate compliance with M4(3)c is ten times more expensive than compliance with M4(3) b. This matter will need also need to be fully reflected in the whole plan viability appraisal.

Criterion 1e

69. This states that "Where possible be located to meet Natural England's Accessible Natural Greenspace Standards (ANGST) doorstep standards or future equivalent and where this is not possible developer contributes may be sought for local projects identified in the Council's Blue and Green Infrastructure Strategy and Action Plan. It is unclear from the policy wording what an applicant would need to do to comply with this policy and as such it would be ineffective and unjustified. There is also a need for all the policies in this Plan to work together. In order to be effective and justified the Plan needs to be clearer on how this policy interacts with mandatory Biodiversity Net Gain and other nature protection policies.

Criterion 5

70. As the plan should be read as a whole there is no need for criterion 5 which has the potential to create confusion and as such makes the plan ineffective. It should be deleted.

Criterion 6

71. The wording of the policy gives the impression that the Council is seeking to give Local Plan policy status to the Transport Strategy which is not appropriate. Reference to other Council documents can be usefully made in the supporting text, but should not be referenced in the policy itself as this would create confusion around the status of the document referenced making the Plan unsound.

Criterion 7

72. As the plan should be read as whole, Criterion 7 which is a repetition of criteria one is not needed. It is unclear and confusing to repeat requirements within the same policy. This is therefore unnecessary and potentially confusing. It should be deleted.

Policy H4: Securing a Mix of Housing

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

73. The wording of this policy merely refers back to the HEDNA. This makes it difficult to assess what the council actually are seeking in relation to the housing mix. Other Local Plans Councils have given an indication of the need for certain types or sizes of housing. Although some clearer steer within the policy and/or supporting text would be helpful to ensure the Plan is positively prepared, justified and effective, there is also a need for flexibility in the application of policies around housing mix, particularly if the site encounters unexpected viability challenges. Changes in the type, size and mix of housing can on occasions assist with improved viability of a site, and this should be an option within the policy.
74. HBF are also very conscious of the challenges that on-site BNG is presenting for some sites, and the impact of delivering BNG may have consequences for the size, type and mix of homes that can be provided. This is a further reason for the need for flexibility.

STRATEGIC POLICY, Policy H6: Affordable Housing

Proportion of Affordable Housing

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

75. HBF note that the HEDNA concludes there is an annual need of 941 Social / Affordable rental dwellings for newly forming households and 149 Affordable Home ownership dwellings. This is a high level of need for affordable housing again suggests the Plan should be doing more to deliver more affordable housing, including increasing the housing requirement.

Proportion of Affordable Housing

76. Criteria 1, again, this seeks to introduce a Local Plan policy that require new development to comply with an adopted SPDs. It is not appropriate to reference a current or future SPD within a Local Plan Policy wording as this would give SPD Local Plan policy status. The referenced SPDs also relate to the previous Local Plan and as such will need updating to reflect this new Plan. Any SPD should only be mentioned in the supporting text.
77. Criteria 3 seeks 25% affordable housing, but there is not evidence that this is viable as no whole plan viability study has been prepared. Without a Local Plan Viability Assessment, the Plan has failed to fully consider the wide range of challenges and additional costs facing developers at this time. For example, HBF information suggests that complying with the current new part L is costing £3500 per plot. The Future Homes Standard Part L in 2025 is anticipated to cost up to £7500+ per plot. There will also be the addition of the Building Safety Levy that is coming in pay for cladding. This will be a per plot basis around the UK, and initial values are around £2000 to £3000 per plot.
78. Other factors that need to be taken into account include increasing costs of materials and labour due to inflation and the costs of mandatory BNG, which are still emerging as the off-site market is yet to be established. HBF members are reporting costs of £20-30k per off-site BNG unit. Although the initial price of statutory credits is now known this national fallback option has been deliberately highly priced to discourage their use. Whilst this intention is understandable, at present the lack of functioning local markets for off-site credits causes viability problems because HBF members experience to date suggests that any scheme that needed to rely on statutory credits would become unviable.
79. There is therefore a need to consider the viability implications of statutory BNG and there would be a further need to consider the viability implications that seeking to go further and faster than national mandatory BNG could have on the delivery of affordable housing. HBF agree that there is no reason why Coventry should deviate from DEFRA's conclusion that 10% BNG strikes the right balance between these trade-offs, but as noted in our comments on Policy ENV3 – Nature Recovery and Biodiversity Net Gain (below) the national requirement for 10% BNG is mandatory, and non-negotiable.

Tenure

80. Criterion 8 a and b requires a tenure split of 60% social affordable rent (of which at least 50% of that should be for social rent) 40% intermediate. Criterion c references national requirements for intermediate home ownership products and the remainder affordable home ownership products. This criterion of the policy need reviewing as the national policy requirements have changed.
81. The lack of a whole plan viability assessment means the policy is currently not justified and as such the plan is unsound. There is likely to be a need for additional flexibility within the policy to ensure viability, but without the whole plan viability assessment this remains unknown.

Housing Size Mix

82. The lack of a whole plan viability assessment means the policy is currently not justified and as such the plan is unsound. There is likely to be a need for additional flexibility within the policy to ensure viability, but without the whole plan viability assessment this remains unknown.
83. Again, we would request that any current or future SPD should only be mentioned in the supporting text, and not within a Local Plan policy, as this would give SPD Local Plan policy status which is not appropriate.

Where a policy compliant provision is not provided

84. Criterion 11 attempts to allow for some flexibility to change the mix of affordable housing to improve viability. Whilst the recognition of this issue is welcome the policy does not go far enough HBF note that the policy already highlights potential concerns within the plan about the cost of the total policy asks. Criterion 12 acknowledges there may need to be a trade-off between the amount of affordable housing sought under policy H6 and the policies which are seeking to go further and faster than building regulations and the Future Homes standard. In seeking higher environmental standards sooner than the market can accommodate there is a risk in undermining wider sustainability objectives including providing housing to meet all need. The fact that the policy allowed for a downgrading of contributions being sought by policy EN11 if this would enable more affordable housing, draws into question the justification for, and deliverability of the policies in the plan when all taken together. The purpose of the whole plan viability assessment is to help ensure developer contributions in their totality do not place too great a burden on developers that development becomes unviable.
85. We have been unable to find an up-to-date viability assessment as part of the consultation documentation for this Reg 19 Plan. This should have been an integral part of the policy making process and should have been used to help inform both the amount of developer contributions that can be sought, and the split within those contributions. Without this evidence the plan is not justified and may not be deliverable, and it is therefore unsound.
86. Although HBF welcomes the need for flexibility around viability implied by Criterion 12, to be effective the opportunities for flexibility should be explicit. The Council should be mindful that it is unrealistic to negotiate every site on a one-by-one basis because the base-line aspiration of a policy or combination of policies is set too high as this will jeopardise future housing delivery. The HBF notes the significant impact that the proportion of affordable housing required can have on the viability of development and the significant challenges identified by the Viability Assessment and recommends that the Council may want to further review this policy to ensure that it is viable and deliverable.
87. The HBF also notes that the costs relating to BNG and achieving net zero carbon homes may be underestimated and further work is needed to justify the costs used. In addition, the Council will also have the addition of the Building Safety Levy that is coming in pay for cladding. This is expected to be introduced in later this year and is estimated to cost in the region of £2,000 to £3,000 per plot on sites of ten

more units. The viability assessment will need to be updated to include this additional cost in order for the Council to consider any potential impact on the deliverability of this policy and the local plan in general.

Design Standards

88. HBF would again request that any current or future SPD should only be mentioned in the supporting text, and not within a Local Plan policy, as this would give SPD Local Plan policy status which is not appropriate.

Policy H8: Specialist Housing including specialist housing with elements of Care, Older Persons accommodation and hostels

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

89. Criterion 4 requires all dwellings to meet M(4) 2 and 10% to meet M4(3). There is a need for the policy to be clear on the a distinction has been made in the policy between M4(3)a wheelchair adaptable housing and M4(3)b wheelchair accessible housing. The whole plan viability assessment should be explicit on what costs it has been applying when considering M4(3)a or M4(3)b as the latter can only be sought on affordable housing where the Council has nominations and is considerably more expensive than the former.

Policy H9: Residential Density

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

90. The policy and supporting text may need updating to reflect the implications of BNG. This will impact on the density of housing schemes that can be provided, as land used for on-site BNG is not available for housing.
91. HBF are concerned that the deliverability of high and super high density residential development in Coventry will be dependent upon the viability of brownfield sites and the demand for high density city centre living post Grenfell and post Covid-19. It is important that delivery of the housing requirement in Leicester does not rely overly ambitious and un-realistic intensification of dwellings within the City, that results in any under-provision and/or under delivery of housing numbers.

Policy H10: Student Accommodation

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

92. If the Council wish to provide additional advice on the interpretation of any policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to an existing SPD, as suggested by Criterion 6, especially as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted.

Supplementary Planning Documents should by definition be supplementary to the Local Plan.

Policy H12 – Build to Rent

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

93. HBF have provided in detailed comments on NDSS in our response to Strategic Policy H3: Provision of New Housing. They are not repeated here.

Chapter 9. Green Belt and Green Environment

STRATEGIC POLICY, Policy GB1: Green Belt

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

94. As stated elsewhere in our representation HBF believe that additional housing is needed in Coventry, as such a full Green Belt review should be undertaken. This is particularly important in light of the changes to the NPPF 2024 and the development of policy around Green Belt land which applies for development management purposes already. The Government has set out a clear direction for policy in the area, highlighting the need to consider all options to deliver housing to address the housing crisis. HBF suggest that the policy needs updating and expanding to reflect this new national approach.
95. HBF note that a full Green Belt review would require additional Sustainability Appraisal work. We would welcome the opportunity to comment on a revised SA as part of the Green Belt review.

STRATEGIC POLICY, Policy GB2: Safeguarded Land in the Green Belt

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

96. Although HBF do not comment on individual sites, we would request that the Council uses this plan to take decision about where much needed new housing should go and not put this off until a full and partial review of this Plan. The Housing crisis is current and increasing, a commitment to produce another document at some time in future does nothing to address this.

STRATEGIC POLICY, Policy GB3: Local Green Space

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

97. In order to be justified and effective the plan needs to be clearer on how this policy interacts with mandatory BNG. This is also important to ensure the plan is positively prepared and complies with national guidance on BNG from both DEFRA and MHCLG.

STRATEGIC POLICY, Policy GE1 Green and Blue Infrastructure

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

98. In order to be justified and effective the plan needs to be clearer on how this policy interacts with mandatory BNG. This is also important to ensure the plan is positively prepared and complies with national guidance on BNG from both DEFRA and MHCLG.

Policy GE2: Green Space

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

99. In order to be justified and effective the plan needs to be clearer on how this policy interacts with mandatory BNG, particularly the baseline assessment in the statutory metric. This is also important to ensure the plan is positively prepared and complies with national guidance on BNG from both DEFRA and MHCLG.

Policy GE3: Biodiversity, Geological, and Landscape Conservation

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

100. HBF note the introduction of Biodiversity Net Gain which came in for large sites on Feb 12th 2024, and for small sites from 2nd April 2024. It will be important that this policy fully reflects all the new legislation, national policy and the new DLUHC and DEFRA guidance to ensure it fully reflects it
101. HBF has been involved in a significant amount of work, being led by the Future Homes Hub, on BNG preparedness for some time, including feeding into the BNG Planning Practice Guidance from DLUHC and the DEFRA BNG Guidance. HBF note that this represents a lot of new information that the Council will need work through and consider the implications of, in order to ensure that any policy on Biodiversity Net Gain policy complies with the latest policy and guidance now it has been published. It should also be noted that the PPG is clear that there is no need for individual Local Plans to repeat national BNG guidance.
102. HBF therefore suggest that significantly more information, assessments and analysis around BNG, and Viability (for BNG and viability more generally) is needed to support the new Coventry Local Plan.
103. It is the HBF's opinion that the Council should not deviate from the Government's requirement for 10% biodiversity net gain as set out in the Environment Act. The Plan should provide certainty for developers and a clear BNG policy with a fixed 10% figure. There is not an option of seeking less than 10% BNG so the wording

of criteria two which says 'no more than 10%' do not in fact reflect the current national policy and should be changed.

104. There are significant additional costs associated with biodiversity gain, which will need to be fully accounted for in the Council's viability assessment. It is important that BNG does not prevent, delay or reduce housing delivery. Although the national policies requiring 10% BNG cannot be subject to site specific viability discussions, any policy requirements over 10% can be. The Plan should make this position clear.
105. It is also important to note that for large and complex sites where the development is phased, the guidance is clear that the 10% must be delivered at the end of the development, and this may not result in 10% BNG on each phase. Additional advice on phased development has been provided in the new BNG PPG.
106. The costs of BNG should have been considered as part of the whole plan viability assessment and should be specified as a single specific item, not combined into a generic s106 costs item. There are significant additional costs associated with biodiversity net gain, which should be fully accounted for in the Council's viability assessment, some of which are still unknown at this time. It is important that BNG does not prevent, delay or reduce housing delivery. The costs relate both the financial costs and also land take- which will impact on densities achievable if BNG is provided on site.
107. As this is still a new policy area and the market for off-site provision, and statutory credits are not yet known, any figure used for BNG costs will need to be kept under review as BNG implementation progresses and a greater understanding of actual costs become available. The Whole Plan Viability Assessment should have clearly set out how it considered the implications of mandatory BNG and how it was arrived at using the most up to date BNG costs information available.
108. HBF welcome the reference in the criteria one of the policy about Local Nature Recovery Strategies, but suggest there is also a need for this policy and supporting text to say more. Reference should be made to if and how the West Midlands LNRS which came into force on 13th April 2024 has helped to inform and influence the policies and allocations in the Plan.
109. HBF would also request that the Local Plan allocation policies fully consider the issue of delivering against the new BNG requirements. This should include undertaking an assessment of the baseline to support the allocation to enable an understanding the BNG requirements for a site to be allocated and the impact this may have on viability and other policy requirements and considerations. It will be important to understand the BNG costs of mandatory BNG as this is non-negotiable and as such may impact on the viability of the site and its ability to deliver against other policy requirements such as affordable housing or other s106 asks.
110. HBF also notes that there seems to be significant potential for confusion around environmental hierarchy, and suggest particular care is needed to avoid any confusion between the well-established mitigation hierarchy and the new BNG hierarchy. There

is need for the policy wording and/or supporting text to be clearer about the differentiation between the mitigation hierarchy (which seeks to avoid harm in the first place, then mitigate and only then compensate it in relation to protected habitats) and the BNG delivery hierarchy (which prioritises on-site BNG delivery, then off-site units and finally allows for statutory credits). There seems to be significant potential for confusion between the two difference hierarchies. HBF therefore suggest that the Council should take particular care to explain how the requirements of the two-part BNG hierarchy work in different ways and that they seek to achieve different aims.

111. Reference should also be made within the Plan to the small sites metric. This is intended to be a less complex statutory metric that can be used to set out how 10% BNG will be secured on small sites. It can only be used for on-site BNG delivery. The national mandatory 10% BNG policy applies to small sites from April 2024.
112. The new DEFRA and DHLUC guidance is clear that going beyond the mandatory 10% requires evidence and there is a need to show that this will not impact viability. HBF agree that there is no evidence to support a higher figure in Coventry. However, the introduction of mandatory BNG is significant new requirement and it will be important for the viability implications of this new policy is considered in the whole plan viability assessment on the Coventry Local Plan. It will be important to understand if this non-negotiable national policy requirement has any knock-on implications for other policy areas 'asks', notably the amount of affordable housing that can be delivered.
113. The BNG and supporting text therefore needs updating to reflect the new West Midlands LNRS will also impacts on the density of housing schemes that can be provided, as land used for on-site BNG is not available for housing.
114. HBF request the policy and supporting text are updated to properly reflect how BNG is being implemented in practice, and the viability assessment needs updating to reflect the true costs in terms of land take, financial costs and impact on time in bringing schemes forward.

Policy GE4: Tree Protection

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

115. In order to be justified and effective the plan needs to be clearer on hoe this policy interacts with mandatory BNG. This is also important to ensure the plan is positively prepared and complies with national guidance on BNG from both DEFRA and MHCLG.

Chapter 10. Design

STRATEGIC POLICY, Policy DE1 Ensuring High Quality Design

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

116. Criterion 3 of this policy again seeks to make compliance with an SPD a Local Plan policy requirement. If the Council wish to provide additional advice on the interpretation of any policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to an existing SPD, especially as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted. Supplementary Planning Documents should by definition be supplementary to the Local Plan.

Chapter 13. Environmental Management

STRATEGIC POLICY, Policy EM1: Planning for Climate Change Adaptation

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

117. HBF acknowledges that Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 outlines that development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. The NPPF looks for all plans to take a proactive approach to mitigating and adapting to climate change. However, PPG refers to the Planning and Energy Act 2008, the Deregulation Act 2015, and the Written Ministerial Statement (March 2015) and states that policies in relation to energy performance standards should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes.
118. The policy seeks to require all development to achieve a water efficiency target of 100l/pd to be achieved using a fittings-based approach. The impact of this requirement along with others in this Plan may have considerable viability implication and may lead to the non-delivery homes and needs to be fully considered within the Viability Assessment.
119. The current Part G Building Regulations require 125 litres per day, and house builders are frequently delivering 115-110 litres per day which means the house building industry is already improving upon the regulations.
120. There are however issues of getting down to 100 litres per dwelling and below, where customer experience starts to get affected at 100 litres per dwelling and below. Furthermore, there are examples of schemes around the country where once water usage begins to get too low there becomes a secondary issue of odour, air quality and human health as the piped systems aren't getting enough volume to run through and cleanse the system. Pipes need a certain volume of water to flush everything through, otherwise if the effluent is not getting cleared and if 'solids and

matter' are just sitting dry in pipes this can cause air quality issues and nuisance to residents.

121. HBF would strongly question if a policy limiting water use beyond Building Regulations and the emerging Future Homes Standard is deliverable, or indeed desirable, and suggest this requirement should be removed. Building Regulations already address this issue, there is no need for further policy in the Local Plan on this matter.

Policy EM5 Sustainable Drainage Systems (SuDS)

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

122. In order to be justified and effective the plan needs to be clearer on how this policy interacts with mandatory BNG. This is also important to ensure the plan is positively prepared and complies with national guidance on BNG from both DEFRA and MHCLG.

Policy EM6 Redevelopment of Previously Developed Land

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

123. Criteria 5 of this policy requires Development must meet a water efficiency target of 100l/pd using a fittings-based approach. As we explained in our response to policy EM 1 climate change, the impact of this requirement along with others in this Plan may have considerable viability implication and may lead to the non-delivery homes and needs to be fully considered within the Viability Assessment. Current Part G Building Regulations require 125 litres per day, and house builders are frequently delivering 115-110 litres per day which means the house building industry is already improving upon the regulations.

124. There are however issues of getting down to 100 litres per dwelling and below, where customer experience starts to get affected at 100 litres per dwelling and below. Furthermore, there are examples of schemes around the country where once water usage begins to get too low there becomes a secondary issue of odour, air quality and human health as the piped systems aren't getting enough volume to run through and cleanse the system. Pipes need a certain volume of water to flush everything through, otherwise if the effluent is not getting cleared and if 'solids and matter' are just sitting dry in pipes this can cause air quality issues and nuisance to residents.

125. HBF would strongly question if a policy limiting water use beyond Building Regulations and the emerging Future Homes Standard is deliverable, or indeed desirable, and suggest this requirement should be removed. Building Regulations already address this issue, there is no need for further policy in the Local Plan on this matter.

Policy EM7 Air Quality

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

126. Criterion 3 of this policy again seeks to make compliance with an SPD a Local Plan policy requirement, this time the Air Quality SPD. If the Council wish to provide additional advice on the interpretation of any policy, this should be done through a Supplementary Planning Document, which is prepared and consulted on after the Local Plan policy has been adopted. It cannot be done through trying to give Local Plan policies status to an existing SPD, especially as the existing SPD hangs from the adopted policies in the Local Plan, which will be replaced when this new Local Plan is adopted. Supplementary Planning Documents should by definition be supplementary to the Local Plan.

Policy EM11 Energy Infrastructure

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

127. HBF supports the Council in seeking to mitigate and adapt to climate change, including minimising carbon emissions. However, the HBF considers that the Council should ensure that this policy is only implemented in line with the December 2023 Written Ministerial Statement which states that 'a further change to energy efficiency building regulations is planned for 2025 meaning that homes built to that standard will be net zero ready and should need no significant work to ensure that they have zero carbon emissions as the grid continue to decarbonise. Compared to varied local standards, these nationally applied standards provide much-needed clarity and consistency for businesses, large and small, to invest and prepare to build net-zero ready homes'.
128. It goes on to state that 'the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations. The proliferation of multiple, local standards by local authority area can add further costs to building new homes by adding complexity and undermining economies of scale. Any planning policies that propose local energy efficiency standards for buildings that go beyond current or planned buildings regulation should be rejected at examination if they do not have a well-reasoned and robustly costed rationale'. The HBF considers as such it is appropriate to make reference to the Future Homes Standard and the Building Regulations as the appropriate standards for development, and to seek to use these standards to reduce energy use and improve energy efficiency.
129. It would appear that the Council have sought to move away from the carbon reduction methods set out in Part L of the Building Regulations, and have moved towards an assessment of energy use. The HBF supports the Council in seeking to minimise carbon emissions, and reduce heat and power demand through energy efficient design. However, the HBF does not consider that the Council setting its own standards is the appropriate method to achieve these outcomes. Whilst the ambitious and aspirational aim to achieve zero carbon is lauded, the HBF is concerned that the Council is adding to the complexity of policy, regulations and standards that housebuilders are already expected to comply with. The key to success is

standardisation and avoidance of individual Councils specifying their own policy approach, which undermines economies of scale for product manufacturers, suppliers and developers.

130. HBF acknowledges that Section 19 (1A) of the Planning and Compulsory Purchase Act 2004 outlines that development plan documents must (taken as a whole) include policies designed to secure that the development and use of land in the local planning authority's area contribute to the mitigation of, and adaptation to, climate change. The NPPF looks for all plans to take a proactive approach to mitigating and adapting to climate change. However, PPG refers to the Planning and Energy Act 2008, the Deregulation Act 2015, and the Written Ministerial Statement (March 2015) and states that policies in relation to energy performance standards should not be used to set conditions on planning permissions with requirements above the equivalent of the energy requirement of Level 4 of the Code for Sustainable Homes.
131. The impact of this requirement along with others in this Plan may have considerable viability implication and may lead to the non-delivery homes and needs to be fully considered within the Viability Assessment.
132. HBF does not consider that the Council has provided the justification for why Coventry requires a policy that is so significantly above the requirements set out nationally in the building regulations requirements. The HBF does not consider that the Council have provided the justification for why there is a need for the home building industry to consider the unregulated emissions in addition to the regulated emissions, as it is generally acknowledged that developers have limited control over future unregulated emissions. There is no need for the Council Part L, not further or faster.

Policy EM13: Overheating in new building

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

133. Criterion 2a requires all residential development should complete CIBSE TM59 overheating assessment as their route to compliance with Building Regulations Part O. The simplified Part O route will not be considered acceptable. HBF do not believe this approach is justified. There is no need for planning policy to repeat building regulations.

Policy EM14 Embodied carbon and waste

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

134. Criterion 1a Embodied carbon reporting requires all major new residential (10 dwellings or more) and non-residential (1000 m2 floorspace or more) developments are required to complete a whole-life carbon assessment in accordance with Royal Institute of Chartered Surveyors (RICS) Whole Life Carbon Assessment guidance. HBF believes this is disproportionate and should not apply to all major development. A more proportionate approach is needed.

135. Criterion 2a limiting embodied carbon states that all large-scale major development (50 dwellings or more) is required to limit embodied carbon (RICS/BS 15978 modules A1 – A5) to 600 kgCO₂e/m² GIA. HBF believes this is disproportionate and should not apply to all major development. A more proportionate approach is needed.

Chapter 15. Infrastructure Delivery, Implementation and Monitoring

Policy IM1: Developer Contributions for Infrastructure

The policy is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

136. Policy IM1 is only about infrastructure. There is not policy relating to implementation and monitoring and as such the Plan will not be effective, justified or consistent with national policy and is unsound.
137. Assuming that this Plan continues under the transitional arrangements (which HBF have questioned elsewhere in our response) then there would be a requirement for a Local Plan policy on implementation and monitoring policy that clearly sets out the commitment to an immediate review of the Local Plan as required by the NPPF 2024 transitional arrangements
138. HBF do not support the inclusion of policies within a Local Plan that merely triggers a review of the Local Plan if monitoring shows housing delivery is not occurring as expected. Such a policy does nothing to address the housing crisis or undersupply of homes. There are other more effective and immediate measures that could be introduced into policy that would enable the Council to address housing under deliver, much more quickly than would be possible through the production of another plan, or plan review.
139. It is important that houses are brought forward, and the matter addressed as soon as possible, if under delivery is observed. HBF would suggest, as a minimum, explicit reference should be made within the Plan's policy and monitoring framework to the potential to bring forward additional housing supply earlier. As the housing need and requirement figures for the Plan are minimum (not maximum) figures the Council could also specifically identify reserve sites and/or include policies that would allow for additional windfall housing sites that could/would be brought forward sooner to address any under delivery whatever the reason for that under performance. This could be a shortfall in market housing permissions granted and/or completions, affordable housing permissions granted and/or completions and any failure against the Housing Delivery Test or local plan monitoring. This all needs to be reflected within an updated Monitoring Framework.
140. Coventry should also monitor the delivery of any unmet need by neighbouring authorities and actively participate in local plan consultation and examination to ensure the need for other authorities to meet their need is robustly supported in neighbouring Local Plans.

141. The Plan needs to set out how and when monitoring will be undertaken, and more information is needed on what action(s) will be taken when if monitoring shows under delivery of housing. Not doing so means the plan will be ineffective and therefore unsound. Merely committing to collect data on particular indicators is not the purpose of monitoring, monitoring should be a way to assess if the Plan is working and to take action if it is not. Without action the Plan and the policy will be ineffective, unjustified and contrary to national policy, and the Plan would therefore be unsound.

Appendix 8 Monitoring Framework

The Monitoring Framework is not considered to be sound as it is not positively prepared, effective, justified or consistent with national policy

142. The Plan should expand the Monitoring Framework in Appendix 8 to ensure that it sets out clear targets for housing (and other matters) that will be monitored and the triggers for action being taken, and what that action will be. Monitoring is essential to see if the Plan is delivering housing as expected. The monitoring framework is part of the way that the Plan delivers the flexibility is needed, so that the Council is able to respond to any changing circumstances.


Comments on Sustainability Appraisal

143. HBF note that our request for a full Green Belt review would require additional Sustainability Appraisal work. We would welcome the opportunity to comment on a revised SA as part of the Green Belt review.
144. The current Sustainability Appraisal should have considered a higher level of growth and the impacts of a full Green Belt review and meeting housing and employment needs in full.

Participation at EIP and Future Engagement

145. HBF requests to participate in the Hearing Sessions for the Local Plan Examination, the HBF considers that their involvement is necessary to ensure that the home building industry is able to respond to any housing related issues raised during the hearing sessions.

Yours faithfully



Rachel Danemann MRTPI CIHCM AssocRICS
Planning Manager – Local Plans (Midlands and South West)
Home Builders Federation



Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan Review does this representation relate?

Paragraph

See
above

Policy

See above

4. Do you consider the Local Plan Review is:

4.(1) Legally compliant

Yes

☐

No

X

4.(2) Sound

Yes

☐

No

X

4 (3) Complies with the
Duty to co-operate

Yes

☐

No

X

Please ✓ tick as appropriate.

5. Please give details of why you consider the Local Plan Review is not legally compliant or is unsound 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 Local Plan Review or its compliance with the duty to co-operate, please also use this box to set out your comments.

See letter above

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

6. Please set out the modification(s) you consider necessary to make the Local Plan Review legally compliant and sound, in respect of any legal compliance or soundness 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 Local Plan Review 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 letter above

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

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support 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 may only be made if invited by the Inspector, based on the matters and issues they identify for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

☐

No, I do not wish to participate in hearing session(s)

☒

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. To which part of the Sustainability Appraisal (SA) report does this representation relate?

Paragraph

All

Please add any further comments relating to the SA report in the box below.

A full green belt review would require additional SA work.

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

9. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

HBF requests to participate in the Hearing Sessions for the Local Plan Examination, the HBF considers that their involvement is necessary to ensure that the home building industry is able to respond to any housing related issues raised during the hearing sessions.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.