



Sent by EMAIL ONLY to [planningpolicy@Shropshire.gov.uk](mailto:planningpolicy@Shropshire.gov.uk)

11/06/2024

Dear Sir/ Madam

**Response by the Home Builders Federation to Additional/Updated Document Consultation, June 2024 in relation to Shropshire Local Plan Examination in Public.**

Please find below the Home Builders Federation (HBF) response to the additional and updated documents consultation being undertaken as part of the Examination in Public, into the Shropshire Local Plan.

HBF is the principal representative body of the housebuilding industry in England and Wales and our representations reflect the views of discussions with our membership of national and multinational corporations through to regional developers and small local housebuilders. Our members account for over 80% of all new housing built in England and Wales in any one year.

HBF supports the plan-system and agrees that it is important for Shropshire Council to have an up-to-date Local Plan.

HBF note that the Council has prepared additional documentation relating to a range of issues, and that to inform the ongoing examination, the examining Inspectors have requested that Shropshire Council undertake a public consultation on the following documents:

- a. GC25: The newly proposed draft policy on Housing Provision for Older People and those with Disabilities and Special Needs and its explanation.
- b. Updated Additional Sustainability Appraisal of the Draft Shropshire Local Plan Report.
- c. Updated Housing and Employment Topic Paper.
- d. Updated Green Belt Topic Paper.

HBF have provided responses and comments in relation to each of these new documents

As we have previously mentioned we would also wish to attend the Examination hearing sessions to ensure that views of housebuilders are properly represented and feed into the plan-making process.

Please let me know if you have any further questions. I look forward to attending the Examination sessions.

Yours faithfully

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Rachel Danemann MRTPI CIHCM AssocRICS

Planning Manager – Local Plans (Midlands and South West)

Home Builders Federation

Email:

Please find below the HBF comments in response to Shropshire Council's additional documentation to inform the ongoing examination.

We note that the examining Inspectors have requested that Shropshire Council undertake a public consultation on the following documents:

- a. [GC25: The newly proposed draft policy on Housing Provision for Older People and those with Disabilities and Special Needs and its explanation.](#)
- b. [Updated Additional Sustainability Appraisal of the Draft Shropshire Local Plan Report.](#)
- c. [Updated Housing and Employment Topic Paper.](#)
- d. [Updated Green Belt Topic Paper.](#)

HBF have commented on each of these documents in turn.

### **HBF Response to GC25: The newly proposed draft policy on Housing Provision for Older People and those with Disabilities and Special Needs and its explanation.**

#### Overall Comments

There is a need differentiate between part a) and part b) of M4(3) technical standards. M4(3)a sets out standards for wheelchair adaptable housing, where M4(3)b relates to wheelchair accessible housing which can only be required on affordable housing where the Council has nomination rights. Although the supporting text recognises this distinction, the policy wording remains unclear. It is disappointing that the draft policy wording is insufficient to recognise this distinction, and as such the policy wording is unclear, and needs to be amended.

This impact of the proposed policy requirements should also have been factored into the whole plan viability assessment as both M4(3)a and M4(3)b impact on viability, with M4(3)b being considerably more expensive. As such HBF maintains its objection to the need for a policy on M42 to be included within the plan, as this issue is already being adequately addressed through Building regulations.

The policy should not require all development to meet M4(2), however this standard 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. There is therefore no need for this element of the proposed new policy.

The PPG states:

"What accessibility standards can local planning authorities require from new development?"

Where a local planning authority adopts a policy to provide enhanced accessibility or adaptability they should do so only by reference to Requirement M4(2) and/or M4(3) of the optional requirements in the Building Regulations and should not impose any additional information requirements (for instance provision of furnished layouts) or seek to determine compliance with these requirements, which is the role of the Building Control Body. They should clearly state in their Local Plan what proportion of new dwellings should comply with the requirements. There may be rare instances where an individual's needs are not met by the wheelchair accessible optional requirement.

Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied.”

The PPG sets out some of the circumstances where it would be unreasonable to require M4(2) compliant dwellings. Such factors include flooding, typography and other circumstances. HBF suggest that flexibility is needed in the application of these standards to reflect site specific characteristics, and the policy wording should reflect this.

The failure of the Council to make the distinction between M4(3) a and M4(3) b housing within the policy impairs the HBF’s ability to comment fully on the Council’s new policy, as we are unclear what is actually intended. We have therefore made some assumptions in our comments, namely that the Council is seeking 5% of open-market dwellings to meet M4(3) a and 5% of social housing to meet M(4) 3b, with 70% of the remaining dwellings being required to meet M4(2). This should however be clearly and unambiguously stated in the policy, and not require deduction or interpretation by the plan-user. Although HBF disagree with the requirements being sought, if the policy is to be retained changes to its wording formatting and layout are needed.

#### Criterion 1

The first criterion of the policy is not policy but an explanation of the approach. It is unclear from the wording of criterion one how a developer would show compliance with the policy. If the policy is to be retained, we feel the policy needs reformatting so criteria one is an introductory text to the policy and the points are renumbered so number 2 is number 1 and so on. Our remaining comments on the individual policy criteria relate to the current numbering of the policy.

#### Criterion 2

This requires “all housing specifically designed for older people or those with disabilities and special needs will be built to the M4(3)”. It is unclear how ‘housing specifically designed for older people or those with disabilities and special needs’ is defined. Is this every bungalow? Is it every block of age restricted apartments? It is unclear from the policy wording when this criterion applies.

Although the text says at para 37 says “Where dwellings are required to meet M4(3) (wheelchair user dwellings) standard within Building Regulations to comply with this policy, they will normally consist of wheelchair adaptable homes. Wheelchair accessible homes will only be required where Shropshire Council is responsible for nominating a person to live in the dwelling” this is not reflected in the policy. If this policy is to be retained then HBF suggest the wording of the policy in the plan needs to be explicit about this point saying, “wheelchair adaptable homes, unless the Council has nomination rights in which case wheelchair accessible homes can be sought.” The use of the new hybrid term ‘wheelchair user homes’ is unclear, making it ineffective and therefore unsound.

#### Criterion 3

If this criterion is to be retained the wording of criterion 3 reference to wheelchair user dwellings becomes should also be changed to refer to “wheelchair adaptable homes, unless the Council has nomination rights in which case wheelchair accessible homes can be sought.” Similarly, the requirement to meet Building Regulations or higher is ambiguous. Is the requirement to meet Building Regulations or is the policy requirement to go beyond

Building Regulations? How would a developer be able to show compliance with this policy when it is unclear what the target is?

#### Criterion 4

HBF would question how realistic and reasonable it is to require housing to meet both dementia friendly and M4(3)a or b standards. We could wish to see the evidence behind the assertion that the costs of doing both are “minimal”.

#### Other comments

HBF would suggest additional flexibility is needed to ensure these requirements in this policy do not inadvertently undermine the delivery of much needed open market and affordable housing.

As the Plan should be read as a whole, there is no need for the policy wording to repeat requirements elsewhere in the plan, as is currently set out in Criterion 19d.

### **HBF Response to Updated Additional Sustainability Appraisal of the Draft Shropshire Local Plan Report.**

HBF do not comment on individual sites proposed for allocation, but we welcome the assessment of the additional sites through the new and updated Sustainability Appraisal process.

HBF welcomes the clearly set out agreed approach in the Statement of Common Ground and the commitment to deliver 1500 houses to help meet the wider needs of the region. It is important that the Plan takes forward this commitment through housing and employment allocations, and the HBF support the conclusion that the draft Plan represents a reasonable approach to planning to meet the housing needs of Shropshire and the wider region.

HBF would also observe that failure to plan for the wider needs of the area would result in leapfrogging of development over the greenbelt resulting in less sustainable patterns of growth. HBF believe the Council has demonstrated the exceptional circumstances necessary for green belt release.

### **HBF response to Updated Housing and Employment Topic Paper.**

HBF welcomes that extensive duty-to-cooperate discussions with the Black Country Authorities. We recognise that the process has noted an unmet housing need is forecast to arise in the Black Country, and that Shropshire Council needs to be making a contribution to meeting this need.

We support the continuation of higher housing numbers and need for greenfield and green belt site releases to deliver the housing requirement and housing strategy for Shropshire.

### **HBF Response to Updated Green Belt Topic Paper**

HBF agree that the exceptional circumstances exist that justify green belt release in Shropshire both to meet Shropshire's needs and to make a contribution to the wider housing and employment needs of the region. In the midst of a national housing crisis, this is essential.

HBF support the plan-making process and believe this is the appropriate forum within which Green Belt boundaries should be reviewed.

HBF agree that the Council has already sought to maximise brownfield land, maximise densities and minimise the need for Green Belt release, as required by the NPPF. We

welcome the Councils comprehensive green belt review, although we note this is not required by NPPF, it is good practice.

HBF support the continuation of the high growth and urban focus scenario that underpins the Plan. This includes making a contribution of a minimum of 1500 dwellings and 30ha of employment land towards the regional needs.

However, it is important as the Council itself notes “recognising the rurality of much of Shropshire and the importance of ensuring the long-term sustainability of rural communities, growth in ‘urban areas’ will be complemented by appropriate new development within Community Hubs, which are considered significant rural service centres; and to a lesser extent Community Clusters, which consist of settlements with aspirations to maintain or enhance their sustainability”.

We support the need for safeguarded land as this sets out future direction and will enable the next phase of development in Shropshire to ensure that economic and housing growth continued beyond the plan period.

We note the conclusions of the paper that “6 of the 14 sites proposed to be removed from the Green Belt (equating to 66.2% of the total hectareage of Green Belt release proposed within the draft Shropshire Local Plan), is in order to ‘safeguard’ land for future development. 5.8. Of the remaining proposed Green Belt releases, 3 sites (31.5% of the total hectareage) is for employment development; whilst just 2 sites (2.4% of the total hectareage) is for residential or residential-led mixed use development”.

Indeed, in light of the housing crisis, HBF would support a higher housing requirement and more greenbelt release, to ensure that housing needs of Shropshire and the wider West Midlands region can be met in full.