

## **HBF's Response to the Inspector's Matters Issues and Questions for the Telford Local Plan Examination- Matter 6**

HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing.

*It is noted that where reference is made to specific paragraphs of the National Planning Policy Framework (the Framework) within the MIQs these relate to the December 2024 version. HBF have also referred to the current (Dec 2025) NPPF within our response to these MIQs. We have clearly identified where this has occurred.*

### **Matter 6 – Development Management Policies**

#### **Issue 1: Whether the other housing policies are justified, effective, and consistent with national policy.**

##### Policy HO3 – Housing mix and quality

59. Are the requirements of Policy HO3 including requirements for internal space standard (Criterion 2) and M4 (2)/M4 (3) housing justified by the evidence? Can all developments provide a mix of house types and sizes?

HBF have provided detailed comments on policy HO3 in our Reg 19 response. They are not repeated here. In relation to Criterion 6 the policy wording is ambiguous and does not let developers know how much housing is required to meet M4 (2) or M4 (3) and no differentiation has been made between M4(3)a and M (4)3b which are different standards, and have significantly different cost implications. It is our understanding that complying with M(4)3b can be ten times more expensive than M(4) 3a.

It is therefore unclear how a developer would show compliance with this policy.

HBF would request more flexibility is provided in the policy to allow for any site-specific issues to be addressed.

60. Is criterion 4 of Policy HO3 clear and unambiguous so as to be effective?

No. HBF have provided detailed comments on policy HO3 in our Reg 19 response. They are not repeated here. The policy as currently worded is unclear and a developer would not know how to show compliance with this policy.

##### Polices HO4 and HO5 – Affordable Housing

61. Are the provisions of Policy HO4 in terms of affordable housing requirements justified by the evidence and deliverable?

HBF have provided detailed comments on policy HO3 in our Reg 19 response. They are not repeated here, but we do not find the affordable housing to have been justified or supported by robust viability testing.

More flexibility within the policy is needed to allow for any site-specific issues.

62. Is it clear how Policy HO4 and Policy HO5 are expected to work together? In particular, are the policies clear and unambiguous in respect of reduced or zero provision in terms of how criterion 4 of Policy HO4 and criterion 3 of Policy HO5 apply and relate to each other?

No. It is not clear how these policies are intended to work together. The wording of the policies is unclear and a developer would not easily be able to understand how to comply with them. As such the policies are ineffective and unjustified. The Council's own viability evidence suggests the affordable housing targets are undeliverable and unviable. HBF have provided detailed comments on policy HO4 in our Reg 19 response. They are not repeated here.

#### Policy HO6 Supported and specialist housing

63. Is Policy HO6 clear and unambiguous in its requirements including what constitutes an identified local need?

HBF have provided detailed comments on policy HO6 in our Reg 19 response. They are not repeated here. The Plan should be doing more to support the delivery of specialist housing and better reflect the innovation within this sector.

#### Policy HO11 Self and custom housebuilding

65. Is Policy HO11 justified and supported by the evidence in its approach to self-build and custom housebuilding?

HBF have provided detailed comments on policy HO11 in our Reg 19 response. They are not repeated here.

#### Policy HO12 Housing in Rural Areas

66. Is Policy HO12 justified and effective? Is it consistent with, and does not duplicate, national policy?

HBF have provided detailed comments on policy HO12 in our Reg 19 response. They are not repeated here.

#### **Issue 3: Whether the climate change (CC) policies are justified, effective and consistent with national policy.**

89. Is the relationship between Policy Strategic S5 part 4 and the CC policies clear enough to be effective?

It is unclear from the wording of Policy S5 how a developer would show compliance with this Policy. HBF have provided detailed comments on the proposed Climate Change policies in this Plan which are not repeated here. We would however, in addition, wish to draw attention to the Government's intention to move towards a new more rules-based approach with consistency across standard common matters being provided at the national level.

The Dec 2025 NPPF consultation sets out that Local Plans should not include policies on matters already addressed through Building Regulations and other regulatory regimes except when it comes to parking standards and the percentage of homes locally required to meet the accessibility standards M4(3)a and M4(3)b. HBF would suggest this strongly supports our views that the scope and content of the Climate Change policies in this Plan are largely unnecessary.

The Dec 2025 draft NPPF proposals clearly set out that the Government view is that Local Policies which conflict with the new NPPF will not be able to be taken into account in decision-making once the new NPPF is in place. The likelihood that the suite of Development Management policies that will be replaced and made redundant by the new NPPF further underlines our concerns about these policies where they go above and beyond and further and faster than national requirements and Building Regulations. Seeking to do so also harmed the viability and deliverability of development.

#### Policy CC1 – Sustainable construction and carbon reduction

90. Are the requirements in Policy CC1 intended to exceed standards in current and/or future Building Regulations? If yes, is this clear, and are the requirements justified and consistent with national policy? What effect will they have on development viability?

HBF remain of the view, that we set out in our Reg 19 response, that this issue should be addressed through Building Regulations and there is no need for a Local Plan policy. We do not support the development of a plethora of local policies which vary from national standards.

#### Policy CC2 – Renewable energy in development

91. Is part 1 justified and realistic for all development? Is there any unnecessary duplication with Policy CC1?

HBF have provided detailed comments on this policy in our Reg 19 response which are not repeated here. We note that the proposed wording of Criterion 1 is ambiguous and it is unclear how a developer would show compliance with the Policy.

92. Are the policy's other requirements justified and effective, and do they include sufficient flexibility to be deliverable?

No. See our Reg 19 response for more details.

#### Policy CC4 – Water re-use, conservation, efficiency and quality

94. Are the requirements in Policy CC4 part 2 justified and deliverable?

No. See our Reg 19 response for more details.

95. Is the policy effective in its approach to water quality management?

No. See our Reg 19 response for more details.

#### Policy CC5 – Flood risk management and sustainable drainage systems

96. To be effective, does the policy need to include (a) reference to flood risk evidence (such as the Strategic Flood Risk Assessment); and/or (b) consideration of existing drainage assets?

The Government has recently updated its Guidance on flood risk. The Plan will need to reflect this latest position.

97. Is the requirement to design Sustainable Drainage Systems in accordance with the Council's SuDs Handbook soundly based?

The Government has recently updated the Guidance on SUDS. The Plan will need to reflect this latest position.

**Issue 4: Whether the natural environment (NE) policies are justified, effective and consistent with national policy.**

Policy NE1 – Biodiversity and geodiversity

98. Is it necessary to refer to the Lawton principles in part 1c?

No. HBF have provided detailed comments on BNG in response to Policy NE1 and NE3 in our Reg 19 response which are not repeated here. We would add that the delivery of BNG on-site where possible is a requirement of the statutory BNG process and can on occasions run counter to the Lawton principles by delivering a series of small scale on-site BNG instead of landscape interventions which may deliver bigger BNG benefits. The Lawton principles should therefore not be referred to in the Policy. If they need to be referred to at all this should be in supporting text.

HBF note that the Government (via DEFRA) recently undertook a consultation on potential revisions to the national BNG requirement and is now proposing sites under 0.2 Ha are exempt from BNG. Further work on other possible improvements to the working of the policy in practice are ongoing and it will be important that the Plan's policy reflects the current position on adoption. This is likely to mean that this issue needs to be kept under review during the EIP process.

99. Is the meaning of “appropriate buffer zones” in part 4c sufficiently clear?

No. It is unclear how a developer would show compliance with this aspect of the policy.

Policy NE3 – Biodiversity net gain (BNG)

102. Is the aspiration for qualifying development to achieve 20% BNG, subject to viability, justified and consistent with national policy and guidance? Is it clear, so as to be effective, what is expected from development proposals? What effect will the policy have on housing delivery and other Plan requirements, including affordable housing and infrastructure?

No. The wording of the policy does not specify an amount of BNG that is required. A policy seeking as much as possible, or more than the statutory minimum, does not set out clear expectations for developers, or communities on what is required.

HBF have seen no evidence to support the need for a BNG requirement of up to 20% in Telford and Wrekin. As such it is not justified. Indeed, our experience of how BNG is working in practice suggests that 10% BNG requirement has become a significant obstacle to housing delivery in some cases, particularly on brownfield sites with open mosaic habitat and for SME builders (see <https://www.hbf.co.uk/research-insight/bng-one-year-on/>). The current review of BNG through the consultation on small, medium and brownfield sites indicates that the Government shares our concerns and looking to ensure BNG does not become a barrier to much needed housing growth.

It therefore remains 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. It remains HBF's position that we need to get 10% BNG working properly before looking to go any further. The Dec 2025 NPPF consultation clearly sets out the Government wish to stop the plethora of Local Plan policies with different targets for BNG.

We note that the current NPPF (Dec 2025) consultation indicates that the only time where it may be appropriate to seek more than 10% BNG through local policy relates to allocations, and even then only where this is clearly evidenced and justified. This adds further weight to our position.

HBF was involved in a significant amount of work, being led by the Future Homes Hub, on BNG preparedness. This work continues through our role on the FHH BNG Implementation Board and Community of Practice. It should also be noted that the PPG is clear that there is no need for individual Local Plans to repeat national BNG guidance.

As you will know the Government (via DEFRA) recently undertook a consultation on potential revisions to the national BNG requirement and is now intending that sites under 0.2 Ha are exempt from BNG. Further work on other possible improvements to the working of the policy in practice are ongoing and it will be important that the Plan's policy on this issue is kept under review.

You will also be aware that in Feb 2025 the Government has published additional Guidance on how Local Nature Recovery Strategies should be integrated with/feed into Local Plan Making. This guidance adds further weight to the comments we are making in relation to BNG policies in this Plan.

HBF have provided more detail about our concerns and experiences of BNG in practice in our Reg 19 reps which are not repeated here.

103. Are parts 2, 4 and 6 justified, effective and consistent with national legislation, policy and guidance?

Criterion 2 confuses the mitigation hierarchy (which seeks to avoid harm in the first place, then mitigate and only then compensate it in relation to protected species) and the BNG delivery hierarchy (which prioritises on-site BNG delivery, then off-site units and finally allows for statutory credits). HBF have found there is significant potential for confusion between the two difference hierarchies, and this needs to be avoided in this Plan.

Criterion 4 states that BNG provision should be informed by the emerging Shropshire and Telford & Wrekin Local Nature Recovery Strategy to demonstrate that it is locally appropriate and follow the Lawton Principles of delivering more, bigger, better and joined up habitats. However, this may in fact be in direct conflict with the BNG hierarchy which requires on-site provision wherever possible. The Plan as a whole should be informed by the LNRS which should form a key part of the evidence base and help shape the spatial strategy. The LNRS is not intended to be a reason to refuse development in a particular location.

Criterion 6 seeks to require that all offsite financial contributions needed to achieve biodiversity net gain must to be secured by appropriate planning obligations or other recognised legal mechanisms. HBF questions if this wording accurately reflects how works in practice as developers can buy BNG statutory credits from the Government as a last resort, and these do not need to be secured in this way.

The role of the Biodiversity Net Gain Plan is to set out how the BNG will be delivered, secured monitored and managed,. The purchase of off-site units can be managed in a variety of ways and the purpose of the Biodiversity Gain Plan is to show how any off-site BNG units (where needed) will be secured. It is not necessary for this to be secured by s106 in all cases.

Criterion 6 also requirements off-site BNG to be should be delivered in line with local, regional and national priorities for biodiversity, directed by the emerging Local Nature Recovery Strategy. This is also technically incorrect, as off-site units can be delivered anywhere. The statutory BNG metric already penalises units delivered further away from the development site, but this is allowed.

We have provided further comments about BNG in our Reg 19 response.

#### Policy NE4 – Development Greening Factor (DGF)

104.What is the justification for the DGF in addition to BNG? Is there evidence to show the Greening Factors of 0.4 for major residential-led, and 0.3 for major non-residential-led development, are deliverable, taking account of other Plan requirements?

HBF can see no justification for this policy locally or nationally, and it is unclear if and how it links with BNG.

105.How is delivery of the DGF expected to work alongside policies NE1 to NE3, CI3 and CC5.2? Is this clear enough for the Plan to be effective?

This is currently unclear, and as such the plan is ineffective.

#### Policy NE5 – Green network

106.Is the extent of the Green network justified? 107.Is it clear which development proposals part 3 would apply to? 108.Is the inter-relationship between policy NE5 and other Plan policies (such as NE1 to NE4 and CI3) clear enough to be effective?

No this is currently all very unclear, and as such the plan is ineffective.

#### Policy NE7 – Strategic Green Gaps

110.What is the justification for the Strategic Green Gaps included in the policy? Are they defined in such a way that the policy will be effective?

HBF remain of the view that the Council need to allocate more sites for housing, including possibly some within Strategic Gaps.

### **Issue 6: Whether the policies for sustainable travel (ST) and transport networks are justified, effective and consistent with national policy and guidance.**

#### Policy ST4 – Design of roads and streets

124.Is the requirement to accord with national guidance such as the Manual for Streets soundly based?

125.Does the policy require street trees in all development? If no, is this clear? If yes, is this justified and consistent with national policy?

#### Policy ST5 – Electric vehicle (EV) infrastructure and parking design

126.(a) Is the requirement to meet parking standards set out in a separate guidance document soundly based?

No. Planning policy should be set out in the Local Plan.

127.Are the requirements for EV charging infrastructure soundly based given the relevant provisions in Building Regulations?

No. Part S of the Building Regulations already sets out the requirements for Electric Vehicle charging in residential developments, including where exceptions may apply.