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South Lakeland District Council
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SENT BY EMAIL
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17/12/2017

Dear Sir / Madam,

**SOUTH LAKELAND LOCAL PLAN: DEVELOPMENT MANAGEMENT POLICIES
PUBLICATION DRAFT (Reg 19)**

Thank you for consulting with the Home Builders Federation on the Publication Draft of the South Lakeland Local Plan Development Management Policies document.

The 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.

The Council will recall that the HBF provided comments to the previous consultations on the Development Management policy documents. A key theme that we have made throughout is the need for greater flexibility within the document and its policies. Some policies still appear overly prescriptive with a large list of requirements. To ensure these policies are workable it is important that the various criteria are only applied where appropriate, practicable, achievable and economically viable. Without the inclusion of such flexibility appropriate developments are unlikely to come forward. This will only slow housing delivery and reduce investment in South Lakeland. The NPPF is clear that flexibility is a critical component of any plan (paragraphs 14, 21, etc.) it is therefore recommended that further consideration is given to the inclusion of greater flexibility throughout this document.

Policy DM8 – High Speed Broadband

This policy is not considered to be sound, as it is not considered to be effective.

This policy requires proposals for new residential (2 or more dwellings) and commercial development to demonstrate how they will provide broadband. It goes on

to require sites of 30 dwellings or more to provide Fibre to the Premises infrastructure. The inclusion of digital infrastructure such as high speed broadband and fibre is not within the direct control of the development industry, and as such it is considered that this policy could create deliverability issues for development and developers. Service providers are the only one who can confirm access to infrastructure.

Whilst the requirements of the policy in relation to a Broadband Statement setting out the current connectivity of the site and the potential for future provision, may seem reasonable the Council should be aware that some providers are no longer able to provide Connectivity Statements which may limit the information available to applicants and may again cause delay and limit deliverability.

It is also noted that the justification for the policy notes the role of this policy in supporting Building Regulations. The HBF would like to highlight the work that Government have undertaken to remove red tape associated with planning, particularly where planning and building regulations overlap. Therefore, there is no need to have planning policy to support Building Regulations, it is sufficient to rely on Part R of the Building Regulations.

HBF propose that the policy is modified as follows:

- *'Proposals for new residential (sites of 2 dwellings or more) and commercial development must demonstrate **engagement with infrastructure providers and show** how they will **work with infrastructure providers to** provide future occupiers with ~~sufficient~~ broadband connectivity, **where feasible**.*
- ~~'and be accompanied by a 'Broadband Statement' which explains the current internet connectivity in the site's locality and the potential for the site to be provided with high speed broadband; and'~~
- ~~'make provision for new premises to be provided with high speed (superfast) broadband, or if this is not feasible at the time of the application, undertake all reasonable actions to enable a superfast connection at a future date.'~~
- ~~'For residential sites of 30 units or more, developers will be expected to ensure that Fibre to the Premises (FTTP) infrastructure is provided.'~~

Policy DM11 – Accessible and Adaptable Homes

This policy is not considered to be sound, as it is not considered to be justified, and not consistent with national policy

This policy requires all new homes to meet the optional Building Regulations for adaptable and accessible standard (M4(2)). Additionally, the Council will also require a proportion of wheelchair adaptable homes (M4(3)) on large development sites in suitable locations, 5% of dwellings on sites of over 40, although this level will be applied flexibly. The policy includes potential for exemptions on viability grounds.

PPG (ID 56-07) identifies the type of evidence required to introduce such a policy, including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the existing stock; how the needs vary across different housing tenures; and the overall viability. The Optional Housing Standards Evidence Paper (August 2017), provides the Council's evidence base for this policy. It provides data on the population's age structure, general information on

the accessibility of the national housing stock and assumptions about what that means for South Lakeland. The HBF does not consider that it provides sufficient justification for the need for all new dwellings to meet the requirements of M4(2) Accessible and Adaptable dwellings.

PPG (ID56-009) is clear that Local Plan policies for wheelchair accessible homes should be applied only to those dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. It is therefore considered that the 5% requirement within this policy is contrary to national policy.

HBF propose that the policy is modified as follows:

- ~~'New homes must be~~ **The Council will support the provision of dwellings that are** *designed and constructed in a way that enables them to be adapted to meet the changing needs of their occupants over their lifetime. ~~The Council will require all new homes to meet the optional Building Regulations Requirement M4(2): Category 2— Accessible and Adaptable Dwellings.~~*
- ~~'The Council will only consider exemptions to these requirements where the applicant can provide evidence to robustly demonstrate that any of the following specific circumstances apply: 1. it is not practically achievable given the physical characteristics of the site, or 2. it would significantly harm the financial viability of the scheme.'~~
- ~~'Additionally the Council will also require a proportion of wheelchair adaptable homes (Category M4(3)) on large development sites in suitable locations. Current evidence supports a requirement for 5% of dwellings on sites of over 40 units to be wheelchair adaptable dwellings. If evidence at the time of a planning application indicates a different level of need then this element of the policy will be applied flexibly.'~~

Housing Standards

The HBF note that at present South Lakeland Council has decided not to pursue the adoption of nationally described space standards, and that they will keep this position under review. The HBF supports South Lakeland's decision not to introduce space standards at this time.

Water Efficiency

The HBF also support South Lakeland's decision not to introduce water efficiency standards as there are no major constraints with regards to water resources and it is not an area of water stress.

Future Engagement

I trust that the Council will find these comments useful as it continues to progress its Local Plan. I would be happy to discuss these issues in greater detail or assist in facilitating discussions with the wider house building industry.

The HBF would like to be kept informed of all forthcoming consultations upon the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

I would like to be notified that the South Lakeland Local Plan Development Management Policies document has been submitted for independent examination. I would also like to express my interest in attending any relevant hearing sessions at the Examination in Public. Should you require any further clarification on the issues raised in this representation please contact me.

Yours sincerely,

A handwritten signature in cursive script that reads "Harding".

Joanne Harding

Local Plans Manager – North

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