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SENT BY EMAIL  
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28/06/2018

Dear Sir / Madam,

**LIVING LAKES: YOUR LOCAL PLAN REVIEW – OPTIONS AND SUGGESTED APPROACH DOCUMENT**

Thank you for consulting with the Home Builders Federation on the Lake District National Park Living Lakes Local Plan Review Options and Suggested Approach 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.

**Policy 07: Design and development**

Supporting text in relation to this policy states that the National Park will give consideration to national design initiatives including Lifetime Homes. The Council will be aware that the Lifetime Homes standard is no longer applicable following the Government's Housing Standards review. Lifetime Homes have now been replaced by the optional Building Regulations accessibility standards. These standards can be introduced via a plan but only where there is specific evidence to justify their inclusion. The evidence base and method of introduction is set out within the PPG section upon 'Housing - Optional Technical Standards' and include consideration of need and viability. The HBF is unaware that the Council can provide the necessary evidence at this stage and as such this option is not recommended.

The policy states that development must achieve the highest practical energy efficiency. This does not offer a lot of clarity and it is not clear what is expected of a developer. The HBF also consider that any mandatory requirements in relation to energy efficiency would be contrary to the Government's intentions, as set out in Fixing the Foundations and the Housing Standards Review, which specifically

identified energy requirements for new housing development to be a matter solely for Building Regulations with no optional standards. The Deregulation Act 2015 was the legislative tool used to put in place the changes of the Housing Standards Review. This included an amendment to the Planning and Energy Act 2008 to remove the ability of local authorities to require higher than Building Regulations energy efficiency standards for new homes. Transitional arrangements were set out in a Written Ministerial Statement in March 2015. The HBF recommend that the Council ensure that this policy is effective, justified and consistent with national policy.

### **Policy 16: Housing**

This policy sets out the need for a minimum of 1,200 new homes between 2019 and 2034, equivalent to 80 dwellings each year, however, these homes will have occupancy restrictions.

The National Park consider that this is necessary as over 80% of the existing stock has no restrictions and this will prevent new homes being lost to the second homes market. The 2011 Census highlighted that 24% of the existing housing stock has no permanent resident. Whilst paragraph 3.152 highlights that the population in the Lake District is decreasing, which is seen particularly in the proportion of working age population. The next paragraph then goes on to highlight that in some areas of the Lake District the occupancy conditions are not responding to the local circumstances and that there is a perception that they are an obstacle to supporting community vibrancy.

The HBF is generally supportive of the need for new homes to contribute towards helping communities remain vibrant and resilient.

Part 1 of the policy seeks to secure permanent occupancy in perpetuity, the HBF seek assurances from the Council that this requirement will not be an impediment to the effective delivery of homes. The HBF have concerns in relation to these restrictions and the potential implications they could have on the delivery of homes, including the potential to deliver infrastructure and other policy requirements set out in the plan and the impacts on future financing and rights of occupants.

This part of the policy also seeks to restrict occupancy to a geography that reflects local circumstances. Whilst page 143 states that the National Park will continue to restrict the occupation of new homes to households with a local connection and then goes on to state that this approach will be established through a Housing Supplementary Planning Document which enables eligibility to be restricted to a geography which reflects local circumstances. The HBF consider that as the National Park is currently losing population, particularly working age people, to stabilise the population and maintain the vitality of the park the Park should consider alternative methods of housing delivery. Whilst local occupancy housing may still have a role to play it is recommended that the eligibility criteria is drafted to provide a flexible approach. It is also considered that exceptions to local occupancy may be appropriate in certain circumstances, to allow for areas and communities to repopulate with working age people.

The National Park has affordability issues with an affordability ratio of 10.3 to 1. Part 2 of the policy supports 'windfall sites that provide one to five permanent homes subject to local occupancy and above that number affordable housing'. Whilst the HBF supports the delivery of affordable housing, the delivery of affordable housing must, however, be balanced against economic viability considerations. The HBF have concerns about whether this policy may limit the numbers of larger sites that are brought forward and how this policy will impact on the viability of development.

The Planning Practice Guidance (PPG) (ID: 23b-031) is clear that 'in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty'. This is in line with the Written Ministerial Statement (WMS) (Nov 2014), which also stated that for 6 to 10 units contributions should be sought as cash payments to be commuted until after completion of units. The HBF recommend that further consideration is given to this part of the policy and that appropriate amendments are made in relation to provision of affordable housing and the potential for commuted payments.

The HBF consider it may be appropriate to modify part 3 of the policy in line with paragraph 54 of the NPPF to allow for some market housing where it could facilitate the provision of additional affordable housing.

#### **Policy 19: Sustainable tourism and holiday accommodation**

The HBF notes that this policy states that new build housing for holiday use will not be supported.

#### **Policy 21: Renewable and low carbon energy**

This policy requires all new housing development to reduce the operational Carbon Dioxide emissions of the development by a minimum of 30% by generating energy from decentralised, renewable or low carbon sources. This is an increase from the current target of 10%. There is no flexibility within the policy to allow for the viability of the requirement to be considered, this is an intentional change from the previous policy.

The HBF does not generally object to encouragement for the need to minimise the effects of climate change, or the reduction in carbon dioxide emissions or the inclusion of renewable energy sources. However, the HBF have concerns about this policy. There is little flexibility to this policy in terms of viability or in relation to how the reduction in carbon dioxide emissions is achieved.

The HBF consider that, as set out above, any mandatory requirements would be contrary to the Government's intentions, as set out in Fixing the Foundations and the Housing Standards Review, which specifically identified energy requirements for new housing development to be a matter solely for Building Regulations with no optional standards. The HBF recommend that the Council ensure that this policy is justified and consistent with national policy.

The policy goes on to state that where technically viable and in areas with sufficient existing or potential heat density, that they will require development of 10 or more dwellings to install a district heating scheme. Where it is not viable, the applicant will need to demonstrate provision to connect to a future network.

The HBF do not consider that the National Park should be requiring developments to connect to or to install district heating schemes. The HBF consider that consideration needs to be given to the justification to this policy. If the policy is to be taken forward then consideration needs to be given not just to whether the development is technically viable but also financially viable and subject to viability testing. The HBF also consider that this policy may cause issues for future occupants as it is restricting future consumer choice to that particular provider of heat. The HBF consider that this part of the policy should be deleted.

### **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 production of the Local Plan and associated documents. Please use the contact details provided below for future correspondence.

Yours sincerely,



**Joanne Harding**

**Local Plans Manager – North**

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