

Lake District National Park Authority
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SENT BY EMAIL
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26/06/2019

Dear Sir / Madam,

LIVING LAKES: YOUR LOCAL PLAN – PRE-SUBMISSION

Thank you for consulting with the Home Builders Federation on the Lake District National Park Living Lakes Local Plan Pre-Submission 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.

We would like to submit the following comments upon selected policies within the Pre-Submission Draft consultation document. These responses are provided in order to assist the Lake District National Park Authority (LDNPA) in the preparation of the emerging local plan. The HBF is keen to ensure that the LDNPA produces a sound local plan which provides for the housing needs of the area.

Policy 06: Design and development

The HBF does not consider that Policy 06 is sound, as it is not justified or consistent with national policy for the following reasons:

Supporting text (paragraph 3.06.02 & 3.06.03) in relation to this policy states that the National Park will give consideration to national design initiatives, it then goes on to set out what is included within the Lifetime Homes Design Guide. The Council will be aware that the Lifetime Homes standard is no longer applicable following the Government's Housing Standards review. Lifetime Homes have now been replaced by the optional Building Regulations accessibility standards.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 it is suggested that reference to the Lifetime Homes Design Guide is removed.

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. Whilst the HBF generally considers that it is appropriate for a Council to support the inclusion of energy efficiency measures within development, the HBF 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 15: Housing

The HBF does not consider that Policy 15 is sound, as it is not positively prepared, justified, or consistent with national policy for the following reasons:

This policy sets out the need for a minimum of 1,200 new homes between 2020 and 2035, equivalent to 80 dwellings each year to meet local community need. The policy then goes on to provide further criteria including those related to permanent occupation, restricted eligibility and local occupancy. In terms to the scale of housing provision the HBF is mindful of the status of the area as a National Park and therefore does not consider unrestricted housing growth should occur. It is, however, important that the National Park retains its vitality, and places due weight upon its duty to *'seek to foster the economic and social well-being of local communities'*. Therefore, the HBF supports the LDNPA in setting a 'minimum' housing figure and in stating that 'the housing figure is a target not a ceiling'.

Part 1(3) of the policy supports new permanent homes that are secured in perpetuity for permanent occupation with eligibility restricted to a geography that is tailored to local circumstances. Paragraph 3.15.12 states that *'all new homes approved will be the subject of planning controls to ensure the future use is for permanent occupation only. We will not permit new homes to be used as a second home or as a holiday let under this policy'*. Whilst local connection criteria are provided in the Housing SPD rather than within this policy. The HBF have some concerns in relation to connection criteria being located within an SPD and not being tested as part of the Local Plan. The HBF also seek assurances from the Council that these policy requirements 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.

Paragraph 3.15.05 highlights that the population in the Lake District is decreasing, which is seen particularly in the proportion of working age population. It is also noted that Cumbria LEP has identified the projected decline in Cumbria's working age population as one of the largest challenges to the economic future of the county and it is one of their key priorities to address. The HBF is generally supportive of the need for new homes to contribute towards helping communities remain vibrant and resilient.

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 LDNPA should consider the delivery of homes for a multitude of sources. Whilst local occupancy housing, permanent occupancy, and affordable homes have a role to play it is recommended that the LDNPA apply a flexible approach. For example, it is 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 11.6 to 1. Part 2 of the policy supports *'windfall sites and allocated 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 20: Renewable and low carbon energy

The HBF does not consider that Policy 20 is sound, as it is not justified or consistent with national policy for the following reasons:

This policy requires all new housing development to generate a minimum of 30% of their operational energy requirements through decentralised, district heating and, renewable and low carbon energy sources.

The HBF does not generally object to the desire to increase the proportion of energy generated by renewable and low carbon 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 energy is generated. Paragraph 153 of the NPPF highlight the need for local authorities to have regard to the type of development, its design, the feasibility and viability of development when considering requirements for decentralised energy supplies. Therefore, the HBF would recommend that greater flexibility is incorporated into this policy, in line with the NPPF.

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,

A handwritten signature in cursive script, appearing to read 'Joanne Harding', written in black ink.

Joanne Harding

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