

Strategic Planning
Copeland Borough Council
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SENT BY EMAIL
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21/02/2022

Dear Strategic Planning Team,

COPELAND LOCAL PLAN: PUBLICATION DRAFT

1. Thank you for consulting with the Home Builders Federation (HBF) on the Copeland Local Plan Publications Draft.
2. 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.
3. The Council will be aware that the HBF has provided comments throughout the progression of this document and we would like to submit the following comments upon selected policies within this Publication Draft consultation document.

Strategic Policy DS2PU: Reducing the impacts of development on Climate Change

Strategic Policy DS2PU is not considered to be sound as it is not consistent with national policy for the following reasons:

4. This policy states that the Council will support development proposals where they make a positive contribution towards achieving the Cumbria wide goal of net zero by 2037. It goes on to promote active and low carbon travel and increased use of electric vehicles, increasing resilience to the effects of climate change, making the most efficient use of land, and requiring biodiversity net gain as part of all appropriate developments.
5. The HBF believes the move towards net zero should be set via a nationally consistent set of standards and timetable, which is universally understood and technically implementable. This prevents the potential risk to viability of development, which may see development being more forthcoming in other local authorities areas in the region, which could have implications for sustainability with increased commuting, vehicle congestion and associated emissions.
6. The HBF generally supports sustainable development and considers that the homebuilding industry can help to address the climate change emergency challenges identified by the Council. However, the HBF considers that this policy is more of a



statement of intent or vision rather than a policy and do not consider that it is necessary, and it repeats a lot of the elements of the policies that are detailed elsewhere in the Plan. The HBF does not consider this to be consistent with the NPPF which states that Plans should serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area and should contain policies that are clearly written and unambiguous so it is evident how a decision maker should react to development proposals¹. The HBF recommends that this policy is deleted.

Strategic Policy DS4PU: Settlement Boundaries

Strategic Policy DS4PU is not considered to be sound as it is not positively prepared or consistent with national policy for the following reasons:

7. This policy generally supports development within the settlement boundaries, whilst generally looking to restrict development outside of settlement boundaries except in certain circumstances. For housing development to be accepted it has to directly adjoin the settlement boundary for a town or local service centre; and have safe pedestrian links to the settlement; and the Council need to be unable to demonstrate a five-year supply or to have had 3 years of under-delivery of housing or be for a specific type of housing supported by Policies H15,16 or 17 (Rural Exceptions, Dwellings for Rural Workers and Replacement Dwellings).
8. The HBF supports the Council in supporting development within settlement boundaries. The HBF also supports the Council in identifying that there may be circumstances in which it is acceptable to build homes outside of the settlement boundaries. However, the HBF is concerned that the current criteria provided are too limited and may not provide the flexibility the Council require to ensure that their housing needs are met and to ensure that sustainable developments come forward. The HBF considers that limitations proposed are contrary to the Government's objective to significantly boost the supply of homes, to ensure a sufficient amount and variety of land can come forward to meet the needs of groups with specific housing requirements, including those who require affordable housing, families with children and older people². And would not promote sustainable development in rural areas where housing should be located to maintain the vitality of rural communities, allowing opportunities for villages to grow and thrive and support local services³.
9. The HBF recommends that the policy is amended to state:
'Where the proposal is for housing and;
 - i. the site **is well related to a settlement** ~~directly adjoins the settlement boundary of a town or local service centre; and~~*
 - ii. the site is or can be physically connected to the existing settlement by safe pedestrian links; ~~and~~*
 - iii. ~~the Council is unable to demonstrate a 5 year supply of deliverable housing sites; or~~*
~~there has been previous under-delivery of housing against the requirement for 3 years or more~~

¹ NPPF 2021 paragraph 16.

² NPPF 2021 paragraphs 60-62.

³ NPPF 2021 paragraph 79

~~the proposal is for a specific type of housing supported by Policies H14, H15 or H17.'~~

Strategic Policy H1PU: Improving the Housing Offer

10. The HBF generally supports this policy which sets out how the Council will make Copeland a more attractive place to live, including allocation a range of housing sites to meet local needs and aspirations and approving housing development on appropriate windfall sites.

Strategic Policy H2PU: Housing Requirement

Strategic Policy H2PU is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

11. This policy sets out that the housing requirement is for a minimum of 2,482 net additional dwellings (an average of 146 dwellings per annum (dpa)) to be provided between 2021 and 2038.
12. The HBF is generally supportive of the Council utilising a figure over and above the local housing need (LHN) identified by the current standard method. The latest LHN calculated using the standard method, as identified by the Council in paragraph 13.4.5, is 8dpa. It should be noted that the local housing need figures calculated by the standard method are the minimum starting point in determining the number of homes needed in the area, it does not produce a housing requirement figure. It should also be noted that the Government is committed to ensuring that more homes are built and supports ambitious authorities who want to plan for growth. Circumstances where housing need may be higher, include where there are growth strategies; strategic infrastructure improvements; meeting an unmet need; where previous levels of housing delivery are higher; or previous assessments of need, which may mean that housing requirement should be a higher figure than the LHN indicated by the standard method.
13. The Strategic Housing Market Assessment (SHMA) 2019 states that it would be reasonable to conclude that an economic based Objectively Assessed Need (OAN) for Copeland would be for up to 198dpa. The SHMA has since been updated and the 2021 SHMA identifies a range of potential housing need⁴ from 61dpa the Cambridge Econometrics baseline scenario, to 278dpa in the Growth Scenario, with the Experian baseline of 146dpa and the Growth Scenario-midpoint of 191dpa in the middle. The HBF is generally supportive of a plan seeking to align job growth and housing needs and would suggest that the housing requirement for Copeland is higher than the figure currently proposed.
14. The policy also suggests that in order to plan positively the plan will provide a supply of housing sites, which will provide a minimum of 3,400 dwellings over the plan period (average of 200dpa). The HBF would generally support a level of housing land supply which would identify a sufficient number of sites to meet the housing requirement plus an additional 20%, to create flexibility and choice within the range of sites, and would help to ensure that the housing requirement can be met. However, as the HBF considers that the housing requirement is likely to be higher than the figure currently

⁴ SHMA 2021 Figure 1

proposed, this may also mean that the level of supply also has to increase proportionately.

Policy H3PU: Housing Delivery

Strategic Policy H3PU is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

15. This policy sets out what the Council will do if housing development is not being delivered as anticipated. The HBF is not convinced that most of the content of this policy, is necessary to be policy, it reads much more as a statement of intent than a policy.
16. The policy also states that where housing delivery has exceeded expectations within a particular tier of the settlement hierarchy the Council will consider carrying a review of the Plan. The HBF does not consider that this is appropriate and considers that additional housing development should continue to be supported once the housing requirement figures have been met for the lower tiers of the settlement hierarchy, this would be in line with the NPPF⁵ which seeks to boost housing supply.

Policy H4PU: Distribution of Housing

Strategic Policy H4PU is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

17. This policy along with the accompanying table provides the distribution of housing, it sets out the proportion / amount of development expected in each hierarchy tier. The policy states that the amount of housing identified within the Sustainable Villages and Rural Villages is limited to the amounts shown in the table. The HBF does not consider that this form of moratoria is in line with the NPPF⁶ and the Government's aim to boost the supply of housing. The HBF considers that the Council should remove reference to development being 'limited' within the policy.

Policy H5PU: Housing Allocations

Strategic Policy H5PU is not considered to be sound as it is not positively prepared or consistent with national policy for the following reasons:

18. This policy identifies the sites to be allocated over the period 2021-2038. The HBF does not wish to comment upon the acceptability or otherwise of individual sites. It is, however, important that all the sites contained within the plan are deliverable over the plan period and planned to an appropriate strategy. The HBF would expect the spatial distribution of sites to follow a logical hierarchy, provide an appropriate development pattern and support sustainable development within all market areas.
19. The Council's assumptions on sites in relation to delivery and capacity should be realistic based on evidence supported by the parties responsible for housing delivery and sense checked by the Council based on local knowledge and historical empirical data.

⁵ NPPF 2021 Paragraph 60

⁶ NPPF 2021 Paragraph 60

20. The HBF is keen that the Council produces a plan which can deliver against its housing requirement. To do this it is important that a strategy is put in place which provides a sufficient range of sites to provide enough sales outlets to enable delivery to be maintained at the required levels throughout the plan period. The widest possible range of sites by both size and market location are required so that small, medium and large housebuilding companies have access to suitable land to offer the widest possible range of products. A mix of sites provides choice for consumers, allows places to grow in sustainable ways and creates opportunities to diversify the construction sector. Under the NPPF⁷, the Councils should identify at least 10% of the housing requirement on sites no larger than one hectare or else demonstrate strong reasons for not achieving this target. The HBF and our members can provide valuable advice on issues of housing delivery and would be keen to work proactively with the Council on this issue.
21. The Plan should ensure the availability of a sufficient supply of deliverable and developable land to deliver the Council's housing requirement. This sufficiency of housing land supply (HLS) should meet the housing requirement, ensure the maintenance of a 5 Year Housing Land Supply (YHLS), and achieve Housing Delivery Test (HDT) performance measurements. The HBF also strongly recommends that the plan allocates more sites than required to meet the housing requirement as a buffer. This buffer should be sufficient to deal with any under-delivery which is likely to occur from some sites. Such an approach would be consistent with the NPPF requirements for the plan to be positively prepared and flexible.

Policy H8PU: Affordable housing

Strategic Policy H8PU is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

22. This policy looks for sites of 10 or more dwellings, or 5 or more within the Whitehaven Rural sub-area, to provide at least 10% of the homes as affordable. It goes on to set the tenure split with 40% identified as being discounted market sales, starter homes or other affordable home ownership routes the Council have also added a requirement for at least 25% of these to meet the definition of First Homes. The other 60% should be for affordable or social rent.
23. The NPPF⁸ states that where major development involving the provision of housing is proposed, planning policies and decisions should expect at least 10% of the total number of homes to be available for affordable home ownership. The Council will need to consider how this will work with where the affordable housing target is 10% and the proposed tenure split is 40% affordable home ownership and 60% affordable / social rent. If the Council does not intend to meet the 10% affordable home ownership requirement, then this will need to be evidenced.
24. The PPG states that First Homes are the Government's preferred discounted market tenure and should account for at least 25% of all affordable housing units delivered by developers through planning obligations. The HBF considers that the 40% affordable

⁷ Paragraph 69 NPPF 2021

⁸ Paragraph 65 NPPF 2021

home ownership split should allow for this provision and the reference to First Homes should highlight this requirement.

Policy CO7PU: Parking Standards and Electric Vehicle Charging Infrastructure
Strategic Policy CO7PU is not considered to be sound as it is not positively prepared, justified or consistent with national policy for the following reasons:

25. This policy requires new residential developments to provide one charging point per dwellings with off street parking, it also states that where off-street parking is not provided, a commuted sum will be required to provide charging facilities in the immediate vicinity.
26. The HBF is supportive of encouragement for the use of electric and hybrid vehicles via a national standardised approach implemented through the Building Regulations to ensure a consistent approach to future proofing the housing stock. Part S of the Building Regulations 'Infrastructure for the charging of electric vehicles' has now been published and takes effect from 15th June 2022. This document provides guidance on the installation and location of electric vehicle charge points (EVCPs). It states that a new residential building with associated parking must have access to EVCPs. It states that the total number of EVCPs must be equal to the number of parking spaces if there are fewer parking spaces than dwellings, or the equal to the number of dwellings where there are more parking spaces. The Regulations also set technical requirements for the charging points these include having a nominal output of 7kW and being fitted with a universal socket. The Government has estimated installation of such charging points add on an additional cost of approximately £976.
27. The Regulations do, however, include a cost cap of £3,600 for the average cost of installation and allow for other exceptions The costs of installing the cables and the charge point hardware will vary considerably based on site-specific conditions in relation to the local grid. The introduction of EVCPs in new buildings will impact on the electricity demand from these buildings especially for multi-dwelling buildings. A requirement for large numbers of EVCPs will require a larger connection to the development and will introduce a power supply requirement, which may otherwise not be needed. The level of upgrade needed is dependent on the capacity available in the local network resulting in additional costs in relation to charge point instalment. The Government recognises that the cost of installing charge points will be higher in areas where significant electrical capacity reinforcements are needed. In certain cases, the need to install charge points could necessitate significant grid upgrades, which will be costly for the developer. Some costs would also fall on the distribution network operator.
28. In conclusion, it is not necessary for the Council to specify provision of EVCPs because of the Government's changes to Building Regulations.

Future Engagement

29. 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.

30. 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.

Yours sincerely,

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

Joanne Harding
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