

Matter 14: Development Standards

Issue – Whether the approach towards development standards is justified, effective and consistent with national policy?

Relevant policies: SP DS5PU; DS6PU; DS7PU; SP DS8PU; DS9PU; DS10PU; DS11PU

Planning Obligations (DS5PU)

14.1 Is the approach to infrastructure provision/enhancements and planning obligations effective? Is it clear as to when contributions for the enhancement of existing or provision of new infrastructure would be sought?

14.2 Does it provide an appropriate level of flexibility in terms of the impact on the viability of development proposals? Is it justified and consistent with national policy?

Design and Development Standards (Policy DS6PU)

14.3 What is the evidence in terms of the need for the higher water use efficiency standard as proposed in suggested Main Modification MA-LP36? How has the effect of this standard on viability been taken into account?

1. The Council are proposing to add an additional criterion which states ‘developments must include water efficiency measures such as rainwater recycling measure, green roofs and water butts where possible’. The HBF does not consider that this policy, is justified and consistent with national policy.
2. The Building Regulations require all new dwellings to achieve a mandatory level of water efficiency of 125 litres per day per person, which is a higher standard than that achieved by much of the existing housing stock. This mandatory standard represents an effective demand management measure. The Optional Technical Housing Standard is 110 litres per day per person, this optional standard or measure equivalent to it, should not be brought in without appropriate justification and evidence.
3. As set out in the NPPF¹, all policies should be underpinned by relevant and up to date evidence, which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned. Therefore, a policy requirement for the optional water efficiency standard must be justified by credible and robust evidence. If the Council wishes to adopt the optional standard for water efficiency of 110 litres per person per day, then the Council should justify doing so by applying the criteria set out in the PPG. PPG² states that where there is a ‘*clear local need, Local Planning Authorities (LPA) can set out Local Plan Policies requiring new dwellings to meet tighter Building Regulations optional requirement of 110 litres per person per day*’. PPG³ also states the ‘*it will be for a LPA to establish a clear need based on existing sources of evidence, consultations with the local water and sewerage company, the Environment Agency and catchment partnerships and consideration of the impact on viability and housing supply of such a*

¹ Paragraph 31

² ID: 56-014-20150327

³ ID: 56-015-20150327

requirement'. The Housing Standards Review was explicit that reduced water consumption was solely applicable to water stressed areas. The North West and Copeland are not considered to be an area of Water Stress as identified by the Environment Agency⁴. Therefore, the HBF considers that requirement for optional water efficiency standard is not justified nor consistent with national policy in relation to need or viability and should be deleted.

14.4 Are the various suggested Main Modifications (MA-LP26-MA-LP37) to Policy DS6PU necessary in the interests of soundness?

14.5 In overall terms, is Policy DS6PU justified, effective and consistent with national policy?

Hard and Soft Landscaping (Policy DS7PU)

14.6 Does Policy DS7PU provide an effective basis for the consideration of hard and soft landscaping within development proposals? Is it justified and consistent with national policy?

Reducing Flood Risk (Policy SP DS8PU)

14.7 What evidence is there in relation to flood risk and how has this informed the Local Plan?

14.8 Does Policy SP DS8PU provide an effective basis for the consideration of flood risk? Is it consistent with national policy?

14.9 Are the suggested Main Modifications (MA-LP41-LP44) necessary in the interests of soundness?

Sustainable Drainage (Policy DS9PU)

14.10 Is Policy justified, effective and consistent with national policy?

Soils, Contamination and Land Stability (Policy DS10PU)

14.11 Is Policy DS9PU justified, effective and consistent with national policy?

Protecting Air Quality (Policy DS11PU)

14.12 Does Policy DS11PU provide an effective basis for protecting air quality? Is it justified and consistent with national policy?

⁴ 2021 Assessment of Water Stress Areas Update: <https://www.gov.uk/government/publications/water-stressed-areas-2021-classification>