

South Lakeland District Council

Development Management Policies DPD

Evidence Paper:

High Speed Broadband in New Developments

August 2017

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Introduction

1. Communications infrastructure which is up-to-date and fit for purpose is essential to meet the changing needs of businesses and individual users. It is a commonly reported issue that new build developments are too frequently suffering from delays in the installation of internet infrastructure and poor, unreliable or low speed connectivity. At a time when home working is increasing in popularity and enabling more sustainable travel behaviours, as well as the importance of high quality digital infrastructure for economic growth, it is vital that new build developments in South Lakeland are equipped with the best possible digital infrastructure available, and are designed to be ready to accommodate future improvements in the network.
2. The National Planning Policy Framework is clear in its expectation that local planning authorities should support the expansion of high speed broadband in their areas, and in a more rural area such as South Lakeland where average internet speeds lag behind national averages it is important that the Council takes a proactive approach to ensuring the best possible provision in new developments.
3. The Council has therefore prepared a policy to ensure that broadband provision is given due consideration as part of planning applications and this policy is included within the draft Development Management Policies DPD.

Purpose of Paper

4. This paper presents background evidence in relation to proposed Policy DM8 in the South Lakeland Development Management Policies Development Plan Document (DPD).
5. It provides an overview of the national and local context around the topic of high speed electronic communications in terms of legislation, policy and guidance, and provides local evidence in relation to broadband provision in South Lakeland. It provides relevant background information and evidence that provides the context and rationale for introducing a new development management policy in the district.

What is High Speed Broadband?

6. Superfast broadband does not have a single definition. The UK government currently defines **superfast** broadband as having download speeds greater than 24 megabits per second Mbps, and OfCom (the UK regulator) defines it as speeds greater than 30Mbps.

Broadband Definition	UK Government	OfCom
Standard	2 Mbps+	10 Mbps+
Superfast	24 Mbps+	30 Mbps+
Ultrafast	100 Mbps+	300 Mbps+

Figure 1: Broadband Speed Definitions

7. Standard and superfast broadband services can be delivered using copper technologies (depending on distances from cabinets) whereas ultrafast broadband uses fibre technology.
8. **Fibre to the Cabinet (FTTC)** is the main technology used for the superfast broadband roll-out. Fibre optic cables (which are made of glass or plastic) are used from the telephone

exchange to street cabinets and then existing copper lines are used from the cabinet to premises. This technology can provide speeds of up to 80 Mbps. However, the maximum speed a premises can receive reduces the further away it is from a cabinet, with superfast speeds (above 24 Mbps) available up to approximately 1000m from the cabinet.

9. **Fibre to the Premises (FTTP)** is a technology where the fibre optic cable runs all the way to the premises or home. This means that there is no change in speed based on distance from the cabinet. FTTP can provide download speeds of 1 Gbps (1000 Mbps). This is also referred to by the Government as full fibre and enables 'ultrafast' broadband speeds. Most fibre broadband providers use Openreach's fibre network, however there are a small number of other companies who have their own network of lines. In particular a number of community based fibre partnerships are also delivering high speed local networks, with a notable local example being B4RN (Broadband for the Rural North) which is providing 'hyperfast' connections to homes and businesses in north Lancashire and South Cumbria.
10. **Cable Broadband** (largely provided by Virgin Media) use a combination of fibre optic cables to street cabinets and high-grade co-axial cables from cabinets to premises, with the latest standard allowing for speeds of around 1 Gbps (1000 Mbps) by cable.
11. Broadband can also be delivered through other technologies such as fixed wireless or satellite broadband. Fixed wireless works in a similar way to mobile phone networks, and is typically focussed to areas such as rural villages which aren't connected to the main fibre networks. Satellite broadband is also an option for people living in rural areas where traditional fixed line broadband services aren't available and uses satellite dishes to access broadband services.

National and International Context

12. This section outlines the international and national legislative and policy context in relation to high speed digital communications. It highlights relevant policies and legislation which provide an overview of the importance placed on high speed digital connectivity by the European Union and the UK Government. It also provides an overview of relevant guidance and current actions and measures being undertaken nationally to improve high speed digital connectivity. It is within this wider context that the proposed South Lakeland Development Management Policy in relation to high speed sits. It is considered to be a local policy and action that aligns with, and will help to achieve higher level aims.

European Legislation

13. In recognition of the importance of high speed digital connectivity for economic growth and social wellbeing, the European Union has adopted a Directive¹ (2014/61/EU²) on measures to reduce the cost of deploying high-speed electronic communications network. The

¹ A factsheet explaining the main elements of the Directive can be viewed at:
<https://ec.europa.eu/digital-single-market/en/news/factsheets-directive-201461ce-broadband-cost-reduction>

² <http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32014L0061>

Directive instructs Member States to introduce a number of measures, which focus on the following areas:

- Access to existing physical infrastructure (e.g. ducts, poles or masts) including those belonging to energy and other utilities, for operators willing to deploy high speed broadband networks,
- Efficient coordination of civil works,
- Faster, simpler and more transparent permit-granting procedures,
- Equipment of new buildings and major renovations with high-speed physical infrastructures (e.g. mini-ducts, access point) and access to in-building infrastructure.

14. Member States were required to transpose the EU Directive into national legislation by January 2016 and since 1st July 2016 Member States have generally had to apply the measures.

National Legislation

15. The EU Directive was transposed into UK legislation through the following regulations:

- The Building (Amendment) Regulations 2016
- The Communications (Access to Infrastructure) Regulations 2016

16. The Building (Amendment) Regulations 2016 introduce a new Part R in Schedule 1 to the Building Regulations which requires in building physical infrastructure for high speed electronic communications networks. The accompanying Approved Document R came into force on 1st January 2017³. The new Building Regulations require all new buildings to be adequately equipped with the necessary infrastructure to support a connection to superfast broadband. The guidance advises that it should be noted that a standard copper telephone cable, when connected to a service provider's fibre network, can currently deliver superfast broadband speeds of up to 70 Mbps.

17. The Communications (Access to Infrastructure) Regulations 2016 create a series of new rights whereby network operators (such as broadband service providers) can obtain information about, conduct a survey on, or gain access to the physical infrastructure of infrastructure providers (including communications, utilities and transport networks) in order to provide high speed broadband. Its aim is to facilitate easier access to existing infrastructure for providers, and to ensure that where possible civil works can be coordinated in order to reduce costs.

18. Additionally, the *Digital Economy Act 2017* received Royal Assent on 27th April 2017 which contains a number of provisions relating to the digital economy, one of which relates to

³ See Circular letter and further information on the amendment at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/517838/160413_-_Circular_Letter_-_Broadband__final.pdf

electronic communications infrastructure. It includes provisions for a universal service order/obligation (USO) that would enable everybody to request a broadband download speed of 10 Mbps by 2020. This would be focussed on the estimated 3% of properties that will still suffer from slow connectivity after the national superfast broadband rollout.

National Planning Policy

19. The National Planning Policy Framework states (paragraph 43) that in preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband.
20. A letter to Council Leaders in March 2015 (see Appendix 1) also stressed the important role of local authorities in supporting national superfast broadband targets through their local plans and planning application decisions. The letter called for Councils to support the Government's broadband targets through "*Local Plans and when considering planning applications to ensure wherever possible commercial and residential new builds are able to access superfast broadband*".⁴

National Policies, Strategies and Actions

Broadband Delivery UK

21. Superfast broadband has been rolled out to much of the country on commercial terms by providers such as BT and Virgin Media. The Government's policy is to provide funding to support the roll-out of superfast broadband to those areas of the UK where commercial rollout is not economically viable. This is mostly, but not entirely, in rural areas.
22. Broadband Delivery UK (BDUK), part of the Department for Culture, Media and Sport (DCMS), is responsible for implementing the Government's policy on superfast broadband roll-out which consists of three stages:
 - provide superfast broadband coverage to 90% of UK premises by early 2016 and access to basic broadband (2Mbps) for all from December 2015 – "Phase 1"
 - provide superfast broadband coverage to 95% of UK premises by the end of 2017 – "Phase 2"
 - explore options to provide superfast coverage to the hardest to reach parts of the UK - "the final 5%"
23. In England each county council or local enterprise partnership (collectively 'local bodies') is leading the broadband roll-out in their area. In Cumbria this is being led by 'Connecting Cumbria' on behalf of Cumbria County Council.

Digital Infrastructure Fund

24. In the 2016 Autumn Statement the Government pledged further investment in digital infrastructure in the form of Digital Infrastructure Investment Fund, which went live in July

⁴ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/416827/superfast-broadband-new-builds.pdf

2017. This fund shifts the focus from the fibre to the cabinet (FTTC) approach being delivered by Openreach through the Broadband Delivery UK scheme, to full fibre to the premises infrastructure. The new fund, which is supported by £400 million of public money (and will be supported by match funding from private firms and local authorities) is intended to support alternative providers in providing ultrafast broadband. Press releases around the fund quoted the statistic that just 2% of properties in the UK have access to full fibre compared with 80% of properties in Spain. The European Commission in their 2017 European Digital Progress Report confirmed that the Ireland, the UK, Greece and Belgium all lag behind the rest of the 28 EU member countries in terms of provision of ultrafast fibre to the premises broadband coverage.

National Agreement between the Government, Openreach and the Home Builders Federation

25. There have been widely reported cases that too frequently new developments suffer from poor broadband connectivity in terms of delays to installation and slow or unreliable services. An agreement between the UK Government, BT Openreach and the Home Builders Federation (HBF) was signed in February 2016⁵ to address these issues and improve the provision of high speed broadband in new residential development sites. Key aspects of the agreement include:
- Fibre based broadband to be offered to all new developments either at no cost to developers, or as part of a co-funded initiative. The Government has estimated that more than half of all new build properties can be connected to “fibre broadband” free of charge to developers.
 - An online planning tool for homebuilders provided by Openreach, which will tell them whether properties in a given development can be connected to fibre for free, or if a contribution is needed from the developer to jointly fund the deployment of the local fibre network.
 - A ‘rate card’ from Openreach, which details the fixed cost contributions required by homebuilders in those cases where joint funding is required. Openreach will make a significant contribution itself before seeking any funds from developers.
 - HBF will promote and support uptake of the co-funding offer amongst their members, and emphasise the need to plan for connectivity early in the development.
26. For the purposes of the above agreement the Government defines new housing developments as being two or more premises so will exclude single dwelling developments.

⁵ See Appendix 2 for Government press release.

27. With regards the online planning tool, developers are required to provide basic information about the site and are recommended to apply for a connectivity assessment at least nine months before the first occupancy of the site. If less than nine months' notice is given the provision will default to copper connectivity, so it is important that developers engage with Openreach at the earliest opportunity. The connectivity assessment will show:
- if the development will be covered by the existing fibre broadband infrastructure
 - if a developer contribution charge is applicable, and how much
 - the forecasted range of ADSL (copper broadband) speed irrespective of Superfast fibre infrastructure availability.
 - the lead-time to deliver fibre infrastructure if greater than nine months but this will only be in exceptional cases.
28. Following on from this agreement, Openreach announced⁶ that from November 2016 they will deploy Fibre to the Premises (FTTP, "ultrafast") into all new housing developments of 30 or more homes for free if developers register their scheme in good time. Initially the thresholds for this service were set at 250 homes, then it was reduced to 100 homes from May 2016 and finally 30 homes from November 2016.

The Cumbrian Context

29. Data compiled by Ofcom in June 2016⁷ revealed that the average broadband download speed in Cumbria was 22.5 Megabits per second (Mbps), with minimum and maximum speeds of 0.1 and 1000 Mbps respectively. This compares with a UK average download speed of 37 Mbps. Given the commercial nature of broadband provision, competition has delivered high levels of availability particularly in urban areas; however the market has not delivered comparable levels of service availability in rural areas.
30. The importance of reliable broadband provision is recognised as essential to supporting economic growth and rural communities. A number of initiatives are underway to improve broadband coverage and speed across Cumbria.

Connecting Cumbria

31. Cumbria has been awarded Broadband Delivery UK (BDUK)⁸ funding to enable the roll out of high speed fibre broadband across Cumbria. BDUK manages the Rural Broadband Programme and the ambition is for the programme to provide superfast broadband to at least 95% of premises in the UK by December 2017 and to provide universal access to standard broadband with a speed of at least 2Mbps.
32. The roll out programme in Cumbria is being delivered by 'Connecting Cumbria', a collaboration between Cumbria County Council and BT. The project commenced in 2013 and is being funded by the European Regional Development Fund (ERDF), Broadband Delivery

⁶ See Appendix 3 or Openreach website for press release.

⁷ <http://infrastructure.ofcom.org.uk>

⁸ A team within the Government Department for Culture, Media and Sport which is responsible for managing the Rural Broadband Programme.

UK (BDUK), Cumbria County Council and BT. The project provides mapping of where it has delivered services and expects to deliver services on its website at www.connectingcumbria.org.uk. A map of coverage at May 2017 can also be found at Appendix 5.

33. Progress under the Connecting Cumbria programme combined with commercial deployment works to April 2017 has made fibre broadband of at least 8 Megabits per second available to approximately 90% of properties in Cumbria. Availability of superfast broadband has increased from 48% in 2014 to 86% of Cumbrian properties being able to access these services. In South Lakeland 91% of properties can access services of at least 8Mbps and 87% are able to access superfast broadband. In areas with fibre broadband coverage the average speed available to order is approximately 62Mbps however fixed line broadband speed in areas without access to fibre is frequently below 2Mbps.
34. Further deployment work is planned under Connecting Cumbria, with the current phases of work due to be completed by the end of 2018. It is currently predicted that this work will make fibre broadband available to roughly 99% of properties currently built in South Lakeland. Significant further funding will be required to make superfast services available to all properties in South Lakeland and some isolated properties may need to be covered by satellite, fixed wireless or 4G broadband solutions.

District coverage	Fibre >8MBs				Superfast >24MBs			
	% Live	% After Phase 2 Build	% by March 2018	% by Sept 2018	% Live	% After Phase 2 Build	% by March 2018	% by Sept 2018
South Lakes	91.50%	94.82%	97.19%	99.52%	87.37%	90.31%	92.18%	94.10%
LDNPA	82.96%	87.25%	89.02%	92.24%	76.23%	80.04%	81.40%	84.10%
YDNPA	68.24%	69.46%	70.94%	78.43%	63.76%	64.70%	65.84%	71.59%

Source: Connecting Cumbria data at May 2017

35. New premises, completed after January 2017, cannot be taken into consideration by the Connecting Cumbria programme plans for superfast broadband deployment. Therefore property developers and service providers will need to proactively agree how to make superfast services available to new properties in South Lakes.
36. To support this Openreach have offered to cover the infrastructure costs where developers of sites with 30 or more properties agree the installation of ultrafast fibre to the premises infrastructure at the initial planning stage of projects. Changes to existing network infrastructure (such as moving a connection pole to accommodate a site) or solutions for smaller property developments are typically paid for by the developer, whilst Openreach pay for the on-site connections required and these are made in collaboration with the developer.

The Council's Proposed Policy

37. The Council is proposing a new Development Management Policy (DM8) to ensure that digital connectivity is given due attention at the earliest possible opportunity in development proposals to maximise the chances of new properties being connected to the high speed broadband network.
38. The draft policy, proposed for inclusion within the Development Management Policies DPD is set out below:

Policy DM8 – High Speed Broadband for New Developments

Purpose: To ensure new development makes appropriate provision for high-speed¹⁵ broadband connectivity.

Proposals for new residential (sites of 2 dwellings or more) and commercial development must demonstrate how they will provide future occupiers with sufficient broadband connectivity.

Development proposals must therefore:

1. demonstrate early engagement with infrastructure providers, and;
2. 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;
3. 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.

39. The policy will require developers to submit a 'Broadband Statement' with their planning application to demonstrate that they have engaged with broadband providers at an early stage of their proposals and have undertaken all reasonable actions to ensure their development can be served by high speed broadband.
40. Details of what will need to be included in the Broadband Statement will be set out in the Council's planning application validation checklist (see Appendix 7 for proposed requirements), and it is proposed that the statement will include the following:
- Details of engagement with broadband and network providers, including names of providers contacted, dates of contact, and summary of feedback received.
 - The findings of the free connectivity assessment from Openreach, including details of any cost contributions that would be required from the developer in cases where Openreach cannot offer a free service.
 - The current connectivity options for the site and achievable internet speeds.
 - The potential connectivity options for the development and potential achievable internet speeds.
 - The proposed method of ensuring superfast broadband for the site, including measures to ensure that the development is 'high speed ready' in cases where it is

unfeasible or disproportionately costly to provide superfast connectivity at the time of the development.

41. The policy is seeking to ensure that developers to take up Openreach's free service of providing a connectivity assessment prior to submitting a planning application. The new connectivity assessment service is an important step in encouraging early engagement between developers and Openreach to ensure that high speed broadband infrastructure is factored in to sites' development in sufficient time. This service is run on a voluntary basis and therefore it is considered necessary to introduce a development management policy to ensure that developers take up this service for new developments in South Lakeland.
42. Developers will also be expected to investigate a range of alternative broadband provision solutions such as satellite broadband or community- led schemes as part of their assessment, and it is recognised that providers such as B4RN are increasing their ultrafast fibre to the premises network in rural areas in South Cumbria.
43. It is accepted that South Lakeland does not yet benefit from universal high speed broadband and that in some cases new build developments may be located in areas without high speed coverage. Development proposals will be considered on a case by case basis, giving consideration to the site's location, current local broadband connectivity, planned investments in the network, through for example 'Connecting Cumbria', and the likely costs and viability implications of providing new developments with high speed broadband connectivity. It may be in some cases that ducting and equipment could be provided to make properties 'ready' for future improvements to the network if it is cost prohibitive for improvements to be made at the time of the planning application.
44. In many cases it is not anticipated that this policy will place additional burdens on developers - it is simply requiring them to demonstrate they have engaged with infrastructure providers prior to submitting a planning application, and to submit details of this engagement to the Council. Superfast connectivity can largely be achieved using copper technology and fibre to the cabinet approaches, dependent upon the distance from the new property to the fibre enabled cabinet. In many cases developments under 30 units should therefore be able to fulfil the requirements of the policy through fibre to the cabinet technology if they have evidence from providers that the achievable speeds for the new properties will be superfast.
45. A key requirement however is for 'ultrafast' fibre to the premises provision on residential sites over 30 units. This will require specific fibre infrastructure to be provided on development sites. Openreach have announced that from November 2016 they will deploy fibre to the premises for free on sites with 30 or more premises (see Appendix 3) and it is therefore not considered that this policy requirement will place a significant burden on developers. Again, it is a case of ensuring they engage at an early stage of their proposals with Openreach or an alternative fibre to the premises infrastructure provider. Alternative fibre to the premises providers are also expanding their networks in South Lakeland and developers will be encouraged to engage with a range of providers in meeting this policy requirement.

Consultation and Engagement

Responses to the Development Management Policies Issues and Options, Draft DPD and 'Main Changes' consultations

46. The Council has engaged widely on this topic area, through a number of stages of consultation on the Development Management Policies DPD, including formal public consultation periods, drop in events, stakeholder workshops and specific engagement with Connecting Cumbria.
47. At the Issues and Options stage consultation a small number of responses were received in relation to this topic area. Support was expressed for a new policy relating to broadband provision in new developments.
48. At the draft DPD consultation stage support was expressed for the draft policy and a number of respondents felt it should go further by applying to all new developments, and that there should be a requirement for ultrafast broadband provision in larger developments over 30 units. Conversely concerns were also raised which questioned the need for a broadband policy and the potential impacts on development viability. Comments and suggestions regarding the specific wording of the policy were also received.
49. At the 'main changes' consultation, which consulted on the proposed introduction of the fibre to the premises requirement for sites over 30 units, again comments were received supporting the policy, with some suggesting it should go further, and that FTTP should be a requirement for sites over 10 units. Similarly to the previous consultation concerns were again raised with regards the need for such a policy and the perceived costs and delays it would incur for developers.
50. The responses received, and how they have been taken into account by the Council in preparing the policy can be found in the Consultation Statement that accompanies the DPD.

Engagement with 'Connecting Cumbria'

51. The Council has specifically engaged with Connecting Cumbria, who are delivering the BDUK superfast rollout programme for Cumbria. Connecting Cumbria wrote to Cumbrian planning authorities in December 2016 (see Appendix 4) to urge them to ensure that broadband provision is given due attention as early on as possible in the planning process. The letter highlighted instances where developers in Cumbria have failed to ensure adequate superfast broadband provision in their developments, and this is undermining Connecting Cumbria's targets for ensuring universal superfast coverage across the County.
52. Following receipt of this letter the Council drew attention to its draft policy and met with a representative from Connecting Cumbria to discuss broadband issues in the district and the opportunities presented the development management policy. Connecting Cumbria strongly supported the draft policy and suggested the inclusion of the requirement for ultrafast connectivity in developments of 30 dwellings or more.

Responses to the Council's Survey of New Build Home Purchasers

53. In March 2017 the Council surveyed owners of new build homes in the district to understand more about their characteristics, household types, where they had moved from and views on their new homes, in order to help us further understand the need and demand for new homes. One question asked residents whether they were satisfied with the broadband service available to them in their new home.
54. 44% of respondents to the survey expressed dissatisfaction with the broadband provision in their new home. These dissatisfied residents were largely from one new development on the edge of Kendal, with other dissatisfied responses received from another large development in Kendal, and a site in Grange-over-Sands. A number of residents who were not satisfied with their broadband provision provided extra comments and these can be found in Appendix 6.

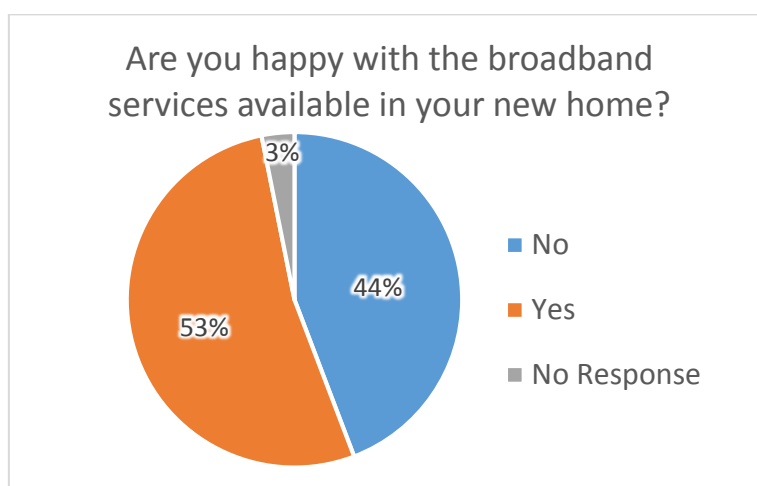


Figure 2: Satisfaction with broadband services on new build estates in South Lakeland

55. From the responses received to the Council's new build survey it is considered fair to conclude that residents of new build homes generally expect sufficient broadband connectivity that meets their needs such as streaming, working from home etc. A number of residents expressed views that they consider all new estates should have fibre connectivity, and that they felt the Council should do more to ensure that new homes have sufficient broadband connectivity.

South Lakeland Business Survey 2016

56. South Lakeland District Council's Economic Development team undertakes an annual survey of businesses operating in the district to help them understand the supply and demand for premises, and the opportunities and challenges faced by businesses. It should be noted that the surveys are undertaken for the whole district and not just the local planning authority area but it is considered that relevant conclusions can still be drawn in relation to the planning authority area.

57. One question in the 2016 survey⁹ asked respondents how important internet access is to their business. 70% of businesses responded that internet access is 'very important' to their business. Almost 60% of respondents stated that they have a standard broadband connection and a quarter of the businesses have superfast/fibre broadband. Businesses were asked to provide their broadband speeds, and of those who submitted readings, 37% had download speeds of 10Mbps or slower. A third of respondents to the survey were not happy with their current internet connection, with the key reasons being given as slow speeds and no superfast fibre broadband availability. Good internet access was regarded as an important factor in considering new premises, with 84% regarding this as a very important or fairly important factor in choosing new premises. A number of businesses expressed specific dissatisfaction with their internet connections and provided extra comments on this issue. The results of the 2016 Business Premises Survey can be used to conclude that superfast broadband is important for businesses in the district and support the proposed introduction of a development management policy that will help ensure superfast broadband provision in new commercial development.

Conclusion

58. This paper has provided background information and evidence to provide the context for the introduction of a new development management policy in South Lakeland to ensure that superfast broadband provision is given due consideration at an early stage of development proposals.
59. Based on the evidence presented in this paper the Council considers that the introduction of the policy is justified and will not place undue burdens on developers.

⁹ The report of the 2016 South Lakeland Business Premises Survey can be found on the Invest in South Lakeland website.

Appendices

Appendix 1: Government Letter to Council Leaders regarding Superfast Broadband



Department for
Communities and
Local Government



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Council Leaders of English Local Authorities

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19 March 2015

PROVISION OF HIGH-SPEED BROADBAND CONNECTIONS FOR COMMERCIAL AND RESIDENTIAL NEW BUILDS

We are writing to you today about the vital role local planning authorities have in supporting the rollout of superfast broadband when developing and updating Local Plans and considering planning applications.

Advanced high quality superfast broadband is essential for sustainable economic growth. Government and local authorities are [investing £1.7 billion](#) to bring superfast broadband to 95% of the United Kingdom by 2017.

As Council Leaders, you have a crucial role to play in supporting this ambitious target through your Local Plans and when considering planning applications to ensure wherever possible commercial and residential new builds are able to access superfast broadband. The policy on this is set out in Section five of the [National Planning Policy Framework](#) and as such is a material consideration when determining planning applications.

The Framework also requires local planning authorities, in preparing and reviewing Local Plans to work with providers to assess the quality and capacity of infrastructure of strategic priority in your area and its ability to meet forecasted demands. Policy places the provision of telecommunications alongside other key infrastructure such as roads and utilities.

I am placing a copy of this letter in the Library of the House of Commons.

BRANDON LEWIS MP

ED VAIZEY MP

Appendix 2: Openreach, Government and Home Builders Federation Agreement Press Release

Press release

New build homes to have superfast broadband connectivity

From: Department for Digital, Culture, Media & Sport and Ed Vaizey
Published: 5 February 2016

The Government has worked with Openreach - BT's local access network business - and the Home Builders Federation (HBF) on an agreement which aims to deliver superfast broadband connectivity to new build properties in the UK.



The new deal will see fibre based broadband offered to all new developments either for free or as part of a co-funded initiative. It is estimated that more than half of all new build properties can be connected to fibre broadband free of charge to developers.

As part of the agreement, Openreach is introducing an online planning tool for homebuilders. This will tell them whether properties in a given development can be connected to fibre for free, or if a contribution is needed from the developer to jointly fund the deployment of the local fibre network.

From today, the housing industry will have access to a 'rate card' from Openreach which details the fixed cost contributions required by homebuilders in those cases where joint funding is required. Openreach will make a significant contribution itself before seeking any funds from developers. HBF will promote and support uptake of the co-funding offer amongst their members, and emphasise the need to plan for connectivity early in the development.

This new offer sets a high bar for all suppliers and developers in the market, and Government will be working with industry closely to monitor success over the next year.

Digital Economy Minister Ed Vaizey said:

“ The Government’s ambition to build 1 million new homes over the course of this Parliament will house families and future generations to come. Broadband connectivity is just one thing that home buyers now expect when buying a new build, so this industry-led push to make superfast, or indeed ultrafast, broadband speeds available by default in new homes represents a very important step in meeting the UK’s digital needs.”

Clive Selley, CEO Openreach, said:

“ This is an important step towards bringing fibre broadband to as many new build properties as possible.”

“ We recognise that high speed broadband connectivity is a major factor for homeowners when deciding to buy a house. That’s why we’re offering to deliver fibre to all new build developments either for free or as a co-funded model.”

“ With the support of the HBF we’ve delivered a series of measures to give developers greater clarity, choice and more funding. Today’s announcement underlines Openreach’s commitment to further extend its fibre network – which reaches more than 24m premises – to benefit even more communities across the country.”

Stewart Baseley, executive chairman of the HBF said:

“ Housebuilders are constantly striving to deliver on and surpass the expectations of customers as we continue to see housing supply grow. Broadband speeds are an increasingly important factor in the home buying process and this offer to developers will see more new build purchasers benefit from the very best connectivity to go alongside the many other advantages of purchasing a brand new home.”

Notes to Editors

1. [Link to letters](#) (on gov.uk) and guidance on [New build homes: superfast broadband connectivity options](#)
2. New Site Housing Developments are defined as two or more new premises on the same site including single dwelling units (houses) and multiple dwelling units (flats/apartment blocks).

Appendix 3: Openreach FTTP Service

The following is an extract from Openreach's website from 1st November 2016.

More new build sites to get FTTP connection for free



Openreach will deploy FTTP, free of charge, into all new housing developments of 30 or more homes, registered from November. This means that at least 9 out of 10 new build homes could have access to free FTTP infrastructure if property developers register their scheme and contract with Openreach.

Since we launched our new proposition for fibre broadband at new developments back in February, we have reduced this threshold where we deploy FTTP for free. Initially it was free for developments of 250 homes or more, then in May 2016 we reduced it to 100 homes and from November it will be 30 homes. Meanwhile any developments with two or more homes will have access to our existing or planned fibre infrastructure, either funded entirely by Openreach or with the help of developer co-funding where that's needed.

For each new development, our dedicated New Sites Reception team will work with developers using the recently launched 'Connectivity Assessment Tool' to check the options for a particular site, and give a clear recommendation on the infrastructure that should be built. Once contracted, a dedicated field based co-ordinator will work with the Developer to lead them through the plan and build process.

We've reduced the free FTTP threshold to 30 or more homes to make it even easier for developers to have access to Ultrafast broadband. We know that consumers are passionate about the speed and reliability of the broadband service that their communication provider can offer them, and for some the availability of ultrafast speeds will strongly influence their decision on which new property to buy.

Openreach's FTTP infrastructure is open to all communication service providers and we're working hard with industry to encourage greater adoption, so customers have much wider choice and more customers can benefit from the faster speeds of up to 330Mbps. This allows everyone in their homes to do whatever they want to do online. They can simultaneously stream 4K films and music, catch up on TV on demand, make HD video calls, play online games, upload photos and video clips to social media sites and send emails.

The lower threshold for free FTTP deployment has been warmly received by industry bodies who represent your interests.

Stewart Baseley, Executive Chairman of the Home Builders Federation said: "High speed broadband provision is a key requirement for today's new home buyers and we welcome moves to ensure more builders and sites have access to the fastest possible fibre connections. We are committed to continuing to work with Openreach to deliver further improvements to ensure more builders and customers can benefit from 21st century connectivity."

Nicola Barclay, Chief Executive of industry body Homes for Scotland said: "This move by Openreach to provide greater access to Fibre to the Premises (FTTP) is an encouraging one which offers vital support for smaller builders. The offer of free installation on developments of more than 30 units as opposed to over 100 is especially welcomed given the larger proportion of smaller sites delivered north of the border.

"We operate in a changing landscape of how people work, meaning that broadband connectivity is an important consideration for many home buyers. Given the benefits this could offer to buyers and builders alike, we look forward to engaging with Openreach on their plans to roll this out more widely across the country."

Neil Jefferson, Business Development Director at NHBC said: "Any improvement to the process of installing high-speed broadband to new homes and improving the quality of service to home owners is to be welcomed. NHBC are committed to raising standards of new homes and protecting home owners and so will work with Openreach and house builders to promote best practice in high-speed broadband installation.

Appendix 4: Cumbria County Council Letter to Cumbrian Councils



Cumbria County Council

Environment and Community Services • Cumbria House • 117 Botchergate
Carlisle • Cumbria • CA1 1RD • E: jonathan.harris@cumbria.gov.uk

Development Strategy and Housing Manager,
South Lakeland District Council,
South Lakeland House, Lowther Street,
Kendal, LA9 4DL

E: developmentplans@southlakeland.gov.uk

15th December 2016

Dear Sir,

Re: Encouraging Developers to Consider Broadband Provisions


We are writing to you to ask for your help as the planning authority to encourage properties developers in the South Lakes area to consider appropriate provision for high speed broadband access as early as possible in their planning.

By making provision for superfast (over 30Mbps) or ultrafast (over 100Mbps) fibre broadband infrastructure at the planning stage of developments costs to developers or future residents can be reduced. In some cases costs to developers can be zero. Openreach has offered to install for free ultrafast full fibre infrastructure, capable of speeds up to 330Mbps, into developments of over 30 properties across the UK. Having this infrastructure in place would give new residents the ability to place orders with a range of internet providers from day one in their new property at levels of performance which we expect to be future proofed for many years. Developers of single properties or very small developments should also be encouraged to consider broadband provisions at the earliest possible stage as it may be possible to identify affordable high specification options with Openreach or other infrastructure providers. The current contact for Openreach Developer Relations is Lesley Kellett who can be contacted at 07918675465 or lesley.kellett@openreach.co.uk.

Reliable, fast and affordable broadband access is becoming almost as important as access to water and electricity at both residential and commercial properties. Historically however there have been a number of instances where property developers in districts across Cumbria have opted not to make appropriate broadband provisions to the disappointment and disadvantage of new residents. There is a risk that the lack of provision in new developments could undermine the current work in progress across the county towards the Local Enterprise Partnership's target of 100% of properties in Cumbria being able to access superfast broadband services; achieving this target is seen as key to stimulate economic growth and encourage investment in the county.

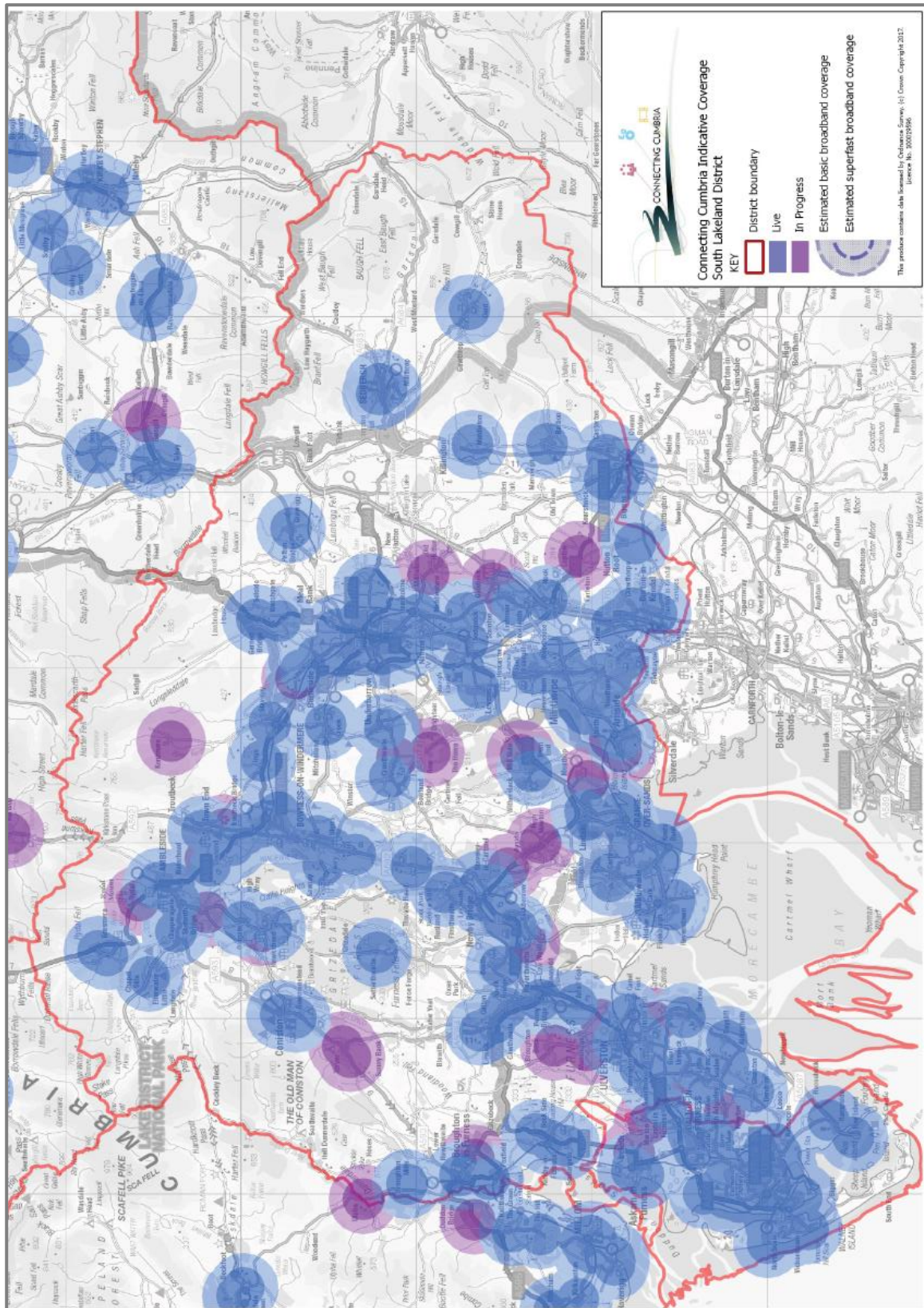
If you would like any more information about Connecting Cumbria, superfast broadband or our team can be of any other assistance please don't hesitate to contact me.

Yours Faithfully,


Jonathan M Harris
Senior Programme Manager
Connecting Cumbria

Appendix 5: Broadband Coverage in South Lakeland

Information provided by Connecting Cumbria in May 2017



Appendix 6: Comments made by Occupiers of New Build Homes in South Lakeland

"Took over 3 months to get a landline and broadband. This is an outrage and South Lakes should make it a requirement of the developers to ensure landline/broadband services are available. There is no access to fibre broadband."

"Have very slow broadband; dreadful for a new estate."

"Broadband is shocking. The developer decided not to put fibre pipes which we think is ridiculous. Why not put them in whilst building work being done. I work from home & quite often have to work in a café."

"No Fibre, slow ADSL. Unusable between 6pm and 9pm some days. New homes should come with Fibre, especially if you're in a town."

"Fibre not available and no immediate prospect of it becoming available despite taking it up with Local MP & Local Council."

"Can't get fibre broadband."

"Fibre should have been installed as standard on new build."

"Fibre to cabinet is primitive. Trying to obtain information on broadband before moving in was impossible."

"This is a major issue of dissatisfaction. We could not believe that in 2016 a development would not have broadband. Especially one of 72 houses. We need fast speed broadband to work effectively from home and have had to purchase dongles."

"I am currently only able to access broadband speeds of 1.4mb/s! It is absolutely useless and not enough for my professional requirements and disappointing as I was expecting fibre broadband speeds in a new build. Also, not told about this in advance."

"No fibre optic broadband in the development."

"Surprised fibre is not an option for new build estate."

"No fibre to the cabinet in our area or plans to install meaning speeds are ok, but poorer than in previous Kendal property which was 70 years old."

"Absolutely horrendous download speeds with no Fibre due to be installed in the foreseeable future."

"Modern 'luxury' new build site without provisions for 'fibre' broadband! Currently on non-fibre, no go for working from home! Speed and reliability poor."

"Awful connection - unable to stream on most days."

Appendix 7: Proposed South Lakeland Validation Requirement for a 'Broadband Statement'

BROADBAND STATEMENT
<p>Policy Background:</p> <p>Core Strategy Policy CS7.4 Rural Economy</p> <p>Draft Development Management Policy DM8 – High Speed Broadband in New Developments</p>
<p>Threshold/Trigger:</p> <ul style="list-style-type: none">• Applications for residential development on sites of two units or more.• Commercial development
<p>Details of what should be included:</p> <p>A statement should be prepared to outline how the developer has considered facilitating superfast broadband in their development, including discussions they have had with broadband and network providers before submitting a planning application.</p> <p>The statement should include:</p> <ul style="list-style-type: none">• Details of engagement with broadband and network providers, including names of providers contacted, dates of contact, and summary of feedback received.• The findings of the free connectivity assessment from Openreach, including details of any cost contributions that would be required from the developer in cases where Openreach cannot offer a free service.• The current connectivity options for the site and achievable internet speeds.• The potential connectivity options for the development and potential achievable internet speeds.• The proposed method of ensuring superfast broadband for the site, including measures to ensure that the development is 'high speed ready' in cases where it is unfeasible or disproportionately costly to provide superfast connectivity at the time of the development.
<p>Other Information</p> <p>The Connecting Cumbria website provides details of the rollout of the 'Broadband Delivery UK' programme in Cumbria and provides links to a range of information sources on the availability of superfast broadband in Cumbria. It also provides details of active network and broadband providers in the area.</p> <p>Details of the Openreach service for new developments can be found on their website. Information on the Government's agreement with Openreach and the Home Builders Federation can be found on the Government website.</p>