

Planning for Broadband

A Guide for Local
Planning Authorities



Hampshire
County Council



Hampshire
Superfast Broadband

Aim of this note

This is a companion to the 'Planning for Broadband: A Guide for Developers' document which aims to highlight the benefits to developers of installing high speed broadband infrastructure on new developments.

As agreed at the Hampshire and Isle of Wight Planning Officers Group meeting on 6 March 2015, this document has been produced to give Local Planning Authorities in Hampshire some background on Government and Hampshire County Council aspirations for future broadband provision, the current "gap" between aspirations and reality at present and provide some guidance on approaches they could take to engage developers on the issue of future-proofing broadband provision in new developments.

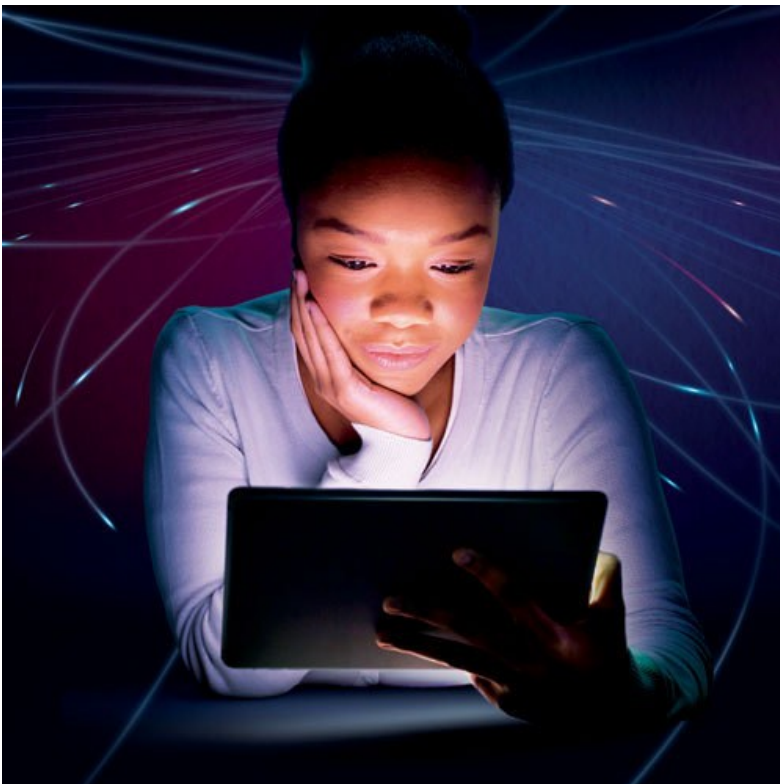


Context

Access to broadband is a vital component of infrastructure in today's world. It is key to growing a sustainable local economy, vital for education and home working and an increasingly central part of community cohesion and resilience, particularly in rural areas. In addition, Local Authorities are increasingly reliant on digital infrastructure to provide services and interact with their customers.

As key place shapers at the centre of their communities Local Planning Authorities have a pivotal role to play in encouraging developers to 'future-proof' their developments by installing high speed broadband infrastructure.

In addition to the reputational and wider economic benefits of ensuring that residents are able to access high speed broadband when they move into new developments, there is also the issue of avoiding the costs and frustrations to occupiers of future retrofitting if the infrastructure is not fit for purpose.



Government Aspirations and the National Policy Context

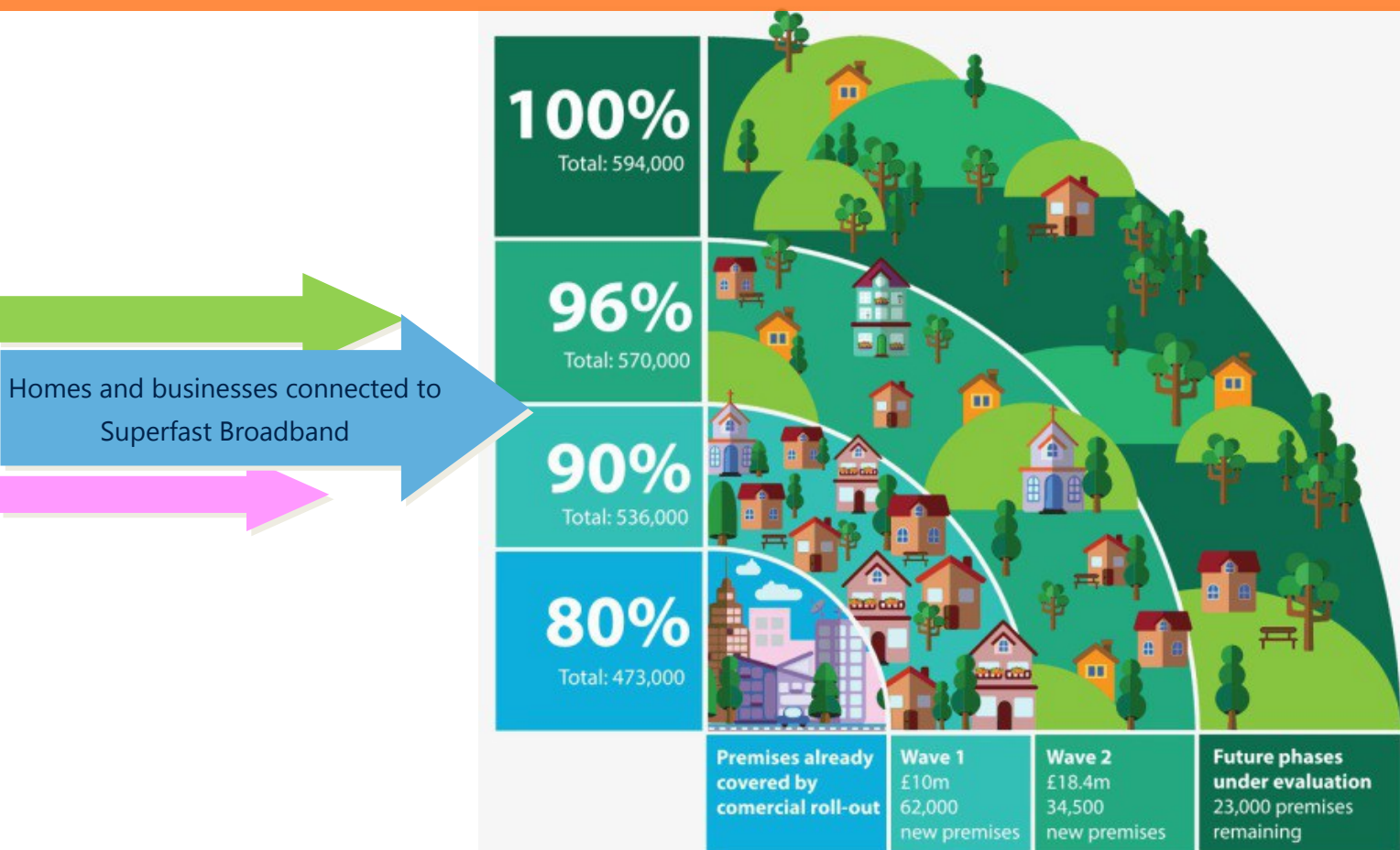
The Government recognises that, reliable broadband internet access is essential for homes throughout the country to benefit from online services, and for UK businesses to compete globally. It aims to achieve a transformation in the country's broadband access, with everyone in the UK able to access broadband speeds of at least 2 megabits per second (Mbps) and 95% of the UK receiving far greater speeds (at least 24Mbps) by 2017 and is also exploring options to extend the benefits of fast broadband to remaining areas.

<https://www.gov.uk/government/policies/transforming-uk-broadband>

To underline this, the Minister of State for Housing and Planning recently wrote to all Council Leaders of English Local Authorities to reinforce the importance of the role of Councils in supporting this target "through Local Plans and when considering planning applications to ensure whenever possible commercial and residual new builds are able to access superfast broadband".

The National Planning Policy Framework (NPPF), which came into force in 2012, recognises the importance of infrastructure in delivering sustainable economic growth, and states that 'the development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services' (Paragraph 42).

The NPPF goes on to say that 'in preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband' (Paragraph 43).





Hampshire County Council Aspirations

Bottom of ForImprovement of broadband is a priority for the County Council and it is investing a combined total of £28.4m of public funds to increase coverage from 80% to more than 95% of existing premises across Hampshire. Working in partnership with service providers, the programme will help to fill the gap in smaller, rural areas that would otherwise be left out because the numbers of people who could potentially sign up are not commercially viable for providers.

Current Situation

Although the Council's Superfast Broadband programme aims to increase coverage to more than 95% of existing Hampshire premises it is not a planning authority and therefore is unable to influence measures being delivered in tandem with new development. Therefore the Local Planning Authorities in Hampshire have a key role to play in achieving these aims.

Eight of the fifteen local planning authorities within the Hampshire area (including the cities

The **Hampshire County Council Broadband** webpages provide postcode analysis for the whole County showing current and planned coverage for all providers (BT Openreach and Virgin Media are the two main operators in the UK¹, however other providers are also available), and a map showing the location of all the broadband cabinets, which gives an indication of the sites where broadband could easily be connected to a cabinet.

and national parks) have adopted local plans in place; three of which were adopted following the publication of the NPPF. Although many refer to telecommunications as part of their general infrastructure policy, they do not have the ability to enforce the installation of high speed broadband infrastructure as a condition of planning consent.

¹<http://stakeholders.ofcom.org.uk/binaries/research/infrastructure/2014/infrastructure-14.pdf>

Barriers for Developers

Traditionally the main barriers to installing high speed broadband in new developments, particularly smaller developments (e.g. under 25 homes) and/or those in rural areas, have been that of cost and the complexities of working with the providers.

Although the cost to developers of installing high speed broadband at larger sites can be cost neutral, the cost per unit increases on smaller developments where economy of scale is reduced. In addition, installing fibre cabling for superfast broadband across private land can often double the per-kilometre cost.

However, it is worth noting that as the development market has grown and strengthened, the viability of offering access to high speed broadband has improved significantly. Many of the housing developments currently underway in Hampshire which do not include high speed broadband infrastructure, were negotiated in much weaker financial circumstance.

In addition to changes in the development market, the telecommunications industry has changed rapidly over the past ten years, and some providers have struggled in the past to keep up with the increased demand for high speed broadband infrastructure, this has led to delays and complications, which has discouraged developers from engaging in the process.

There are also issues and decisions to be made by developers around "end-to-end connectivity", i.e. a connection from the broadband supplier right through to the device situated within the home. In addition there are a number of options around the issue of adoption/ownership and management of broadband infrastructure once it is in place, however, both government and the network providers offer a range of fairly detailed guidance and advice to help developers (see accompanying guide for developers).

Barriers for Local Planning Authorities

Although Government and the NPPF both support and encourage the inclusion of high speed broadband, there are no statutory requirements which support this aspiration.

From 2017 EU Legislation will specify that new build and major renovations of buildings will

need to be high speed ready, however, exemptions will be allowed for historic buildings, holiday homes or where the cost to do this would be disproportionate, meaning that smaller and rural developments are likely to be excluded.



Options and Opportunities for Developers

The key options and opportunities for developers are around meeting increased customer demand for digital services, reducing the cost of install and improving their development's chances of being approved through the planning process. These, along with potential funding options are outlined in the 'Planning for Broadband: Guide for Developers' document.

Options and Opportunities for Local Planning Authorities:

There are a number of options which Local Planning Authorities can adopt to encourage and support high speed broadband provision in new developments.

These include incorporating objectives and policies to support Broadband in local plans and core strategies, as well as referencing the issue in pre-application discussions and adding it to planning application validation lists as a consideration.

Incorporating broadband provision in Planning Policies/Local Plans:

Given the clear social and wider economic benefits of ensuring that high speed broadband is included in new developments, some LPAs have already included objectives and policies in their local plans and core strategies to support broadband in new developments. In Hampshire, these include:

- Eastleigh Borough Council
- Gosport Borough Council
- Havant Borough Council

Across the country there are also a number of examples of this, including:

- East Dunbartonshire Council
- Fenland District Council
- Richmondshire District Council
- South Gloucestershire Council
- Swale Borough Council
- West Northamptonshire Core Strategy
- Wiltshire County Council

The inclusion of broadband in these policies and strategies ranges from a desire to grow the rural economy of the area, improve accessibility, reduce carbon emissions through the need to travel and improving social inclusion. However, none of these policies are mandatory and therefore cannot compel developers to install high speed broadband infrastructure on new developments.

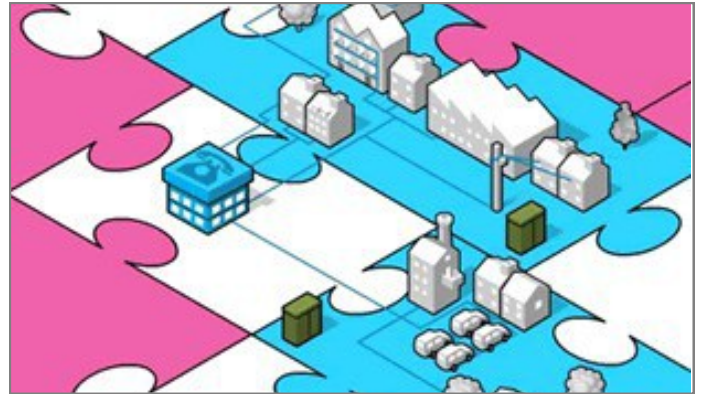
Information for Homebuyers

A clear driver for developers to install high speed broadband infrastructure is that of changing customer expectation and increasing demand. As mentioned in the accompanying guidance for developers, the property website rightmove.co.uk has already added a 'broadband' checker to its site, however further measures such as including information speed in the area in home buyer packs would help to ensure that home buyers are fully aware of the issues in their prospective area, and would also increase the pressure on developers. There is also a need for accessible, reliable comparable information for residents showing availability of broadband speeds across the area to enable them to make informed choices when choosing a property.

Working with Local Enterprise

Partnerships:

The two Local Enterprise Partnerships (LEPs) which cover the Hampshire area (Enterprise M3 and Solent LEP) will be instrumental in funding future infrastructure. Therefore, in association with the policies of Local Planning Authorities, the LEPs will have a significant role to play around ensuring future high speed broadband provision. In the immediate future, there is the potential for high speed broadband in hard to reach areas to be supported through sources of funding such as the Rural Development Fund, more details on this will be released in summer 2015.



Community Infrastructure Levy

It may be possible to use the Community Infrastructure Levy to fund broadband in new developments, as long as the authority can identify infrastructure that is "required to support the development of its area" and there is a demonstrable shortfall in funding from other sources, whether public or private sector. For areas in urgent need of rapid broadband roll-out, there may be a strong case in favour of the authority taking a leading role in providing passive infrastructure (ducts etc.) using powers contemplated by the Communications Act 2003, particularly if those routes allow electronic communications operators to avoid the need to cross private land.

However, it is acknowledged that there are significant pressures on funding within Hampshire and consequently the prioritisation of CIL receipts will be challenging in light of the identified infrastructure requirements. Nationally, the approach to the use of CIL to fund broadband provision is varied; for instance, Torbay Council considers broadband essential to promote growth and as part of a strategy to improve links both nationally and internationally. Whereas Newark and Sherwood District Council have defined infrastructure in way that excludes broadband provision.