

Planning Policy Briefing Note

Local Plan 2030

Policy 94 – Broadband



This briefing note has been prepared to provide clarification on Policy 94 of the Local Plan 2030. This policy relates to the provision of broadband and broadband infrastructure to serve new developments above a particular size threshold. The purpose of this policy is to ensure that access to high speed, quality broadband is available for new residents and workers in the borough.

The policy specifically refers to the need for:

- Open access fibre optic broadband infrastructure for sites of 10 dwellings or over and on all non-residential sites
- On sites under 10 dwellings all new properties to be served with open access fibre optic broadband unless there is evidence that providing the appropriate infrastructure wouldn't be feasible or economically viable
- Access to broadband should be from day one of occupancy

As part of the continuing national aim of providing access to fast broadband, the Government has made changes to Building Regulations to require the provision of gigabit broadband infrastructure to new developments.

The building regulations relating to broadband are to be found in the Building etc (Amendment) (England) (No.2) Regulations 2022, which came into force on 26 December 2022. The regulations are supported by statutory guidance [Approved Document R](#).

Approved Document R is in 2 volumes and in summary includes guidance on:

- 1) Physical infrastructure and network connection with regard to:
 - a. RA1: Gigabit-ready physical infrastructure
 - b. RA2: Connection to gigabit-capable network
- 2) Physical infrastructure for high-speed e-communications networks with regard to:

a. R1: High-speed-ready in-building physical infrastructure

These requirements go beyond the provisions of Policy 94, making the policy out of date and no longer necessary. As a result the Council will not be applying Policy 94 to new development proposals in the borough.

December 2023