

REPORT TITLE: WINCHESTER CITY COUNCIL SELF-BUILD AND CUSTOM BUILD REGISTER

20 MARCH 2019

REPORT OF PORTFOLIO HOLDER: LEADER WITH PORTOLIO FOR HOUSING - Cllr Caroline Horrill

Contact Officer: Mark Maitland Tel No: 01962 848518 Email mmaitland@winchester.gov.uk

WARD(S): ALL AREAS OF THE WINCHESTER DISTRICT OUTSIDE OF THE SOUTH DOWNS NATIONAL PARK (SDNP) AREA

PURPOSE

To propose the introduction of a Local Connection Test to the application process for the Self Build & Custom Build Register.

RECOMMENDATIONS:

1. That the introduction of a Local Connection Test for the Self Build & Custom Build Register application process be approved.
2. That the Corporate Head of Housing be given delegated authority to agree the Local Connection criteria.

IMPLICATIONS:

1 COUNCIL STRATEGY OUTCOME

- 1.1 Delivering Quality Housing Options – making the proposed changes to the Self Build & Custom Build Register will provide more accurate information regarding the need for self build development in Winchester and therefore assist in providing different housing options for our residents.

2 FINANCIAL IMPLICATIONS

- 2.1 None - no charge is currently made in respect of applications to the register

3 LEGAL AND PROCUREMENT IMPLICATIONS

- 3.1 The Self-Build and Custom Housebuilding Regulations 2016 enable the Council to introduce a 'local connection test' whereby only individuals who meet such conditions as the Council considers demonstrate that the individual has sufficient connection with the authorities area are eligible. .

4 WORKFORCE IMPLICATIONS

- 4.1 Within existing resources

5 PROPERTY AND ASSET IMPLICATIONS

- 5.1 None

6 CONSULTATION AND COMMUNICATION

- 6.1 Internal discussions have been held with colleagues from Planning, Strategic Planning, Legal and Housing. Contact with the SDNP and also research of other LA Self Build application process.

- 6.2 The Council is required to publicise any criteria imposed pursuant to the regulations

7 ENVIRONMENTAL CONSIDERATIONS

- 7.1 None

8 EQUALITY IMPACT ASSESSEMENT

- 8.1 None

9 DATA PROTECTION IMPACT ASSESSMENT

- 9.1 A full assessment was carried when the original register was established and the recommended changes in the report have no additional data protection implications.

## 10 RISK MANAGEMENT

- 10.1 The main identified risk is linked to the reputation of the Council in operating in a fair and transparent manner.

<b>Risk</b>	<b>Mitigation</b>	<b>Opportunities</b>
<i>Property</i>		
<i>Community Support</i>		
<i>Timescales</i>	To start April 2019	Information gathered will help inform Local Plan review
<i>Project capacity</i>	Within existing resources	
<i>Financial / VfM</i>	Within existing resources	
<i>Legal</i>	The regulations enable this change to be made.	Creation of a two part register will better reflect the need for Self-build development.
<i>Innovation</i>		
<i>Reputation</i>	Ensure all applicants on the register understand changes being considered	Meeting the Government's aim of boosting housing supply by actively supporting self build and custom building.
<i>Other</i>		

## 11 SUPPORTING INFORMATION:

- 11.1 In accordance with the Government's aim to boost housing supply by supporting self-build and custom building, the Self-build and Custom Housebuilding Act 2015 places a duty on certain public authorities to keep a register of individuals and associations of individuals who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects. Winchester City Council's Self-Build and Custom Build Register was launched on the 1<sup>st</sup> April 2016 and took the form of an open register, which enables anyone meeting the basic criteria to register.
- 11.2 The South Downs National Park (SDNP) also has a Self Build Register which covers the whole of the National Park area, a substantial part of which falls into the Winchester District. Our register therefore only covers the areas of the Winchester District, that fall outside of the SDNP. However, this fact was not made clear during the application process, nor on the Self Build page of our website.
- 11.3 Since the introduction of the register there are a total of 298 people listed, 55% of whom live outside the Winchester District. The register is broken down into Base Periods as detailed in the following table. The City Council has an obligation to provide the same number of 'Planning Permissions' for self build

development as there are people on our register within 3 years of the end of the relevant Base Period. Meeting the requirement for Base Period 1 by 30<sup>th</sup> October 2019 is not an issue as we have already achieved 69 based on the number of CIL exemptions awarded to date. However, meeting the requirement for Base Period 2 will be much more of a challenge as the additional number of people on the register, combined with the difficulty self-builders have acquiring suitable plots means that it will be very difficult to reach this target.

<b>Base Period</b>	<b>Date Range</b>	<b>Number on Register</b>
Base Period 1	1 <sup>st</sup> April 2016 to 30 <sup>th</sup> October 2016	57
Base Period 2	31 <sup>st</sup> October 2016 to 30 <sup>th</sup> October 2017	124
Base Period 3	31 <sup>st</sup> October 2017 to 30 <sup>th</sup> October 2018	91
	31 <sup>st</sup> October 2018 onwards	26

- 11.4 The Self-build and Custom Housebuilding Act 2015 allows for Local Authorities to apply a 'Local Connection Test' which then enables the register to be split into two parts. Part 1 would list those that pass the Local Connection Test and Part 2 would be for those who meet the basic criteria for being registered, but do not meet the Local Connection criteria. The advantage of doing this is that in meeting our obligation for 'Planning Permissions' for Self Build we would only need to consider those that are in Part 1 of the register.
- 11.5 In agreeing to support the Local Connection Test, members are also asked to approve the Local Connection Criteria as detailed in Appendix 1. The criteria essentially falls into 4 categories:
- Residency Connection – the length of time the applicant has lived in an area of the Winchester District which falls outside of the SDNP
  - Family Connection – the applicant has a close family member that lives in an area (Town/Village/Parish) that falls within the Winchester District, but outside that of the SDNP
  - Employment Connection – the applicant works in an area (Town/Village/Parish) that falls within the Winchester District, but outside that of the SDNP
  - Armed Forces Connection – the applicant is a serving member of the regular armed forces of the Crown or has left the armed forces within a period of 5 Years.
- 11.5 The inclusion of a Local Connection Test for the Self Build application process will also enable us to obtain more accurate information on the need for Self Build plots in our District and help to inform processes such as the review of the Local Plan.
- 12 OTHER OPTIONS CONSIDERED AND REJECTED
- 12.1 Maintaining the register as it is has been considered and rejected as it will do nothing to help meet or reduce our target for 'Planning Permissions'.

12.2 Aligning our register more closely to the SDNP application process was also considered. However the SDNP do not currently have a 'Local Connection Test' as part of their application process either.

BACKGROUND DOCUMENTS:-

Previous Committee Reports:-

Other Background Documents:-

APPENDICES:

Appendix 1 – Self Build Local Connection Criteria.

## **Self Build – Local Connection Criteria**

The Self build and Custom Housebuilding Act 2015 enables relevant authorities to include a 'Local Connection Test' in their application process. Following a review of the Self Build register the 'Local Connection Criteria will fall into the following categories:

- Residency connection
- Family connection
- Employment connection
- Armed Forces connection

The applicant will be deemed as having met the Local Connection Test if the applicant meets one or more of the above connections as detailed below at the time of application.

### **Residency**

That the applicant is living in an area (Town/Village/Parish) that falls within the Winchester District, but outside that of the South Downs National Park (SDNP) and has done so for a period of at least 3 years.

### **Family**

That the applicant has a close family member that lives in an area (Town/Village/Parish) that falls within the Winchester District, but outside that of the South Downs National Park (SDNP) and has done so for a period of at least 3 years.

A person shall be taken to be a close family member of another's family if he or she is the spouse civil partner, mother, father, sister, brother, daughter, son, grandparent or grandchild of that other person or if he or she ordinarily resides with that other person as husband or wife or partner but without being legally married to (or in a civil partnership with) that person. Family includes adopted and step relatives.

### **Employment**

That the applicant works in an area (Town/Village/Parish) that falls within the Winchester District, but outside that of the South Downs National Park (SDNP) and has done so for a period of at least 5 years

### **Armed Forces**

That the applicant is a serving member of the regular armed forces of the Crown (within the meaning of section 374 of the Armed Forces Act 2006(a) or has left the armed forces within a period of 5 Years.