

Eden District Council

Executive

7 April 2020

## Housing Supplementary Planning Document

<b>Portfolio:</b>	Eden Development and Housing and Health Portfolio Holders
<b>Report from:</b>	Assistant Director Planning and Economic Development
<b>Wards:</b>	All Wards
<b>OPEN PUBLIC ITEM</b>	

### 1 Purpose

- 1.1 To seek the Executive's support for the adoption of the Housing Supplementary Planning Document (SPD).

### 2 Recommendation

It is recommended that:

- i) The Executive adopts the Housing SPD set out in Appendix A and issue an adoption statement.
- ii) The approach for calculating financial contributions for affordable housing agreed by the Executive on 6 September 2016 be superseded by the adoption of the Housing SPD.

### 3 Report Details

- 3.1 The Draft Housing SPD (Appendix A) has been prepared to provide additional guidance regarding the application of policies in the adopted Eden Local Plan 2014-2032, relating to residential developments. The SPD also covers vacant building credit, self and custom build dwellings and the National Planning Policy Framework (February 2019), specifically in relation to national policy regarding climate change brought into force after the adoption of the Eden Local Plan.
- 3.2 The document is intended to assist applicants/agents in preparing planning applications by providing guidance on how the policies should be applied, including defining terms used in the policies. The SPD also details the information the Council requires to be submitted as part of an application and in some cases clarifying how this should be presented.
- 3.3 The Housing SPD will also assist Case Officers and Elected Members in ensuring consistency and transparency in the application of policies when determining planning applications. It will further assist the general public and Parish Councils in considering how to respond to consultations on development proposals.
- 3.4 The preparation of the SPD has also provided the opportunity to review the Council's approach to calculating financial contributions for affordable housing adopted on 6 September 2016. The approach adopted in 2016 stipulated that

financial contributions towards affordable housing in relation to developments of between 6-10 dwellings will be based on 12% of the Gross Development Value (GDV) of the development. Following viability advice on the preparation of the SPD, the financial contributions will now be based on 7% of the GDV of the development.

- 3.5 Following the production of a first draft, a non-statutory engagement with a series of stakeholders comprising Registered Providers, developers, builders, and Eden District Council Members was undertaken to draw out any issues in need of further consideration. This included an event (on 11 March 2019) giving stakeholders the opportunity to directly raise any queries with officers. The contributions received during the stakeholder engagement were considered and informed a revised draft of the Housing SPD.
- 3.6 On 3 September 2019 the Executive agreed that the revised draft of the Housing SPD should be made available for a six-week public consultation. This took place between 9 September and 25 October 2019.
- 3.7 The representations received during the public consultation were considered and informed the final version of the Housing SPD. A Consultation Statement (Appendix B) details the consultation and engagement undertaken and includes a summary of all the comments received and Officers' response to them.
- 3.8 The Housing SPD covers the following matters:
  1. Affordable Housing including the amount and type of affordable housing to be provided; when a financial contribution to affordable housing should be paid and how the amount to be paid will be calculated; how applicants should present and evidence a case for providing less affordable housing than policy requires; recommended minimum size, design and general site layout for affordable housing;
  2. Development in Smaller Villages and Hamlets including acceptable locations and scale of development;
  3. Housing for essential workers in the countryside;
  4. Accessible and adaptable homes;
  5. Community Led Housing and Community Land Trusts including information that should be provided by relevant groups when submitting a planning application;
  6. Live-work units including the definition of a live-work unit and suitable locations for such development;
  7. Redevelopment in Alston Moor including information that should accompany a proposal for such development; and
  8. Design including how applicants should demonstrate that they have sought to mitigate environmental harm of the development through environmentally sustainable design methods and air pollution mitigation measures; Self and custom built housing including providing opportunities for self and custom build housing; the circumstances in which the use of Vacant Building Credit is applicable and how it is calculated.
- 3.9 The preparation of the SPD has been informed by technical advice regarding viability, calculating affordable housing financial contributions and the

provision of bungalows has been provided by Lambert Smith Hampton (LSH), see Economic Viability Assessment Guidance in Appendix 3 of the Housing SPD.

3.10 A number of changes have been made to the Housing SPD following the most recent consultation, of which the key changes are summarised below:

- The requirement for affordable housing has been brought in line with the most recent version of the National Planning Policy Framework (NPPF);
- Guidance regarding affordable self-build, has been removed to avoid confusion as, although self-build can be more affordable than other forms of housing, it does not fall within the NPPF definition of affordable housing;
- Amendments have been made to the definitions for modest infill and rounding off in the Smaller Villages and Hamlets to improve clarity;
- Guidance regarding “What constitutes ‘Other Rural Areas’?” has been removed, as well as guidance explaining whether sites providing 100% affordable housing will be acceptable in the Smaller Villages and Hamlets as these sections did not amplify Local Plan policy;
- The sections regarding dwellings for farm and rural workers have been combined as the majority of the requirements are the same;
- More information regarding community led housing has been added;
- A number of amendments have been made to the section regarding live-work units, particularly the definition of a live-work unit and who can occupy it; and
- The addition of a section containing guidance related to the new version of the NPPF, which includes guidance relating to self and custom build housing, the environment, design and vacant building credit.

## **4 Policy Framework**

4.1 The Council has four corporate priorities which are:

- Sustainable;
- Healthy, safe and secure;
- Connected; and
- Creative

4.2 The preparation of the Housing SPD assists in the implementation of the adopted Local Plan and contributes towards the ‘Sustainable’ and ‘Healthy, safe and secure’ corporate priorities.

4.3 This report also contributes towards implementing relevant adopted Local Plan policies of the Council.

## **5 Consultation**

5.1 The Housing SPD has been prepared in consultation with officers in Development Management and Housing.

- 5.2 An informal consultation with key stakeholders was held in March 2019 to gather information and views on the general themes and issues the SPD should cover. Following this a six-week public consultation on a draft version of the Housing SPD took place between 10 September and 25 October 2019 pursuant to regulations 12 and 13 of the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 5.3 The Eden Development and Housing and Health Portfolio Holders have been consulted on this report and have confirmed that they are content for the report to progress to Executive.

## **6 Implications**

### **6.1 Financial and Resources**

- 6.1.1 Any decision to reduce or increase resources or alternatively increase income must be made within the context of the Council's stated priorities, as set out in its Council Plan 2019-2023 as agreed at Council on 7 November 2019.
- 6.1.2 There are no proposals in this report that would reduce or increase resources.

### **6.2 Legal**

- 6.2.1 The report seeks approval to adopt the Housing SPD in accordance with Regulation 14 of the 2012 Town and Country Planning (Local Planning) (England) Regulations (as amended).

### **6.3 Human Resources**

- 6.3.1 There are no Human Resource implications associated with this report.

### **6.4 Statutory Considerations**

<b>Consideration:</b>	<b>Details of any implications and proposed measures to address:</b>
Equality and Diversity	<p>The Housing SPD does not introduce new policy but provides guidance on the application of policies. The Eden Local Plan was accompanied by an Equality Impact Assessment.</p> <p>Specifically the Housing SPD contains guidance on providing housing that is able to accommodate the needs of those less mobile and as such should have a positive effect on those with specific protected characteristics.</p>
Health, Social Environmental and Economic Impact	<p>The Housing SPD does not introduce new policy but provides guidance on the application of policies. The Eden Local Plan was accompanied by a Sustainability Appraisal which considered the health, social, environmental and economic impact of policies.</p>

<b>Consideration:</b>	<b>Details of any implications and proposed measures to address:</b>
Crime and Disorder	There are no crime and disorder implications arising from the report.  The Housing SPD includes guidance on crime prevention measures in residential design which should contribute towards the prevention of crime and disorder within Eden.
Children and Safeguarding	There are no child safeguarding implications arising from the report.

## 6.5 Risk Management

<b>Risk</b>	<b>Consequence</b>	<b>Controls Required</b>
The Housing SPD is not adopted.	Guidance is not available to those making planning applications or decisions. This may lead to inconsistency in policy interpretation and delays to the planning process.	Adoption of the Housing SPD.

## 7 Other Options Considered

7.1 No other options have been considered.

## 8 Reasons for the Decision/Recommendation

8.1 To enable the Housing SPD to be used in decision making and provide applicants with clear guidance when submitting planning applications. The publication of the Housing SPD is a Council Plan key action for 2019/2020.

### Tracking Information

<b>Governance Check</b>	<b>Date Considered</b>
<b>Chief Finance Officer (or Deputy)</b>	23.03.2020
<b>Monitoring Officer (or Deputy)</b>	23.03.2020
<b>Relevant Director</b>	25.03.2020

**Background Papers:** None

**Appendices:** Appendix A: Housing SPD  
Appendix B: Consultation Statement

**Contact Officer:** Emily Battrick, Planning Policy Officer