

FAREHAM

BOROUGH COUNCIL

Report to the Executive for Decision 09 October 2023

Portfolio:	Planning and Development
Subject:	Self and Custom Build Housing Supplementary Planning Document for Adoption
Report of:	Director of Planning and Regeneration
Corporate Priorities:	Providing Housing Choices Dynamic, Prudent and Progressive Council

Purpose:

To approve the Self and Custom Build Housing Supplementary Planning Document for adoption.

Executive summary:

The Self and Custom Housebuilding Act 2015 places a number of duties on the Council to record and address self and custom build need in the Borough.

The recently adopted Fareham Local Plan 2037 seeks to deliver homes to meet this need through Policy HP9 – Self and Custom Build Homes.

The Self and Custom Build Supplementary Planning Document (SPD) is a new document which has been prepared to support the implementation of Policy HP9 by providing information, guidance and advice to the local planning authority, developers, landowners, aspiring self and custom builders and the community.

The draft SPD was subject to six weeks of public consultation. The final version has been amended where necessary and appropriate in response to the points raised in the representations received during the consultation.

Recommendation/Recommended Option:

It is recommended that the Executive:

- (a) notes the consultation comments received on the Draft Supplementary Planning Document together with the Council's responses to the representations as set out in the Post Consultation Statement at Appendix A to this report; and
- (b) agrees to adopt the Self and Custom Build Supplementary Planning Document as set out in Appendix B to this report.

Reason:

To enable the Self and Custom Build Supplementary Planning Document to be adopted and afforded due weight as a material consideration in the determination of planning applications.

Cost of proposals:

There are no direct financial implications arising from this report and no additional costs to the council, arising from the consultation.

Appendices:

A: Self and Custom Build Housing SPD Post Consultation Statement.

B: Self and Custom Build Housing Supplementary Planning Document

C: SEA & HRA Screening Assessment

Background papers: None

Reference papers: None

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Executive Briefing Paper

Date:	09 October 2023
Subject:	Self and Custom Build Housing Supplementary Planning Document for Adoption
Briefing by:	Director of Planning and Regeneration
Portfolio:	Planning and Development

INTRODUCTION

1. A supplementary planning document (SPD) builds upon and provides more detailed advice or guidance on policies in an adopted local plan. They do not form part of the development plan and cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making and play a key role in describing and explaining how adopted planning policies should be considered and delivered through the development management process. By providing this detailed advice and guidance, an SPD seeks to help applicants make successful planning applications.
2. This SPD has been prepared in order to inform and guide local residents that have a desire to build their own home. The SPD also provides information and guidance to large scale developers that are obliged to meet the requirements of the Adopted Fareham Local Plan 2037 Self and Custom Build Homes Policy HP9, to provide self-build plots and provides clarity on the planning application requirements in relation to this policy.
3. The Self and Custom Build SPD will be a material consideration for decision-making purposes, supporting the relevant policies in the Adopted Fareham Local Plan 2037.

BACKGROUND

4. Following the introduction of the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016), councils have a duty to deliver self and custom build plots. The Council has a strong ambition to promote and deliver self and custom build housing within the borough, recognising that self-build and custom-built homes could be a route for some to get on to the property ladder and for others to build their 'dream home'.
5. Regulations require that Councils maintain a register of people who are interested in undertaking self and custom build. Since its inception in 2016, on average 43 people join Fareham's Self and Custom Build Register annually. The Council have 3 years to permit an equivalent number of self/custom build homes to meet the annual identified

need. Currently the average rate of relevant permissions is 16 per year but the inclusion of a policy in the newly adopted Local Plan, Policy HP9, is likely to increase the number of plots being permitted on larger development schemes.

6. The Council adopted the Self and Custom Build Action Plan in 2018 which set out the Council's responsibilities and ambitions in respect of self and custom build house building in the borough. Among the actions identified to support this type of housing provision is the ambition to work with interested parties to produce procedural guidance on how to apply for planning permission for self-build and custom house building developments in the borough. The Action Plan also confirmed the intent to include a specific self and custom build policy in the emerging local plan.
7. Policy HP9 in the Fareham Local Plan 2037 provides policy to support the delivery of self and custom build homes, supporting the principle of self and custom build homes within the urban area and requiring housing sites of 40 dwellings or more to provide 10% of the overall dwellings to be provided as self or custom build plots.
8. The Self and Custom Build Housing SPD provides information, advice and guidance to support implementation of Policy HP9 and the delivery of self-build and custom homes in the borough through successful planning applications.

PUBLIC CONSULTATION

9. The Draft version of the SPD was subject to public consultation for a period of six weeks from 30th May 2023. The document was made available on the Council's website and hard copies were available to view at all of the borough's libraries as well as the Civic Offices. A letter or email was sent to everyone on the Council's Local Plan consultation database and the self and custom build register notifying them of the consultation.
10. The Council received 13 responses on the Draft SPD. Of these, 6 had no direct comment to make on the SPD. A further 4 responses requested some minor changes to the text of the SPD, 1 comment did not relate directly to the content the SPD but related to progress at Welborne. 2 responses were received from developers, which proposed a number of changes to the SPD, seeking greater clarity and to ensure the text accorded with self and custom build legislation.
11. None of the representations received raised any substantial objections to the overall content of the SPD. A table containing a summary of all of the issues raised and the Council's response to them can be seen in the Post Consultation Statement at Appendix A to this report.

CONTENT OF THE DOCUMENT

12. The format and scope of the SPD is as follows:
 - Section 1 Purpose – Sets out the purpose and scope of the SPD.
 - Section 2 What is Self & Custom Build Housing – Provides definition and explanation of the terms.
 - Section 3 Planning Policy Context - Provides references to relevant national and local policy background.
 - Section 4 Individual Self and Custom Build Developments – Provides information and guidance to people who are considering building their own home on an individual plot.

- Section 5 Delivering Plots on Large Residential and Mixed-Use Development – Explains the requirements of Policy HP9, including the Council’s expectations for a successful planning application.
- Section 6 Community Infrastructure Levy (CIL) Exemptions and Self-Build – Highlights the opportunity for CIL exemption and signposts the relevant guidance.

13. The SPD includes 4 Appendices:

- Appendix 1 – Further information on the types of Self and Custom Build models available.
- Appendix 2 – The Council’s plot marketing strategy requirements
- Appendix 3 – An example of a Plot Passport, indicating how a self or custom build plot passport could be prepared
- Appendix 4 – A Delivery Statement Template, to assist developers in preparing the relevant information requirements for their planning applications.

STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA)

14. Planning Practice Guidance states that when producing a Supplementary Planning Document an SEA may be required in exceptional circumstances if the content of the SPD is likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan. This SPD expands upon policies within the adopted Fareham Local Plan 2037 which has undergone appraisal as part of the Local Plan examination processes and has been found to have likely positive effects. The Council therefore determined that an SEA is not required. In accordance with the regulations, the Council prepared a Regulation 9(3) statement confirming this and consulted the statutory agencies. These statutory bodies responded that they agreed with the Council’s opinion that an SEA of the SPD was not required. This is available in Appendix C.

APPROPRIATE ASSESSMENT

15. The Conservation of Habitats and Species Regulations 2017 sets out that, if a proposed plan or project is likely to have a significant effect on a protected habitats site (either individually or in combination with other plans or projects) then an appropriate assessment of the implications for the site, in view of the site’s conservation objectives, must be undertaken (regulation 63). The Self and Custom Build SPD expands upon policies within the Fareham Local Plan 2037 and those policies have already been subject to an appropriate assessment and were screened out at an early stage as being unlikely to have a significant effect on relevant designated sites (SPA, SAC and Ramsar). The SPD does not introduce new proposals of a type and/or scale outside the parameters of the Local Plan. It is therefore considered that the Self and Custom Build SPD is not likely to have a significant effect on any European sites which means that an appropriate assessment is not required. Natural England agreed with this view, and their response to the Screening Statement is at Appendix C.

CONCLUSION

16. The Self and Custom Build Housing SPD supplements the Fareham Local Plan 2037 by providing information, advice and guidance on self and custom build housing and in particular the implementation of Policy HP9 and the delivery of self and custom build homes in the borough.

17. It is recommended that the Executive approve the Self and Custom Build Housing SPD for adoption.
18. After the Self and Custom Build Housing SPD has been adopted, the Council must make the SPD available for inspection at its office and on its website together with an adoption statement (containing the date when adopted, any modifications to the document that were adopted compared to the consultation draft and informing the public that it may be challenged in judicial review) and send a copy of the adoption statement to those who have requested it.

Enquiries:

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