

## **Local Connection Eligibility Testing for the Self-Build and Custom Housebuilding Register**

### **Summary**

The introduction of a Local Connection Eligibility Test will help ensure that entrants to Surrey Heath's Self-Build and Custom Housebuilding Register have a strong connection to the Borough. Applying the Test, which entrants must pass in order to be entered onto Part 1 of the Council's Register, will also help to manage the number of self-build plots the Council must approve for entrants to the Register, over each annual period.

Members are asked to approve the Local Connection Test for a non-statutory public consultation to seek views on the criteria it applies.

**Portfolio:** Regulatory

**Date Portfolio Holder signed off report:** 17 January 2018

**Wards Affected:** All

### **Recommendation**

The Executive is advised to RESOLVE that

- (i) a 4 week non-statutory public consultation be undertaken on the introduction of a Local Connection Test, as set out in Appendix 1 of this report, for entrants to the Surrey Heath Self-build and Custom Housebuilding Register; and
- (ii) the Local Connection Test be incorporated within the Self-Build application form.

## **1. Resource Implications**

- 1.1 There are no resource implications beyond that provided for within the agreed budget for 2017/18.

## **2. Key Issues**

- 2.1 In accordance with the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016), all Councils must maintain and regularly update a Self-Build and Custom Housebuilding Register. The Regulations also allow relevant authorities to set local eligibility criteria in the form of a Local Connection Test. The Register can then be divided into two parts. Part 1 is for those individuals and associations who meet both the Local Connection Test and the national eligibility criteria. Part 2 is for those individuals and associations who do not satisfy the Local Connection Test, but do meet the national eligibility criteria.

- 2.2 The Act places a '*duty to grant planning permission*' on relevant authorities, whereby entries on Part 1 of the Register are counted towards the number of suitable serviced plots that must be granted development permission for. Accordingly, it is a requirement that following each annual base period of 12 months, relevant authorities have 3 years in which to permission an equivalent number of plots of land for self-build as there are entries to Part 1 of the Register for that base period.
- 2.3 Due to the various environmental constraints impacting Surrey Heath, availability of land for development is under significant pressure and provides an ongoing challenge for the Borough. It is therefore important to ensure land that is suitable and available is utilised efficiently. The number of plots that the Council must grant for the purposes of self-build is likely to impact the availability of land for achieving the Council's objectively assessed development needs. It is therefore considered that the application of a Local Connection Test for eligibility to the Council's Self-Build Register will help to ensure plots are only granted for residents with a strong local connection to Surrey Heath, and that suitable land remains available for other types of residential development in the Borough.
- 2.4 Setting a Local Connection Test, will help to ensure that Part 1 of the Register is a reasonable reflection of the demand for serviced plots of land in Surrey Heath.

### **3. Options**

- 3.1 The Executive has the following options:
- a) AGREE to consult on the proposed Local Connection Test for a 4 week non-statutory period and subsequent inclusion within Surrey Heath's Self-Build application form;
  - b) AGREE to consult on the proposed Local Connection Test for a 4 week non-statutory period and subsequent inclusion within Surrey Heath's Self-Build application form, with modifications;  
or
  - c) NOT AGREE to consult on the proposed Local Connection Test for a 4 week non-statutory period and subsequent inclusion within Surrey Heath's Self-Build application form.

### **4. Risk Management**

- 4.1 If Surrey Heath chooses not to introduce the Local Connection Test set out in this report the number of self-build and custom housebuilding plots the Borough must provide would be likely to increase.

### **5. Proposals**

- 5.1 It is proposed that a Local Connection Test for entry onto the Self-Build and Custom Housebuilding Register is released for a 4 week non-statutory consultation period held from mid-February 2018.
- 5.2 It is then proposed, following consultation, that the Local Connection Test is incorporated within the existing Self-Build application web form, available on Surrey Heath Borough Council's website. This Test will be applied to existing entrants already on the Register and to potential new entrants, from the point of its implementation. A copy of the Test is included at Appendix 1.

## **6. Corporate Objectives And Key Priorities**

- 6.1 The implementation of a Local Connection Test underpins Objective 3 of the Corporate Plan: People - *building and encouraging communities where people can live happily and healthily* by ensuring that efficient and effective use of land is made in order to fully address housing needs within the community. Furthermore, it also underpins Objective 1 - *making Surrey Heath an even better place where people are happy to live*, by ensuring people with a strong local connection to Surrey Heath, including existing residents, are given priority for entry to the Self-Build Register.

## **7. Policy Framework**

- 7.1 The Self-Build and Custom Housebuilding Register forms part of the evidence base that informs policy making in the emerging Surrey Heath Local Plan.

## **8. Legal**

- 8.1 The duty to provide sufficient development permissions to meet demand for self-build and custom housebuilding introduced by the 2016 Regulations is mandatory. The ability to introduce a Local Connection Tests is discretionary but recommended in order to comply with the Regulations, in particular, the '*duty to grant planning permission*'.

## **9. Consultation**

- 9.1 The proposed Local Connection Test will be subject to a 4 week non-statutory public consultation, in accordance with the advice set out in the Planning Practice Guidance as amended in July 2017, following agreement by the Executive. The consultation will specifically target members of the public who have expressed an interest in the Self-Build Register. In addition, the consultation will be promoted publically on Surrey Heath Borough Council's website and through social media.

## **10. Other matters**

10.1 In relation to governance, sustainability, equalities impact, human rights, community safety, PR and Marketing there are no matters arising from the introduction of the Local Connection Eligibility Test shown in Appendix 1.

<b>Annexes</b>	Appendix 1 – Local Connection Eligibility Test Link to Surrey Heath’s current Self-Build and Custom Housebuilding webpage with access to the application form: <a href="http://www.surreyheath.gov.uk/residents/planning/planning-policy/self-build-custom-housebuilding">http://www.surreyheath.gov.uk/residents/planning/planning-policy/self-build-custom-housebuilding</a>
<b>Background Papers</b>	None
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### Consultations, Implications and Issues Addressed

<b>Resources</b>	<b>Required</b>	<b>Consulted</b>
Revenue	✓	
Capital		
Human Resources		
Asset Management		
IT		
<b>Other Issues</b>	<b>Required</b>	<b>Consulted</b>
Corporate Objectives & Key Priorities	✓	
Policy Framework	✓	
Legal	✓	
Governance		
Sustainability		
Risk Management	✓	
Equalities Impact Assessment		
Community Safety		
Human Rights		
Consultation	✓	
P R & Marketing		