



Self and Custom Build and Specialist Housing

Supplementary Planning Document

Consultation Draft

December 2019

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1. Introduction

What is a Supplementary Planning Document?

- 1.1 Supplementary Planning Documents (SPDs) are intended to explain or provide further detail to policies or site allocations in a Local Plan document. They could take the form of design guides, area development briefs, master plans or issue-based documents. They will be used in deciding planning applications and will help the Council defend its decisions at appeals.
- 1.2 The planning policies adopted by Colchester Borough Council enable the Council to ask developers to provide specialist housing and/or self and custom building provision on site. The purpose of this SPD is to give clear guidance on the Council's expectations for the provision of self and custom build housing and specialist housing and the process for delivering this.
- 1.3 This SPD will have the status of a material consideration in the determination of planning applications, once adopted by the Council following public consultation.
- 1.4 The SPD does not contain any new policies but provides detailed guidance to supplement existing and emerging policies in the Local Plan and the revised National Planning Policy Framework (NPPF) published in February 2019.
- 1.5 The aim of this document is to help guide the delivery of self and custom build and specialist housing in Colchester which will help to meet the strategic vision and objectives of the Colchester Local Plan by supporting the creation of a sustainable long-term future for communities.

Public Consultation

- 1.6 In accordance with the Government guidance in the Town and Country Planning (Local Development) (England) Regulations 2004, Regulation 18, and the Council's Statement of Community Involvement; the SPD will be the subject of public consultation for a period of six weeks. The consultation for this will run from: 24 January to 6 March 2020.
- 1.7 Ways to respond to the consultation include:

Online via the Consultation Portal. This can be accessed via [<INSERT LINK>](#).

Alternatively, responses can be sent to the Council via:

- email to: planning.policy@colchester.gov.uk
- post to: Planning Policy, Colchester Borough Council, Rowan House, 33 Sheepen Road, Colchester, CO3 3WG

All consultation responses must be received no later than 5pm on 23 March 2020. If you have any questions about the consultation, please contact the Planning Policy Team via planning.policy@colchester.gov.uk

If you would like this document in an alternative format such as large print, braille or another language please contact the Planning Policy Team.

- 1.8 Following this consultation, the final version of the document will be amended and presented for consideration of the Local Plan Committee before adoption.

Sustainability Appraisal

- 1.9 A Sustainability Appraisal (SA) Report has been prepared for the Local Plan which appraises the policies this supplementary guidance relates to. This can be viewed online [<INSERT LINK>](#).
- 1.10 An SEA Screening Opinion and Habitats Regulations Screening has been undertaken for this SPD. These opinions can also be viewed online [<INSERT LINK>](#).

2. Key Definitions

Self build and Custom Housebuilding

2.1 Self build and custom build is defined in the NPPF 2019 as:

“Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing.”

2.2 The Self Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016) provides a legal definition of self build and custom housebuilding. The Act does not distinguish between self build and custom housebuilding and provides that both are where individuals, an association of individuals, persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

2.3 In considering whether a home is a self build or custom build, local authorities must be satisfied that the initial owner of the home will have primary input into its final design and layout. It does not include the building of a house or plot acquired from a person who builds the house mainly to plans or specification decided or offered by that person.

2.4 There are various types of self build and custom build projects including:

- Individual self/custom build - an individual purchases a plot of land and builds a house to live in. They may do some or all the build themselves or employ a builder, architect or project manager to oversee the build.
- Group self/custom build - a group of people come together to design and develop a custom build housing development which they then live in. They may build this themselves or with help from a developer to manage the project.
- Developer-led custom build - a developer divides a larger site into individual plots and provides a design and build service to purchasers. This gives people a chance to customise existing house designs to suit their needs and can sometimes offer a chance to finish the house internally.
- Community-led - community led housing projects who help a group of people to build mostly affordable homes together, either individually or in cooperation with a builder or housing provider. This could utilise Community Land Trusts, which often take a long-term formal role in the ownership, stewardship and management of the homes to ensure they remain affordable in perpetuity. Alternatively, housing co-operatives can

own or lease properties and rent them to their members who also manage and control the housing.

- Cohousing - a cohousing project involves a constituted group of people creating their own neighbourhood of homes, with shared facilities such as a communal house.

Specialist Housing

- 2.5 Specialist housing can cater to the specific needs of a variety of people within the community, including older persons; students; people with disabilities; service families; hospice provision and gypsy and travellers.
- 2.6 The specialist accommodation required by these groups varies from non-supported housing, independent self-contained accommodation with limited support, such as sheltered housing, to residential care homes that provide non self-contained residential accommodation for people who need regular care and support.
- 2.7 Supported living can be delivered in a range of settings, including individual flats or houses, shared accommodation or clusters. Supported living refers to the way support is organised rather than specifying one type of accommodation that is required.
- 2.8 Specialist housing does not necessarily have associated support requirements but could cater to the specific needs of the groups requiring it through the built form of the accommodation provided, such as purpose-built student accommodation or pitches for non-nomadic Gypsy and Travellers.

3. Policy Context

National Policy

- 3.1 The revised NPPF 2019 provides the national policy context for the provision of housing, this is further supported by Planning Practice Guidance (PPG). The relevant sections of the PPG relate to Planning Obligations, Self Build and Custom Housebuilding, and Housing for older and disabled people. The PPG is an on-line resource and is updated as required.
- 3.2 Chapter 5 of the NPPF '*delivering a sufficient supply of homes*' outlines the government objective of boosting the supply of homes, this includes ensuring the needs of groups with specific housing requirements are addressed.
- 3.3 Paragraph 61 states that "*the size, type and tenure of housing needed for different groups in the community should be addressed and reflected in planning policies (including but not limited to, those who require affordable housing, families with children, older people, students, people with disabilities, service families, travellers, people who rent their homes and people wishing to commission or build their own homes).*" Footnote 26 confirms that "people wishing to commission or build their own homes" is in relation to the Self Build and Custom Housebuilding Act 2015.

Local Policy

- 3.4 Colchester Borough Council is currently in a unique situation with regard to plan making. The Council is working in collaboration with Braintree and Tendring District Councils on strategic cross boundary issues for North Essex. This has resulted in a strategic section one of the Emerging Local Plan which is shared by all three Local Planning Authorities. Section two of each authorities Local Plan includes individual local authority policies and allocations.
- 3.5 The Colchester Local Plan was submitted to the Planning Inspectorate on 9th October 2017 and is currently the subject of an extended examination.
- 3.6 As such, both the Adopted and Emerging Local Plan policies can be considered in decision making as outlined in paragraph 48 of the NPPF. Until such a time as the Emerging Local Plan is adopted, consideration of both Local Plans will be required.

Current Adopted Local Plan

- 3.7 The current Development Plan consists of the Core Strategy adopted in 2008 and subject to a Focused Review in 2014, Site Allocations DPD adopted 2010 and Development Policies DPD adopted in 2008 and subject to Focused Review in 2014. The Development Plan informs development within the Borough up to 2023.
- 3.8 Policy H3 – Housing Diversity, provides that housing development will need to contribute to the provision of affordable housing and homes that are suitable to

the needs of older persons, persons with disabilities and those with special needs to create inclusive and sustainable communities.

3.9 Policy H5 – Gypsies, Travellers, and Travelling Showpeople, provides the planning policy mechanism to secure accommodation for Gypsies, Travellers and Travelling Showpeople.

3.10 As the Self Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016), postdates the Adopted Core Strategy and Development Policies, there is not a bespoke policy regarding this. National policy is the key material consideration in decision making.

3.11 Full extracts of the above-mentioned policies can be found in Appendix B.

Emerging Local Plan

3.12 The Council is preparing a new Local Plan for the Borough which once adopted will replace the current Local Plan. The new Local Plan will inform development in the Borough over the period 2017 to 2033 and will include new housing allocations to meet the predicted growth of the Borough over that period.

3.13 Emerging Policy DM10 – Housing Diversity, seeks to secure a range of housing types and tenures on developments for the needs of particular groups including older people, specialist housing, self build/custom build, gypsies and travellers, students and hospices.

3.14 Emerging Policy DM11 provides more detailed requirements for accommodation for Gypsies, Travellers and Travelling Showpeople.

3.15 Emerging Policy DM12 provides specific housing standard requirements including a minimum of 10% of market housing and 95% of affordable housing to meet Building Regulations 2015 Part M4 (2) accessible and adaptable standards and 5% of affordable homes to be Part M4 3 (2) (b) wheelchair user standards. There is a minor modification proposed for DM12 by the Council. This is the inclusion of an additional criterion to include sprinkler systems in high rise accommodation, HMOs, care homes and sheltered accommodation; this is a CBC corporate decision following the Grenfell Fire.

3.16 Full extracts of the above-mentioned policies can be found in Appendix C.

4. Evidence Base

- 4.1 In 2015 the Braintree, Chelmsford, Colchester and Tendring Housing Market Area updated the report for both the Objectively Assessed Housing Needs Study (OAN) (Peter Brett Associates, July 2015) and Strategic Housing Market Assessment Update (SHMA) (HDH Planning and Development Ltd., December 2015). The OAN Study was further updated in November 2016 (Peter Brett Associates) to review the findings of the original report in light of new evidence and produce a revised housing needs assessment for the same period 2013-2037. This ensures compliance with paragraph 47 and 50 of the NPPF 2012. It should be noted that as the Emerging Local Plan has been submitted before 24th January 2019, the criteria and/or methodologies of the NPPF 2019 have not been used within these reports.
- 4.2 The SHMA forms the main Evidence Base for the Council's assessment of specialist housing provision. This includes older persons, people with disabilities, family households, students and service families. The SHMA concludes that an additional 94 sheltered and extra care housing units should be provided each year within the OAN (920 dwellings per year). However, these 94 units is dependent on future patterns of demand amongst potential residents of this accommodation increasing notably beyond current levels.
- 4.3 To support the Emerging Local Plan, a Viability Assessment by Hyas (April 2017) and Economic Viability Study for Colchester by The Three Dragons and Troy Planning + Design (June 2017) have been prepared.
- 4.4 The study concludes that policies regarding accessibility and adaptability of dwellings which require 5% self build plots on sites over 100 units and additional costs for accessible housing, Part M of Building Regulations (2015) are achievable.
- 4.5 The Colchester Gypsy Traveller Accommodation Assessment (GTAA) May 2017 concludes that in Colchester over the period to 2033 there is a need for two additional pitches for Gypsy and Traveller households (planning definition) and a need for up to 13 additional pitches for Gypsy and Traveller households. This comprises 10 pitches for households not meet the planning definition as these households no longer travel or have ceased to travel permanently and 3 pitches for Romany Gypsies and Irish and Scottish Travellers who may be able to demonstrate a right to culturally appropriate accommodation under the Equality Act (2010). As there are no Travelling Showpeople identified in Colchester, there is no current or future need for additional plots.
- 4.6 The SHMA and Authority Monitoring Report are available in full on the [Councils website](#).

4.7 The Council holds a register of individuals and/or associations of individuals who are seeking to acquire serviced plots of land within the Borough for self and custom build housing. There is currently no fee to register interest, but people must be:

- Aged 18 or over:
- A British citizen, a national of an EEA State other than the United Kingdom or a national of Switzerland: and
- Seeking (either alone or with others) to acquire a serviced plot of land in the relevant authority's area to build a house to occupy as that individual's sole or main residence.

5. Delivery of Self and Custom Build

- 5.1 The Self and Custom Housebuilding Act 2015 requires the Council to keep and maintain a register of individuals, and associations of individuals, who are seeking to acquire self build serviced plots of land in the Borough for their own self build and custom housebuilding.
- 5.2 The register provides information on the number of individuals and associations on the register; the number of serviced plots of land sought; the preferences people on the register have indicated, such as general location within the Borough, plot sizes and type of housing intended to be built.
- 5.3 Self and custom build properties can also be an opportunity to provide specialist accommodation. This can include bungalows for people with limited mobility, smaller plots to provide opportunities for households seeking lower cost market housing and larger plots suitable for semi-detached properties to cater for extended families wishing to build together.
- 5.4 In principle the Council will support self and custom build housing proposals where this is meeting a demand identified by the Council's register. However, the proposal will be required to be in compliance with the wider policies and principles of the Local Plan.
- 5.5 For more information and to apply to be included on the register please see our website; <https://www.colchester.gov.uk/info/cbc-article/?catid=things-to-know&id=KA-01218>

Types of Self Build

- 5.6 Self Build plots can be delivered in a number of ways including:
- Multiple individual service plots;
 - Single or small sites delivering open market plots;
 - Single or small sites delivering affordable plots, including on rural exception sites (sites often delivered by organisations such as Housing Associations and Community Land Trusts);
 - Sites identified and/or delivered by Town/Parish Councils via their Neighbourhood Plan.

Provision of Self and Custom Build

- 5.7 As outlined in sections 2.4 and 5.6 above, there are a number of ways in which self and custom build housing can be delivered. This can include either individuals, a group of individuals or can be developer or Town/Parish Council led. Whichever approach is taken, it should be ensured that the proposal meets the definition of self and custom housebuilding as outlined in the NPPF 2019: "Housing built by an individual, a group of individuals, or persons working with or for them, to be occupied by that individual. Such housing can be either market or affordable housing."
- 5.8 At the time a planning application is submitted for larger schemes (sites above 100 dwellings), in an identified area of need for self and custom housebuilding (based on information provided by the register), an area of land shall be identified to accommodate 5% of the total number of units as self build plots.
- 5.9 Where there is evidence of local demand for serviced plots, providers should seek to provide a mix of serviced plots to meet the range of demand and affordability evidenced by the local demand.

Serviced Plot of Land

- 5.10 National Planning Practice Guidance (Self-build and custom housebuilding paragraph 26) provides a definition of a serviced plot of land as a plot of land that either has access to a public highway and has connections for electricity, water and waste water, or in the opinion of the relevant authority, can be provided with access to these, within the duration of a development permission granted in relation to that land.
- 5.11 Access to a public highway can include sections of private or unadopted road, it does not mean that the plot is immediately adjacent to the public highway; just that there is the guaranteed right of access to the public highway.
- 5.12 Connections for electricity, water and waste water means that the services must either be provided to the boundary of the plot so that during construction, connections can be made, or adequate alternative arrangements are possible, such as the use of a cesspit rather than mains drainage.

Design Requirements

- 5.13 Whether a person commissions a specialist builder to help deliver their own home or a person is more directly involved with the organising and construction of their home; both routes require significant input from the home owner in the design process of the dwelling.

- 5.14 To ensure that self-build and custom housebuilding is of high-quality design, sites with multiple serviced plots or other forms of self build or custom housebuilding provision, will be required to be supported by a Design Code.
- 5.15 A Design Code should be prepared by the provider at the outline planning stage and should clearly set out design rules and parameters for future development. Design Codes will vary depending on the amount of development proposed and the context of the site.
- 5.16 Examples of what could be included in a Design Code is provided in table 1 below.

Table 1 - Design Code Examples

Design Code Parameter
Plot Size and Width
Plot Ratios, Site Coverage and Density
Building Types
Building Height, Massing and Bulk
Views and Vistas e.g. relationship to heritage assets, topography
Car Parking, Cycle Access and Provision
Waste and Recycling Storage
Infrastructure e.g. community energy facilities such as combined heat

- 5.17 The Council will support the use of Plot Passports for self build and custom housebuilding development where supported by a Design Code.
- 5.18 Plot Passports can provide potential plot purchasers with a simple and concise summary of the design parameters for a specific plot. It should clearly show the location, permissible building lines, heights and footprints as well as separation distances to adjacent plots. A Plot Passport should also be clear about the number of dwellings that can be built on a single plot as well as specifying car parking provision and access arrangements.
- 5.19 The Council recognises that modular housing, which is built off-site, can help deliver custom housebuilding that is more cost effective than traditional housebuilding methods. The Council will support modular housing where it complies with Design Codes, policies and standards in the Local Plan.
- 5.20 All residential development, including self build and custom housebuilding should comply with other policies in the Local Plan.
- 5.21 Where self and custom build housing is being provided as part of a large scale phased scheme, the phasing plan should clearly identify in which phase the self and custom build properties will be provided.

Self Build as Affordable Housing

- 5.22 The Council will not normally expect developments to offer the affordable housing element as self build. However, there are a number of mechanisms for delivering self build housing that is affordable housing. These mechanisms include:

- Where developers or landowners are able to work in partnership with a recognised Housing Association, Community Land Trust or alternative registered affordable housing provider;
- Where a self build commits (via S106) that the resale of the dwelling shall be restricted to an eligible household for at least a 20% discount on market prices in perpetuity.

5.23 Where affordable self build plots are to be delivered on rural exception sites, there will also be a need to establish that a household has a local connection to the Parish where the plot is proposed. For further information about local connections and affordable housing, please see the Affordable Housing SPD.

5.24 Subject to viability evidence, open market self build plots may also be appropriate to enable the development of affordable housing on rural exception sites in accordance with Adopted Policy H4 and Emerging Policy DM8 to support the delivery of affordable housing in rural areas.

Neighbourhood and Community Planning

5.25 Powers introduced through the Localism Act 2011 include Neighbourhood Planning and the Community Right to Build. These powers can provide communities with the opportunity to encourage self and custom build housing by creating new planning policies or allocating new community development sites.

5.26 The Council will engage with communities to support locally proposed Self Build projects wherever possible, subject to the wider planning considerations.

5.27 More information about Neighbourhood Plans and Neighbourhood Development Orders is available on our website at - <https://www.colchester.gov.uk/info/cbc-article/?catid=neighbourhood-planning&id=KA-01416>

6. Delivery of Specialist Accommodation

- 6.1 Across Colchester, housing developments should be inclusive and accommodate a diverse range of households and housing needs to create mixed communities. Such as families, single persons, older persons, students, people with disabilities, those with care and/or support needs, low income households and Gypsies and Travellers.
- 6.2 The requirements outlined below relate largely to policies contained in the Emerging Local Plan Section 2. Encouragement will be given for such provision by the Council until such a time as the policies are found sound via the Section 2 Local Plan examination. Upon adoption of the Section 2 Local Plan, these will become a requirement.
- 6.3 The Council will expect a minimum of 10% of market housing to meet Building Regulations 2015 Part M4 (2) accessible and adaptable standards, in accordance with Emerging Policy DM12.
- 6.4 The Council has an ongoing need for affordable housing for wheelchair users. In accordance with Emerging Policy DM12; 95% of affordable housing should meet a minimum of Building Regulations Part M4 Category 2 and 5% of affordable homes should meet Part M4 3 (2) (b) or Part M4 3 (2) (a) as agreed with the Council in accordance with identified need. The application of these Part M requirements will be subject to consideration of the impact on viability, site constraints and suitability of the development; in accordance with national policy and guidance.
- 6.5 Due to the variety of specialist housing and the wide range of needs the accommodation can cater to, the Council will advise on the quantum of specialist accommodation required at the time an application is submitted (Emerging Policy DM12). This could be providing housing for a range of specialist groups including but not limited to people with disabilities, people with care needs and other vulnerable people; hospice provision; or housing for older people.
- 6.6 The Council will consider the latest assessments of need, including the Strategic Housing Market Assessment, Joint Strategic Needs Assessment and the Essex Gypsy and Traveller and Travelling Showpeople Accommodation Assessment.
- 6.7 The Council will also consult Essex County Council to seek advice on their priority specialist residential accommodation needs.
- 6.8 The type of specialist accommodation sought will depend on the scale and type of market accommodation proposed and the viability of the proposed development to support the specialist accommodation, taking into account the commercial model of the specialist residential accommodation required.

- 6.9 Specialist residential accommodation will not be considered to constitute part of the affordable housing requirement, irrespective of whether the accommodation is subject to suitable restrictions on occupation and price, because it is meeting a different identified housing need. The only exception to this being the provision of affordable housing for wheelchair users as identified as a need in paragraph 6.4.
- 6.10 As outlined in Emerging Policy DM11, the need for 6 pitches by 2021 for Gypsies, Traveller and Travelling People can be accommodated through expansion of the existing site at Severalls Lane. This is operated by Essex County Council.
- 6.11 Through strategic sites and allocations within the Garden Communities, the remaining need of 9 pitches will be finalised through the process of masterplanning and agreements made during the planning application process.
- 6.12 As outlined in Policy H4 and Emerging Policy DM11, any further proposals should be located within a reasonable proximity to existing sustainable settlements, access to shops, schools and other community facilities. Sites should provide adequate space for vehicles and appropriate highway access.

7. The Planning Process

- 7.1 Prospective applicants are encouraged to discuss their proposals at the earliest possible stage; through a preliminary enquiry (pre-application advice). Further information about this can be found on our website - <https://www.colchester.gov.uk/info/cbc-article/?catid=pre-app-advice-planning&id=KA-01221>
- 7.2 Engaging in a preliminary enquiry allows the design and potential 'heads of terms' of the S106 Agreement to be factored into the formulation of the development proposals at an early stage.
- 7.3 Where an application is received in outline, the appropriate contribution will be reserved through a planning obligation, so that it can be resolved when a detailed or reserved matters application is made, when the size of the development and the appropriate level of contribution will be known.
- 7.4 In addition to the provisions of this SPD, proposals for new housing will also be considered having regard to other relevant local policies, which include requirements for other planning contributions. Applicants are advised to seek preliminary advice from the Council where there is any doubt as to the policy considerations that will apply, prior to formally submitting their planning applications, to ensure all relevant policies are addressed.

8. Planning Obligations

- 8.1 In accordance with paragraph 54 of the NPPF, Local Planning Authorities should consider where unacceptable development could be made acceptable through the use of planning obligations, where it is not possible to address the unacceptable impact through planning conditions.
- 8.2 Under section 106 of the Town and Country Planning Act 1990, the following obligations may be secured to mitigate the impacts of a development proposal, in terms of specific housing details:
- Amount, type, mix and design requirements of self build or custom housebuilding.
 - Providers will be required to market appropriately serviced plots and ensure they remain available for at least 12 months. If after 12 months, a serviced plot has been made available and actively marketed at a price agreed by the Local Planning Authority to be reasonable, but has not sold, the plot can either remain on the open market or be built out by the developer in accordance with the Design Code and other relevant Local Plan policies.
 - Self build or custom housebuilding plots to be commenced within three years of a plot being purchased. If a purchased plot has not commenced within three years, the purchasers will be refunded the original price by the plot provider and the plot will revert to market housing.
 - Amount, type, mix and tenure of the Specialist Residential Accommodation to be provided in perpetuity.
- 8.3 The Council will draw up the S106 Agreement and any related nomination agreement and the Council's legal costs related to these, will be payable by the developer on an indemnity basis on completion of the S106 Agreement.
- 8.4 Proposed variations to the terms of a completed S106 can only be agreed by a deed of variation. Requests to vary agreements should be made to the planning officer in the first instance. The full costs of the variation are payable by the applicant.

Appendices

A. Glossary

Affordable Housing – Housing for sale or rent, for those whose needs are not met by the market (including housing that provides a subsidised route to home ownership and/or is for essential local workers); and which complies with one or more of the following definitions:

- a) **Affordable housing for rent:** meets all of the following conditions: (a) the rent is set in accordance with the Government's rent policy for Social Rent or Affordable Rent, or is at least 20% below local market rents (including service charges where applicable); (b) the landlord is a registered provider, except where it is included as part of a Build to Rent scheme (in which case the landlord need not be a registered provider); and (c) it includes provisions to remain at an affordable price for future eligible households, or for the subsidy to be recycled for alternative affordable housing provision. For Build to Rent schemes affordable housing for rent is expected to be the normal form of affordable housing provision (and, in this context, is known as Affordable Private Rent).
- b) **Starter homes:** is as specified in Sections 2 and 3 of the Housing and Planning Act 2016 and any secondary legislation made under these sections. The definition of a starter home should reflect the meaning set out in statute and any such secondary legislation at the time of plan-preparation or decision-making. Where secondary legislation has the effect of limiting a household's eligibility to purchase a starter home to those with a particular maximum level of household income, those restrictions should be used.
- c) **Discounted market sales housing:** is that sold at a discount of at least 20% below local market value. Eligibility is determined with regard to local incomes and local house prices. Provisions should be in place to ensure housing remains at a discount for future eligible households.
- d) **Other affordable routes to home ownership:** is housing provided for sale that provides a route to ownership for those who could not achieve home ownership through the market. It includes shared ownership, relevant equity loans, other low-cost homes for sale (at a price equivalent to at least 20% below local market value) and rent to buy (which includes a period of intermediate rent). Where public grant funding is provided, there should be provisions for the homes to remain at an affordable price for future eligible households, or for any receipts to be recycled for alternative affordable housing provision or refunded to Government or the relevant authority specified in the funding agreement.

Custom Build – Where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals. Often this will involve the appointment of a specialist builder.

Development Plan – This includes adopted Local Plans and Neighbourhood Plans, as defined in section 38 of the Planning and Compulsory Purchase Act 2004. The Development Plan is the starting point for decision making.

Financial Contribution – The sum of money that a landowner or developer is required to pay to the Council to ensure the delivery of services and infrastructure, including affordable housing, needed as a result of planning permission being granted.

Homes England – An executive non-departmental public body to accelerate housing.

Preliminary Enquiry – An enquiry submitted to the Council in writing in advance of a planning application being submitted, to obtain an informal officer view on the likelihood of obtaining planning permission and any particular requirements and/or planning obligations that the Council is likely to seek for the proposal.

Section 106 Agreement - Legal agreement under Section 106 of the Town and Country Planning Act 1990. Used as a means of securing the provision of affordable housing and other contributions.

Self Build - Where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals. This includes the individual physically build the property themselves.

Specialist Housing – Housing that caters to the specific needs of an identified group/people within the community, including older persons; students; people with disabilities; service families; hospice provision and gypsy and travellers.

Strategic Housing Market Assessment (SHMA) – A Strategic Housing Market Assessment is a comprehensive study of the local housing market, using surveys and involving wide ranging stakeholder participation, to produce an assessment of housing needs and market housing within the local area.

Statement of Community Involvement (SCI) - This sets out the standard that the Local Planning Authority intend to achieve in relation to involving the community and all stakeholders in the preparation, alteration and continuing review of all Local Development Plan Documents and in significant planning applications, and also how the local planning authority intends to achieve those standards. The SCI will not be a Development Plan Document but is subject to independent examination.

Supplementary Planning Document (SPD) – A document produced by the Local Planning Authority to add further detailed guidance and information on a particular subject such as Sustainable Construction or Housing. An SPD is subject to a formal consultation period and then is used as a material consideration when determining planning applications.

B. Adopted Local Plan Policies

Policy H3 – Housing Diversity

Colchester Borough Council intends to secure a range of housing types and tenures on developments across the Borough in order to create inclusive and sustainable communities. Housing developments should provide a mix of housing types to suit a range of different households, whilst also realising the opportunities presented by accessible locations. The mix of housing types should therefore be informed by an appraisal of community context and housing need.

Housing developments will also need to contribute to the provision of affordable housing and homes that are suitable to the needs of older persons, persons with disabilities and those with special needs.

H5 – Gypsies, Travellers, and Travelling Showpeople

The Council will identify sites to meet the established needs of gypsies, travellers and travelling Showpeople in the Borough.

The Council will seek to locate sites within reasonable proximity to existing settlements, and with access to shops, schools and other community facilities. Sites should also provide adequate spaces for vehicles and appropriate highway access. Any identified need for 'transit' (temporary) sites for gypsies and travellers will be met in appropriate locations related to the current working patterns of the travelling community.

In the intervening period up to the adoption of a new Local Plan, the Borough Council will use the national Planning Policy for Traveller Sites and the National Planning Policy Framework as material considerations in the determination of planning applications for gypsy, traveller and travelling show people accommodation.

C. Emerging Local Plan Policies

Emerging Policy DM10 - Housing Diversity

The Local Planning Authority will seek to secure a range of housing types and tenures on developments across the Borough in order to create inclusive and sustainable communities. Housing developments should provide a mix of housing types to suit a range of different households as identified in the latest Strategic Housing Market Assessment, whilst also realising the opportunities presented by accessible locations.

The Local Planning Authority will seek to provide for the needs of particular groups as follows:

Older people – *The Local Planning Authority will require developers to demonstrate how their proposal will be capable of meeting and adapting to the long term needs of the increasing number of older residents. This would include the provision of dwellings constructed to meet requirements M4(2) of the Building Regulations 2015 (accessible or adaptable dwellings) as provided in the Housing Standards policy DM12, or subsequent government standards as appropriate, where there is proven need. The Council will also support proposals that make specific provision for older persons housing, subject to proposals meeting other policy requirements or the need outweighing other considerations.*

Specialist Housing- *The Local Planning Authority will support provision of schemes providing higher levels of care for specialist groups including those eligible under Essex County Council's Independent Living Programme; disabled people; people with care needs; and other vulnerable people. New development proposals for these groups will be supported where there is a proven need; they are located within settlements; and are accessible by public transport. As provided in the Housing Standards policy DM12, the Council will require a provision of dwellings constructed to meet requirements of M4(3) of the Building Regulations 2015 (wheelchair user dwellings), or subsequent government standard as appropriate, where there is proven need.*

Self build/custom-build housing – *The Local Planning Authority will support proposals for self build/custom-build housing, to meet demand as indicated by registrations on the Council's Self build Register. Registrations should accord with eligibility criteria as appropriate, which may include demonstration of sufficient financial resources and a sufficient local connection. Proposals will be encouraged both on individual sites and as part of larger schemes, including rural exception sites.*

Gypsies and Travellers – *The Local Planning Authority will meet identified need for gypsy and traveller accommodation, with specific allocations and policy considerations set out in Policy DM11.*

Students - *Planning permission will be granted for purpose-built student accommodation subject to other policies in this plan and where:*

(i) the location is appropriate in terms of access to public transport and university and college facilities; and

(ii) the proposal will not result in an excessive concentration of student accommodation in any one locality.

Specific proposals for University based accommodation are contained in policy EC1.

Hospice provision – *The Local Planning Authority will support the provision of hospice care in the local community through the use of existing or new sites.*

Emerging Policy DM11 – Gypsies, Travellers, and Travelling Showpeople

The Local Planning Authority will identify sites to meet the established needs of gypsies, travellers and travelling Showpeople in the Borough.

There is an overall need for 15 pitches over the life of the plan to 2033 which takes into account the need for both the statutory requirement to provide 2 pitches for nomadic travellers as well as the additional need for 13 pitches for those identifying as gypsies and travellers.

The need for 6 pitches by 2021 can be met by expansion of the existing site at Severalls Lane. The existing site has successfully operated since 2012 and is considered a sustainable location for small scale expansion. The need for the remainder of the plan period will be met through strategic sites and allocations within the Garden Communities, to be finalised through the process of agreeing detailed allocations and masterplans for those areas.

Proposals for any further applications will be judged on the basis that sites should be located within reasonable proximity to existing sustainable settlements, and with access to shops, schools and other community facilities. Sites should also provide adequate space for vehicles and appropriate highway access.

Emerging Policy DM12 - Housing Standards

Residential development will be supported where high standards of design, construction and layout are promoted. In considering proposals for new residential development, the Local Planning Authority will have regard to the following:

(i) New buildings or extensions should be designed to minimise the overshadowing of neighbouring properties as well as to avoid other adverse microclimatic effects;

(ii) Acceptable levels of daylight to all habitable rooms and no single aspect north-facing homes;

(iii) Acceptable levels of privacy for rear-facing habitable rooms and sitting-out areas;

- (iv) A management and maintenance plan to be prepared for multi- occupancy buildings and implemented via planning conditions to ensure the future maintenance of the building and external spaces;*
- (v) Internal space standards demonstrated to be in accordance with the National Described Space Standards (DCLG, 2015) or any future replacement of this;*
- (vi) A minimum of 10% of market housing and 95% of affordable housing to meet Building Regulations 2015 Part M4 (2) accessible and adaptable standards and 5% of affordable homes to be Part M4 (3)(2)(b) wheelchair user standards.*
- (vii) Vehicle parking standards as set out in Policy DM22 including the requirements for cycle parking facilities. In the case of flats, secure cycle storage should be incorporated into flat blocks and readily located at the building entrances;*
- (viii) An accessible refuse and recycling storage area, and external drying areas; and*
- (ix) Measures to maximise the potential of broadband provision and ensure other infrastructure requirements are met as referenced in Policy SG6; and*
- (x) All new applications for high rise accommodation, housing in multiple occupation (HMOs), care homes and sheltered accommodation will be expected to include sprinkler systems.***

For more information please contact the planning policy team
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