

**FAREHAM**  
BOROUGH COUNCIL

# **The Welborne Plan**

**Response to Inspector's Question  
(post hearings)**

---

January 2015

**CD-47**

## 1 Introduction

1.1 On 31<sup>st</sup> December 2014, the Inspector asked the following further question to the Council:

1.2 *“A ministerial statement was made by Brandon Lewis MP and published in early December. It sets out measures aimed at unlocking small-scale development and boosting the attractiveness of brownfield sites, particularly by making changes with regard to Section 106 planning obligations.*

*I am aware that revised planning guidance will be published shortly but at this stage it would be helpful if the Council could comment on whether or not, in its view, the content of the Statement has any implications for the Local Plan Part 3: The Welborne Plans of which I should be aware. The Statement, this question and the Council’s response should be added to the Examination Library”*

1.3 A response was requested by 16<sup>th</sup> January 2015, and is set out below. The Inspector’s Question has been added to the Examination Documents (ID-19). The Ministerial Statement has been added to the Library of Submission Documents (ND-15).

## 2 Purpose of the Statement

2.1 The purpose of the Statement was to provide hon. Members with an update on actions taken by the Coalition *“to free up the planning system the further new measures we are now implementing to support small scale developers and help hard-working people get the home they want by reducing disproportionate burdens on developer contributions.”* (ND-15)

2.2 The statement includes 3 main sections:

- Section 106 obligations imposed on small scale developers, custom and self-builders;
- Promoting custom and self-build housing; and
- Getting empty and redundant land and property back into use.

2.3 The Statement does not set out any new policy or guidance, but instead highlights recently published guidance. The statement also identifies upcoming guidance which is in the process of being implemented, as well as a number of future measures that are proposed to be introduced. For clarity, the Council’s response to this statement is structured using the same three headings as the statement itself.

## 3 Section 106 Obligations

3.1 This section of the statement highlights the recent changes to the Planning Guidance regarding Section 106 obligations on small scale developments. The revised guidance states that for sites of 10-units of less, and which have a maximum combined gross floor space of 1,000sq.m, affordable housing and tariff style contributions should not be sought. The statement clarifies that Authorities in rural areas may choose to implement lower thresholds and these changes do not impact upon exception site policies.

- 3.2 The Local Plan Part 3 (LP3): The Welborne Plan includes Policy WEL18 on affordable housing. Welborne is not a small scale development and so the restrictions on delivering affordable housing do not apply in this case.
- 3.3 Overall the Council considers that the planning framework set out in the adopted Core Strategy, and emerging LP2 and LP3 (as amended by the Council's proposals submitted as part of the Examination process) provide an appropriate basis for the delivery of affordable housing in the Borough which is not unduly affected by the ministerial statement..
- 3.4 One further element introduced into the Planning Guidance is the "vacant building credit". The Guidance defines this as *"where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions would be required for any increase in floorspace"* (Planning Guidance – Planning Obligations paragraph 21). In practice this means that where redevelopment sites include existing buildings, affordable housing can only be sought on the net gain in floorspace.
- 3.5 It is possible that there may be some buildings on the Welborne site which could factor into such a calculation. While any vacant buildings may result in a credit, the overall amount of potential existing vacant floorspace is not significant enough to prejudice the overall delivery of affordable housing on Welborne.
- 3.6 Overall the Council believes that the amendments to the Planning Guidance do not have any impact on the ability for LP3 to deliver sufficient amounts of affordable housing, and therefore require no further modifications.

#### **4 Promoting Custom and Self-Build Housing**

- 4.1 The Statement outlines the various projects and funds being put together by the Coalition aimed at supporting the custom and self-build sector. This includes the exemption of this type of building from paying the Community Infrastructure Levy (CIL), allowing community-led custom projects to apply for funding through the Affordable Housing Guarantee programme and by providing financial assistance through the Builders' Finance Fund.
- 4.2 The Statement also outlines the Right to Build scheme, which was consulted on in October 2014. This scheme allows prospective custom builders to register their interest in certain areas and puts emphasis on Local Authorities to provide land for purchase. This scheme is likely to be piloted in eleven Right to Build Vanguard areas to see how it will work in practice.
- 4.3 The Council believes that LP2, with recent amendments set out in Section 1 of Examination Document DCD-21 and Section 10 of the Examination Document DCD-24, alongside the Welborne Plan provides ample opportunities for custom and self-build within the Borough. Policy WEL21 of the Welborne Plan requires a proportion of custom-build plots to be delivered at Welborne.

- 4.4 The Council's stated aim is to amend the CIL charging schedule to reflect the fact that development at Welborne will have to bear significant costs under s106 obligations, reducing the relevance of the announcement regarding CIL for the project. However, the Council will continue to work with the site promoters and others in pursuing all available funding sources to support the delivery of custom and self-build homes.
- 4.5 The Council does not feel that any further amendments are required to LP3 to take account of the statement with regard to custom and self-build housing.

## **5 Getting empty and redundant land and property back into use**

- 5.1 The last section in the Statement highlights measures introduced to get empty and redundant land and property back into use. These include reforms to permitted development rights which encourage the conversion of existing buildings as well as changes to CIL to provide an increased incentive for brownfield developments, by exempting development involving the reuse of empty buildings.
- 5.2 These measures are considered to have little relevance for the Welborne project for the reasons set out in sections 3 and 4 above and so the Council does not consider any further amendments to LP3 necessary.