

Matter 18 Housing Development Policies

Issue-Whether the approach towards housing development is justified, effective and consistent with national policy.

Relevant Policies: SP H1PU; H6PU; H11PU; H13PU; H14PU; H15PU; H16PU; H17PU; H18PU; H19PU; H20PU

Improving the Housing Offer (Policy SP H1PU)

18.1 Is the approach set out in Policy SP H1PU effective, justified and consistent with national policy?

- 18.1.1 Policy H1 is justified as it sets out how the Council will work with key stakeholders, partners and the community to improve the housing offer in the borough. Evidence within the SHMA (EB4 and EB5) and Housing Needs Survey (EB6) identifies that more housing is required to meet local needs and support economic growth in Copeland.
- 18.1.2 The policy is effective as it provides a clear framework for other more detailed policies within the Local Plan that deliver housing.
- 18.1.3 The policy supports the Government's aims of significantly boosting the supply of homes by ensuring that a significant amount and variety of land can come forward where it is needed (paragraph 60 NPPF).

New Housing Development (Policy H6PU)

18.2 Is the approach set out in Policy H6PU effective, justified and consistent with national policy?

- 18.2.1 The policy is justified as it will ensure that new housing development on allocated and windfall sites does not result in negative effects on its surroundings and residential amenity.
- 18.2.2 The policy is effective as it contains clear criteria which development must meet in order to be acceptable.
- 18.2.3 The policy is consistent with national policy, specifically the following paragraphs in the NPPF:
- Paragraph 28: *“Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development. This can include allocating sites, the provision of infrastructure and community facilities at a local level, establishing design principles, conserving and enhancing the natural and historic environment and setting out other development management policies.”*
 - Paragraph 92b and c: *“Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.”*

Custom and Self-build housing (Policy H11PU)

18.3 What is the evidence in relation to the need for custom build and self-build housing?

18.3.1 Monitoring records show a healthy demand for self build properties in the borough, with several larger sites with outline permission being sold off in plots which then go on to gain reserved matters approval for individual homes. This is in addition to the number of individual plots coming forward independently and is reflected in the number of approvals on windfall sites under 5 units (see Housing Trajectory CD2 and Housing Trajectory Update). The Council also has a Self Build Register which contains the details of 20 people who were interested in building their own homes.

18.3.2 A demand for self-build plots is also identified in the Housing Needs Survey (EB6). Paragraph 0.40 notes that 15% of all respondents to the survey expressing an interest in such housing, with paragraph 3.10 stating:

“This could be supported by comments from a few respondents in the survey who indicated they had either completed or were in the process of such a project. The appeal seemed to be broad across all ages, tenures and levels of economic activity. But it was strongest amongst those under 50, those with a mortgage and those who are working.”

18.4 Will the approach in Policy H11PU be effective in delivering the identified need? Is it justified and consistent with national policy?

18.4.1 The policy will be effective when used alongside other Local Plan policies including Policy H5 which allocates sites and the Self Build Register. It demonstrates clearly the Council’s support for community-led, self and custom build housing and lists criteria that such developments must meet.

18.4.2 The policy is justified as it will help deliver particular house types that are in demand in the borough; this will help achieve the Government’s objective of boosting the delivery of housing.

18.4.3 The policy is consistent with national policy, specifically paragraph 62 of the NPPF which states: *“the size, type and tenure of housing needed for different groups in the community should be assessed and reflected in planning policies (including, but not limited to...people wishing to commission or build their own homes”*

Conversion and sub-division of buildings to residential uses including large HMOs (H13PU)

18.5 How would an ‘over-concentration of HMO’s’ be practically assessed?

18.5.1 When determining whether there is an over-concentration of HMOs in an area, the Council would consider the characteristics of the area (e.g. is it a residential street or mixed use area), the number of properties on the street and the number already in use as a HMO. This flexible approach is considered to be more appropriate than applying an arbitrary percentage limit.

18.6 Overall, does Policy H13PU provide an effective basis for the consideration of proposals for conversion and subdivision of properties, including large HMOs?

18.6.1 The SHMA (EB4), Figure 17, shows that 4.8% of people living in the private rented sector live within “other households”. Paragraph 11.13 notes that *“Many of these households are likely to be multi-adult households living in shared accommodation (i.e. houses in multiple*

occupation (HMOs))” Paragraph 8.34 notes that “the proportion of households sharing accommodation is below regional and national averages. The level of sharing households has increased slightly over the decade to 2011 – although the increases are generally more modest than seen in other areas.”

18.6.2 The Housing Needs Assessment (EB6) also supports the suggestion that there is growing demand for such temporary accommodation from students in the borough, with paragraph 4.5 stating that *“They use both HMOs and one or two bed properties for sharing. What the university needs to be available, in the absence of purpose-built halls, are good quality, furnished shared houses or studios in a town centre”*.

18.6.3 The policy provides an effective basis for determining applications for the conversion and subdivision of properties. It clearly lists the criteria that proposals for such uses must meet in order to ensure the development does not harm local amenity.

Domestic Extensions and Alterations (Policy H14PU)

18.7 Is Policy H14PU justified, effective and consistent with national policy?

18.7.1 The policy is required to ensure that extensions, alterations, and new curtilage buildings do not result in harm to the street scene and the amenities of neighbouring residents.

18.7.2 It is effective as it clearly lists the criteria that proposals for such developments must meet.

18.7.3 The policy is consistent with national policy, specifically the following paragraphs in the NPPF:

- Paragraph 28: *“Non-strategic policies should be used by local planning authorities and communities to set out more detailed policies for specific areas, neighbourhoods or types of development....this can include establishing design principles...”*
- Paragraph 120e: *“Planning policies and decisions should...support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.”*

New Housing in the Countryside (Policies H15PU; H16PU)

18.8 Is Policy H15PU justified, effective and consistent with national policy?

18.8.1 Policy H15 is justified as Copeland is a designated rural area under Section 157 of the Housing Act and over 35% of Copeland residents live outside the borough’s towns. The SHMA (EB4) indicates that the Whitehaven Rural Area is the most expensive sub-area in the borough which raises affordability issues for people wishing to buy their own homes.

18.8.2 The SHMA (EB4) paragraph 60 identifies that the provision of rural exception sites is an alternative mechanism for delivering affordable housing in the borough. The need for affordable housing is discussed further in Question 5.7.

18.8.3 The policy is effective as it provides an appropriate strategy for determining applications for developing rural exception sites. It identifies the circumstances where housing will be permitted within the open countryside and lists the criteria such development must meet. It

is also flexible as it allows for some small scale market housing to be provided to enable the affordable development to come forward,

18.8.4 The policy is consistent with national policy, specifically the following paragraphs in the NPPF:

- Paragraph 78: *“In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.”*
- NPPF Glossary: *“Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural exception sites seek to address the needs of the local community by accommodating households who are either current residents or have an existing family or employment connection. A proportion of market homes may be allowed on the site at the local planning authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding.”*

18.9 Is Policy H16PU justified, effective and consistent with national policy?

18.9.1 Policy H16 is justified as it provides an appropriate strategy for determining planning applications for essential rural dwellings. It will help to ensure such homes are permitted to support viable rural businesses whilst avoiding the development of unnecessary isolated homes in the open countryside.

18.9.2 The policy is effective as the criteria within it shows what will be expected from such developments. Further information to support the policy will be available within the Housing Technical Paper which will be published alongside this response document.

18.9.3 The policy is consistent with national policy, specifically the following paragraph in the NPPF:

- Paragraph 80a: *“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;”*

Conversion of Rural Buildings to Residential Use in the Open Countryside (Policy H17PU)

18.10 Is Policy H17PU justified, effective and consistent with national policy?

18.10.1 The policy is justified as it provides an appropriate strategy for determining applications for the conversion of rural buildings in the open countryside. This will ensure structurally sound, empty rural buildings can be put back into beneficial use, without harming the character of the countryside through inappropriate new development.

18.10.2 The reuse of appropriate existing buildings reduces the need for residential new builds and helps support the rural economy. The conversion of existing buildings also generally has a lower carbon footprint than new development.

18.10.3 The policy is effective as the criteria within it clearly sets out what is expected from such developments in order to reduce adverse impacts.

18.10.4 The policy complies with national policy, specifically the following paragraph in the NPPF:

- Paragraph 80c: *“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply...c) the development would re-use redundant or disused buildings and enhance its immediate setting;”*

Replacement Dwellings in the Open Countryside (Policy H18PU)

18.11 Is Policy H18PU justified, effective and consistent with national policy?

18.11.1 The policy is justified as it provides an appropriate strategy for determining planning applications for replacement dwellings outside of settlement boundaries. The policy supports the reuse of previously developed land to help meet identified housing needs.

18.11.2 The policy is effective as the criteria within it will ensure that the design of the dwelling is appropriate for its location, ensuring that harm to its setting and the wider landscape is avoided, as well as harm to biodiversity.

18.11.3 The policy complies with national policy, specifically the following paragraph in the NPPF:

- Paragraph 130: *“Planning policies and decisions should ensure that developments: a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;...”*

18.11.4 The Council has noted an inconsistency between the policy and the supporting text (paragraph 13.19.2). An additional minor modification is suggested¹ as follows:

~~“It is important that the scale and size of the new building matches the building that it replaces as uncontrolled extensions can result in the loss of smaller housing within rural areas...”~~

Beach Bungalows (Policy H19PU)

18.12 Is Policy H19PU justified, effective and consistent with national policy?

18.12.1 The policy is justified as it provides an appropriate strategy for determining planning applications for replacement or altered beach bungalows in order to ensure their design is appropriate for their location. There are a small number of coastal areas in Copeland where new beach bungalows have been developed as holiday homes. These developments are now at risk from coastal erosion and flooding and are isolated from settlements and services. The policy therefore states that only those which have an existing lawful use may be replaced or altered to avoid the creation of further isolated homes in accordance with paragraph 80 of the NPPF.

¹ Not currently listed in document CD15

18.12.2 The policy is effective as it clearly lists the criteria that such developments must meet. Criterion a will ensure that the policy does not unintentionally give a lawful use to a development which is currently unlawful and unlikely to be acceptable in principle.

18.12.3 The policy is consistent with national policy, specifically the following paragraphs in the NPPF:

- Paragraph 80: *“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply...”*

Removal of Occupancy Conditions (H20PU)

18.13 Is the technical note regarding ‘local occupancy’ referred to in paragraph available?

18.13.1 The Housing Technical Paper will be published alongside the Council’s response to the Inspector’s Matters, Issues and Questions.

18.14 Is Policy H20PU justified, effective and consistent with national policy?

18.14.1 The policy is justified as it provides an appropriate strategy for ensuring that homes permitted for particular uses, for example as rural workers dwellings or as local occupancy housing, remain in that use in perpetuity to meet identified needs unless certain circumstances apply. This will help avoid the creation of unnecessary isolated homes in the open countryside.

18.14.2 The policy is effective as it clearly sets out the circumstances where the removal of occupancy conditions will be accepted.

18.14.3 The policy is consistent with national policy, specifically paragraph 80 of the NPPF which states that isolated homes in the open countryside should be avoided unless certain circumstances apply.

Residential Caravans (Policy H21PU)

18.15 Is Policy H21PU justified, effective and consistent with national policy?

18.15.1 The policy is justified as it provides an appropriate strategy for determining applications for residential caravans to ensure such developments do not harm their surroundings or the amenity of neighbours.

18.15.2 The policy is effective as it clearly sets out the criteria that will be considered when determining applications for such uses

18.15.3 The policy is consistent with national policy, specifically the following paragraphs in the NPPF:

- Paragraph 80: *“Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply...”*
- Paragraph 174: *“Planning policies and decisions should contribute to and enhance the natural and local environment by...”*
- Paragraph 110b: *“ In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that... b) safe and suitable access to the site can be achieved for all users;...”*

- Paragraph 111: *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”*