

Supplementary Planning Guidance: New houses in rural villages



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Policy and Performance Unit, Environmental
Service, Regulatory Department
(Planning, Transportation and Public Protection),
Gwynedd Council



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Statement regarding consultation

1. The draft version of this Supplementary Planning Guidance (SPG) was subject to public consultation between 3 December 2009 and 14 January 2010. A public notice was published in the Caernarfon and Denbigh Herald and the Cambrian News on 3 December 2009 in order to raise awareness about the public consultation. Copies of the SPG were available to view in the main Council offices, in the public libraries and on the Council's website during the consultation period. Comments were invited from numerous individuals and organisations, which included the community councils. A summary of the representations that were received and the response to them can be seen in a document entitled "Consultation statement – December 2009".
2. The representations and the response to them were scrutinised by the Environment Committee on 9 February 2010. The SPG was adopted in the Council Board meeting on 9 March 2010.

The Purpose of Supplementary Planning Guidance

3. This Supplementary Planning Guidance (SPG) is one of a series of guidance notes which support the policies of the adopted Unitary Development Plan (UDP). Although decisions on planning applications will be based on the Development Plan's adopted policies (as indicated in part 38(6) of the Planning and Compulsory Purchase Act 2004), the content of the SPG is a material planning consideration (after it has been adopted by the Council).
4. In general, the purpose of this SPG is:
 - a. To assist and give guidance to the public and their agents about the type of circumstances that could be looked on favourably in terms of building a new house in the countryside; and
 - b. To assist case officers and planning committees to make intelligent decisions regarding planning applications. This will be a means of promoting a consistent approach when dealing with planning applications.

Background

5. This guidance provides advice on developing new houses in Rural Villages in the Gwynedd Planning Authority area. As part of the settlement hierarchy, 41 Rural Villages have been identified in the Gwynedd Unitary Development Plan (UDP) – see the list included in Appendix A. These are the smallest villages where restricted development that is genuinely necessary in order to meet the needs for new houses arising within local communities is permitted. It is considered that the demand for new houses for people in need will be commensurate with the low population of Rural Villages.
6. National guidance is given in Planning Policy Wales (2002) as amended, which recognises that filling gaps and making small extensions to groups of houses in the countryside could be acceptable, so far as this is based on policies in the development plan and reflects local needs. A local policy was drawn up in the UDP to correspond with this national guidance, namely Policy CH5 – "New Houses in Rural Villages" (see Appendix B). Policy CH5 is Gwynedd Council's interpretation of the national guidance and, therefore,

proposals for building houses within or adjacent to any other group of houses in the open countryside will be considered against the requirements of Policy CH9 of the UDP.

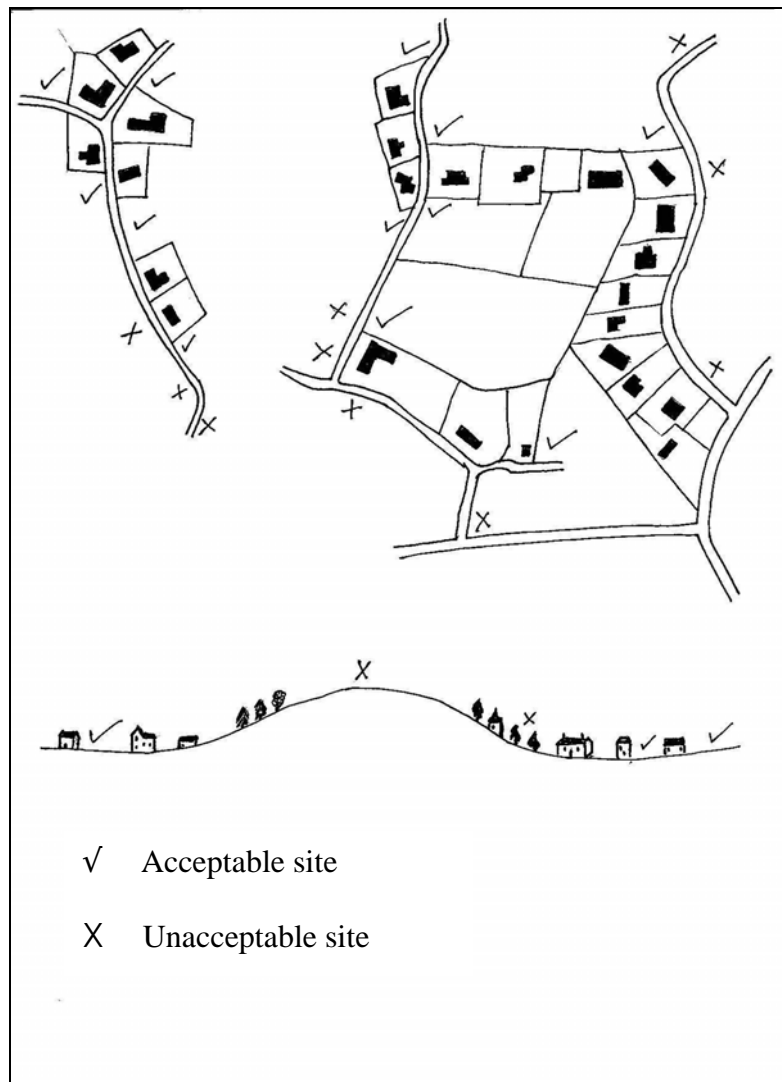
- 7 Rural Villages are characterised by a very sensitive social and environmental character along with a comparatively limited level of services and facilities. They are usually small in size, the majority located in the countryside either in a close nucleus of houses or scattered over a wider area. Each Rural Villages is shown on an inset map in the UDP with the relevant buildings highlighted in red.
- 8 In order to comply with the UDP, prospective applicants will be required to ensure that the site is appropriate to be developed and to demonstrate beyond doubt that:-
 - They are local (see below)
 - They are in need of an affordable house in the area in question and it is not possible for them to meet their need through the local open housing market (see below)
 - They are willing to build a house which is affordable in terms of size and cost and to retain the house as an affordable unit? for the future
- 9 In the rest of the guidance, detailed explanations are given on how to interpret Policy CH5 in order to give assistance to prospective planning applicants. In addition, applicants should read the Supplementary Planning Guidance – Affordable Housing (2009) for more detail on some aspects especially on the personal information which will need to be submitted to the Council. The type of personal information that applicants will be expected to provide can be discussed with the Affordable Housing Officer before submitting a formal planning application. (see Appendix C)

Location of a New House

- 10 It has already been explained that each Rural Village has been shown on an inset map in the UDP and that the village buildings have been highlighted on the map. It is possible to locate new houses by infilling between the buildings highlighted or on a site immediately adjacent. An infill site is defined as a small gap in a continuous line of built development where it is possible to locate one or two houses.
- 11 A site which is immediately adjacent to a highlighted property is required to be a site which adjoins the curtilage of that property and that the development makes the best use of the site. The diagram below shows the location of sites which could comply with this criterion. Where possible, existing natural features such as a hill, hedge, tree or small stream should be retained. In exceptions only where retaining natural features is important to the character of a village, consideration will be given to locating a house where the new site does not immediately adjoin the curtilage of the highlighted building, so far as the site does not create an intrusive piecemeal development which is contrary to the general development pattern of the settlement and that there is a substantial gap between the highlighted property and the site in question. Locating a new house at a significant distance from a highlighted property for ownership reasons will not be acceptable. For the policy to work effectively,

there will be an expectation that local landowners will release plots of land near buildings coloured on the maps.

- 12 It is important to bear in mind that only one criterion in Policy CH5 refers to the need for the site to be one which is between two highlighted buildings or a site which is directly adjacent to a highlighted building. The development will need to comply with criterion 3 of the same Policy, which involves measuring the development's ability to integrate and connect well with the village's existing development pattern and the character of the local area.



- 13 The planning authority will not support more than two houses at a time. By restricting the choice of sites for which planning permission can be obtained, the number of houses constructed will be restricted. The number of people satisfying the local and need test will also be comparatively low (see below).
- 14 In order to obtain more information on design issues Design Guidance, published by the planning authority, give advice on how to design a dwelling in order to avoid creating an intrusive development in the countryside. Permission will not be granted for a site which does not comply with the abovementioned guidelines even where local need can be proven.

Complying with the definition of “Local”

- 15 As a starting point, a prospective applicant must be local to the community area of the Rural Village where it is intended to construct the house – this is called **“community local”**. The UDP defines, for the purpose of development in Rural Villages, that a person must have close connections with the community and satisfy one of the following requirements:-
- Have lived in the Community Council area for a continuous period of ten years immediately prior to making the planning application or taking occupancy of the property.
 - Have lived within the Community Council area for a continuous period of ten years or more in the past.
 - Have lived or worked for a continuous period of ten years or more within four miles “as the crow flies” from the “core” of the Rural Village (namely where the buildings highlighted on the inset map are) where the specific application site is located.
- 16 Evidence will need to be submitted to show unquestionably that a person has lived or worked in a community area in the past, such as a letter by an employer, old bills over a period to prove residency at the dwelling or local schools’ records. There is no point in submitting a planning application unless the person complies with the community local test.

Complying with the definition of “Need”

- 17 A number of people wish to live in small, rural villages and with relaxed planning policies, overdevelopment would very quickly change their physical and social character. In order to restrict the scale of new developments, only local people with a genuine need for a house will have the right to apply for a new house in a Rural Village. In this context, people in a genuine need have been defined as those who fall into one of the following categories:
- People who do not own a house and are establishing a new home e.g. getting married, co-habiting, young people, etc.
 - People who do not own a house and are moving from rented accommodation where they had been living for at least two years (less than two years is considered to be too short a time).
 - People who own a house but need a new house in order to meet valid needs e.g. house too small for the family or that the Council has stated that the house is in a sub-standard condition and it can be proven that it is not possible to adapt the existing home, or upgrade it, in an acceptable way in order to meet those needs or that the existing house is unsuitable because of needs in relation to disability, long-term illness or other physical difficulties and that the owners can not purchase a suitable house from the current stock.
- 18 Prospective applicants are required to submit an Affordable Housing Statement which will be a way of submitting the evidence necessary to be able to assess the suitability of the proposal. This evidence will unavoidably contain financial information to show that the applicant does not have the financial means to improve their living situation by purchasing or renting a house available on the open market in the local area (see the definition included in paragraph 13 above).

Consideration is given also to any property sold or disposed of by the prospective applicant.

- 19 Any sensitive/personal information should be sent to the relevant Local Planning Area Office or to the Affordable Housing Officer as necessary, marked as follows: 'Confidential for the attention of the Area Planning Manager' or 'Confidential for the attention of the Affordable Housing Officer'. The information will be seen by the following only, as necessary:
- i. The Area Planning Manager
 - ii. The Planning Services Manager
 - iii. The Head of Regulatory Department
 - iv. Planning case officer
 - v. Affordable Housing Officer
 - vi. A competent independent verifier appointed by the Authority
- 20 In this context, more information can be obtained in the Supplementary Planning Guidance – Affordable Housing (2009) or by contacting the Affordable Housing Officer directly (see Appendix C). Any personal/financial information submitted will be treated entirely confidentially.

Affordable House

- 21 The houses constructed in Rural Villages must be affordable now and for the future. As a consequence of the high and sudden increase in house prices in recent years compared with the average salary levels in rural areas, a very large number of people can not buy houses locally. In order to construct new houses to satisfy local need, it is important that the houses are affordable from the beginning and continue to be affordable for local people in need in the future. The size and design of a house will doubtless affect its affordability, therefore, a house should be designed within the size guides with the design which is in keeping with the character of the countryside. Reducing the size of the garden will also be a way of keeping the house affordable.
- 22 In some cases, the possibility of constructing semi-detached houses in suitable locations should be considered, so far as the need for two houses has been proven. An idea of the size of a house and selling/renting price of an affordable house is seen in Section 5 and Appendix 2 of the Supplementary Planning Guidance – Affordable Housing (2009), respectively.
- 23 In order to control the occupancy of a house in the future, a section 106 legal agreement is usually imposed on the planning permission in order to restrict the occupancy of the house to local residents with a need for an affordable house as previously defined in this guidance. Due to such constraints, the price/rent of the property will be less than the open market value and, therefore, affordable to people in need when it comes on the market in the future.

Affordability in the Future

- 24 The occupant of a new house will be required to sign a legal agreement called a section 106 agreement. For this purpose, the planning authority has a standard agreement available. The agreement restricts the ownership of the house to a person in community local need in accordance with the policy. This means that the house must be sold/rented to another person in community local need for an affordable house and it can not be sold/rented on the open market to any other

person. This restricts the number of people who can purchase the property and, therefore, the sale/rent prices of the house will be less than houses sold or available to be rented on the open market. One of the objectives of the policy is to keep the price/rent of the houses lower than the open market for local people to be able to compete in the housing market. You should refer to the Supplementary Planning Guidance – Affordable Housing (2009) to see the relevant steps for selling a house with a 106 agreement - local need for an affordable house.

- 25 One other way to stop house prices increasing is to control the permitted development rights of the owner of a dwelling to convert or erect an extension on the property. In doing so, the owner will have to submit a planning application for a comparatively small extension. It is unlikely that the planning authority will support large extensions to properties which, in its opinion, are beyond the local need or likely to increase the value over the affordability threshold. Since the successful proposals will satisfy a specific community local need for affordable housing, the development should start soon after the consent is given. A planning condition will be applied that will limit the planning consent period.

Contacts

- 26 Planning officers are available to discuss any aspects with the prospective applicants before submitting the planning application. In addition, an Affordable Housing Officer is employed to provide assistance on financial and personal matters for the applicant. A list of the relevant officers and how to contact them is seen in Appendix C.

APPENDIX A – list of rural villages in the Unitary Development Plan area

<p>Rural Villages Arfon</p>	<p>Aberpwl, Bethesda Bach/ Ty'n Lôn, Dinorwig, Dolydd/ Maen Coch, Gallt y Foel, Glasinfryn, Groeslon Waunfawr, Llanfaglan, Llanllechid, Mynydd Llandygái, Nebo, Pentir, Rhos Isaf, Saron, Talybont, Tan y Coed, Y Fron</p>
<p>Rural Villages Dwyfor</p>	<p>Boduan, Bryncir, Bryncroes, Bwlchtocyn, Dinas, Llanarmon, Llangian, Llangybi, Llaniestyn, Llannor, Llwynhudol, Pantglas, Pencaenewydd, Penmorfa, Penrhos, Pentreuchaf, Pistyll, Y Rhiw, Rhosfawr, Sarn Bach</p>
<p>Rural Villages Meirionnydd</p>	<p>Aberllefenni, Corris Uchaf, Glanrafon, Llanfor</p>

APPENDIX B:

POLICY CH5 - NEW DWELLINGS IN RURAL VILLAGES

In Rural Villages, proposals for residential development which includes one or two units only will be approved. The proposals will have to comply with all the following criteria:

1. that a community local need for an affordable house has been proven;
2. that the site is an infill site between buildings highlighted on the relevant inset map, or a site immediately adjacent to a highlighted building;
3. that the proposal will not create an intrusive feature in the countryside, create a piecemeal development pattern, or create a ribbon development contrary to the general development patterns of the settlement;
4. that the size of the property reflects the specific need in terms of the general size of the property and the number of bedrooms;
5. due to the more sensitive rural location than usual, the development will be required to make the best use of the natural features of the site and retains any natural features on the site or on the site boundary which are worth retaining;
6. that adequate arrangements are available to restrict the occupancy of the house initially and forever to those who have a community local need for an affordable house.

When a development is permitted, a planning condition is used to control the Permitted Development Rights in order to ensure that an extension or adaptations would not increase the price of the property beyond the price of an affordable house which satisfies a community local need. In addition, a planning condition will be used to ensure that the restricted number of the permission granted will be brought forward in order to meet the community local need for affordable housing.

APPENDIX C CONTACTS

Gwynedd Council Affordable Housing Officer

Affordable Housing Officer
Strategic Direction Unit
Corporate Policy and Performance
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Gwynedd Council Development Control Department

<p>Arfon Area Planning Control Section Arfon Area Offices Gwynedd Council Penrallt Caernarfon Gwynedd LL55 1BN 01286 682 765</p> <p>Cynllunio@gwynedd.gov.uk Planning@gwynedd.gov.uk</p>	<p>Dwyfor Area Planning Control Section Dwyfor Area Offices Gwynedd Council Ffordd y Cob Pwllheli Gwynedd LL53 5AA 01758 704 118</p> <p>E-mail: Cynllunio@gwynedd.gov.uk Planning@gwynedd.gov.uk</p>
<p>Meirionnydd Area Planning Control Section Meirionnydd Area Offices Gwynedd Council Cae Penarlâg Dolgellau Gwynedd LL40 2YB 01341 424 414</p> <p>E-mail: Planning@gwynedd.gov.uk Cynllunio@gwynedd.gov.uk</p>	

Gwynedd Council Housing Service

Housing Service Arfon Area Offices Gwynedd Council Penrallt Caernarfon Gwynedd LL55 1BN 01286 673 113	Housing Service Dwyfor Area Offices Gwynedd Council Ffordd y Cob Pwllheli Gwynedd LL53 5AA 01758 613 131	Housing Service Meirionnydd Area Offices Gwynedd Council Cae Penarlâg Dolgellau Gwynedd LL40 2YB 01341 422 341
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RURAL HOUSING ENABLER

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