

Item 9 - Approval to Seek Additional Designation of Parishes/areas under Section 157(1) of the Housing Act 1985.

The attached report was considered by the Housing & Health Advisory Committee on 23 November 2021. The relevant Minute extract is below.

Housing & Health Advisory Committee (23 November 2021, Minute 33)

The Housing Strategy Manager presented the report proposing an application be submitted to the Secretary of State for Department of Levelling up, Housing & Communities to seek additional areas within the District to be designated 'rural' under section 157(1) of the Housing Act 1985.

From 2014, affordable housing contributions could be sought for planning application sites with a net residential addition of ten or more homes. Local authorities were able to set a lower threshold to rural areas described under section 157(1) of the Housing Act 1985. S157 designation had applied to over 60% of the District as they were located within Areas of Outstanding Natural Beauty (AONB). A lower site threshold of six to nine homes was agreed by Cabinet to be applied to these designated areas, but could not be applied to rural areas located outside of the AONBs.

Local authorities may apply to have additional areas designated rural under S157(1). Parishes would be required to have a population density of less than two persons per hectare and for any settlements within them have a population of fewer than 3,000 inhabitants, with some flexibility to the first criterion.

Rural designation under S157(1) would allow the Council to put restrictive covenants in place so the home could only be sold on to someone who had been living or working in the parish for three years. It would also enable the Council to apply the lower site threshold to all new market housing sites within the parish to maximise the opportunity for S106 commuted sum payments towards the delivery of new affordable housing.

Members asked questions of clarification.

Public Sector Equality Duty

Members gave consideration to impacts under the Public Sector Equality Duty.

Resolved: That it be recommended to Cabinet that an application to the Secretary of State for Levelling Up, Housing and Communities, seeking additional areas/parishes in the District (as detailed in Appendix A) to be designated under section 157(1) of the Housing Act 1985, be submitted.