



Chelmsford City Council Cabinet

18 October 2022

Self-Build and Custom Housebuilding Register – Consultation Feedback & Implementation of Locality Test

Report by:
Director of Sustainable Communities

Officer contacts:
Amy Rayner,
Housing Policy Officer, amy.rayner@chelmsford.gov.uk 01245 606587

Liz Harris-Best,
Principal Housing Implementation and Strategy Officer,
liz.harrisbest@chelmsford.gov.uk, 01245 606378

Purpose

To consider the consultation responses received to the introduction and implementation of a local connection test to Chelmsford's Self-Build and Custom Housebuilding Register.

Options

1. Adopt or not the proposed Locality Test
2. Amend the proposed Locality Test

Preferred option and reasons

The feedback from consultation indicates support for a Locality Test and the proposed criteria are regarded as fair and reasonable.

Recommendation:

The Locality Test detailed in this report be adopted for use as part of Chelmsford's Self-Build and Custom Housebuilding Register.

1. Introduction

- 1.1 This report is seeking the adoption of a test to prioritise those with a local connection to Chelmsford for referral for self and custom housebuilding plots. This follows a consultation approved at the Chelmsford Policy Board on 26 May 2022 on this matter which ran from 8th June 2022 to 20th July 2022.

2. Background

- 2.1 The Self-build and Custom Housebuilding Act 2015 (as amended)¹ places a duty on Chelmsford City Council to keep a Self-Build and Custom Housebuilding Register ('the Register') of individuals and groups who wish to acquire serviced plots of land to bring forward self-build and custom housebuilding projects.
- 2.2 The Council has a duty to grant sufficient planning permissions to meet the demand identified on the Register. The Register therefore provides the Council with an understanding of the level and type of demand for self-build and custom build development within the administrative area.
- 2.3 In accordance with the Self-build and Custom Housebuilding Regulations 2016², individuals and groups are currently able to apply to join Chelmsford's Register provided the following eligibility criteria is met³:
- Applicant/s are aged 18 or over;
 - Applicant/s are a British citizen, a national of an EEA state, or a national of Switzerland; and;
 - Applicant/s are looking to acquire a serviced plot/s of land within the administrative area of Chelmsford to build a house to live in as their main residence.

¹ <https://www.legislation.gov.uk/ukpga/2015/17>

² <https://www.legislation.gov.uk/uksi/2016/950/made>

³ Where a group is applying, every member of the group must meet the criteria

- 2.4 Planning Practice Guidance⁴ (PPG) states that authorities can choose to set additional eligibility criteria to join the Register, based upon locality. Adopting additional eligibility criteria in the form of a locality test creates a Part 1 and Part 2 to the Register. Part 1 consists of those who meet the local connection criteria set in addition to the criteria listed above, whilst Part 2 is retained for those that meet all of the eligibility criteria except for the local connection test.
- 2.5 The PPG advises that authorities seeking to introduce additional eligibility criteria, therefore introducing Parts 1 and 2 to their Self Build and Custom Housebuilding Register, consult on their proposals.
- 2.6 This report summarises the results of the consultation and proposes that Chelmsford introduce a local connection test (locality test).

3. The Extent of Chelmsford's Duty to Grant Planning Permission

- 3.1 Chelmsford City Council have a duty to grant development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area. The level of demand is established by reference to the number of entries added to the Register during a base period.
- 3.2 The first base period began on the day on which the register was established, 1 April 2016, and ended on 30 October 2016. Each subsequent base period is then the 12-month period immediately after the end of the previous base period. Subsequent base periods therefore run from 31 October to 30 October each year.
- 3.3 From the end of each base period, the Council has three years in which to permit an equivalent number of plots of land, which are suitable for self-build and custom housebuilding, as there are entries for that base period on the Register.

Progress in meeting existing identified demand

- 3.4 The Self Build legislation does not specify how suitable permissions must be recorded, but the PPG offers the following examples of methods a relevant authority may wish to consider to determine if an application, permission or development is for self-build or custom housebuilding:
 - Whether developers have identified that self-build or custom build plots will be included as part of their development and it is clear that the initial owner of the homes will have primary input into its final design and layout;

⁴ <https://www.gov.uk/guidance/self-build-and-custom-housebuilding>

- Whether a planning application references self-build or custom build and it is clear that the initial owner of the homes will have primary input into its final design and layout; and
 - Whether a Community Infrastructure Levy or Section 106 exemption has been granted for a particular development.
- 3.5 Following this guidance, the Council has identified a total of 184 suitable development permissions that have contributed to meeting the identified demand on the Register. These have primarily been identified by the third method listed above as officers are able to generate lists of applications that have been granted CIL relief.
- 3.6 Table 1 below shows the base period in which each of these were permitted.

Table 1: Number of suitable permissions granted split by Base Period

Base Period	No. of permissions granted
1. 01/04/16-30/10/16	N/A
2. 31/10/16-30/10/17	38
3. 31/10/17-30/10/18	43
4. 31/10/18-30/10/19	32
5. 31/10/19-30/10/20	39
6. 31/10/20-30/10/21	30
7. 31/10/21-01/04/2022	2
TOTAL	184

- 3.7 In terms of meeting the demand identified within the Self Build and Custom Housebuilding Register, Table 2 below shows how the permissions so far identified have shaped Chelmsford's performance in meeting the demand – accurate as of 1 April 2022.

Table 2: Chelmsford's performance in meeting demand identified through the Self and Custom Build Register based upon permissions granted

Base Period	Total no. Applicants on Register	Deadline for meeting Base Period demand	Development Permissions Granted to meet demand
1	18	30/10/2019	38
2	21	30/10/2020	43
3	36	30/10/2021	36
4	65	30/10/2022	65
5	42	30/10/2023	2
6	80	30/10/2024	0
7 (up to 01/04/22)	20	30/10/2025	0
TOTAL	282	-	184

Green indicates where the number of permissions granted following the respective base period have been sufficient in meeting demand.

- 3.8 Table 2 shows that to date, Chelmsford has successfully met the demand identified on the Self-Build and Custom Housebuilding Register through granting enough suitable permissions before the relevant deadlines.

Forecast for meeting future identified demand

- 3.9 Table 2 doesn't account for plots that are in the process of coming forward through the allocated strategic sites in the adopted Local Plan. Local Plan Policy DM1 states that within developments of 100 dwellings or more, the Council will require 5% of dwellings to be self/custom build. Plots that are coming forward through this route are to be counted once the outline or full application has been approved.
- 3.10 Based upon the most up-to-date published trajectory, it is anticipated that these plots will be countable at the dates specified within Table 3.

Table 3: Anticipated Self/Custom build provision from Local Plan sites

Strategic Site	Number of Self and/or Custom Build Plots expected	Anticipated date that these plots can be counted towards demand
SGS2 – West Chelmsford	(5% of 880) 44	121 Summer 2022
SGS8 – North of Broomfield	(5% of 512) 26	
SGS10 – North of South Woodham Ferrers	(5% of 1020) 51	
SGS1b – Former St Peters College	(5% of 245) 12	30 Financial year 2023/2024
SGS3a – East Chelmsford, Manor Farm	(5% of 250) 13	
SGS3c – East Chelmsford, Land South of Maldon Road	(5% of 100) 5	
SGS6 – North East Chelmsford	(5% of 3000) 150	193 Financial year 2024/2025
SGS7a – Great Leighs, Land at Moulsham Hall	(5% of 750) 38	
SGS7c – Great Leighs, Land North and South of Banters Lane	(5% of 100) 5	
CW1a – Former Gas Works	(5% of 250) 13	21 Financial year 2025/2026
SGS1d – Riverside Ice and Leisure Land	(5% of 150) 8	
CW1c – Lockside	(5% of 130) 7	7 Financial year 2026/2027

CW1d – Baddow Road Car Park	(5% of 190) 10	10	Financial year 2027/2028
SGS7b – Great Leighs, Land East of London Road	(5% of 250) 13	18	Financial year 2028/2029
SGS13 – Danbury	(5% of 100) 5		
SGS1e – Civic Centre Land	(5% of 100) 5	5	Financial year 2033/2034

- 3.11 Comparing the remaining identified demand in Table 2 with the projections in Table 3, it is the Officers view that demand for Self-Build and Custom Build development can be met subject to those development sites coming forward as envisaged.

4. Proposal to Introduce a Local Connection Test (Locality Test)

- 4.1 Where sites coming forward with 100 or more dwellings are required to provide a proportion of self-build and custom build plots – as per Local Plan Policy DM1 – both the Self-Build Advice Note and the Planning Obligations Supplementary Planning Document (POSPD) state that the Council will secure a S106 obligation that will set out priority mechanisms ensuring the provision of self and custom build plots meet local need.
- 4.2 The POSPD expands further to specify that, as part of the priority mechanisms, one or more adults from the applicant household must live or work within the administrative area of Chelmsford. The S106 obligation will include reference to a restrictive marketing period of three months, whereby those evidencing a local connection will be given priority to purchase plots over other potential purchasers that do not work or live within Chelmsford.
- 4.3 To aid developers in the implementation of these priority mechanisms, and work towards prioritising local need, it is proposed to introduce a locality test to the Register itself. In accordance with the PPG, introducing a local connection test will separate the Register out into a Part 1 and Part 2. Part 1 of the Register would detail those applicants who evidence that they have a local connection to Chelmsford in addition to meeting the standard eligibility criteria; whereas Part 2 details those who meet the standard eligibility criteria but do not have a local connection to Chelmsford.
- 4.4 In line with the Self Build and Custom Housebuilding Regulations 2016 and to remain consistent with the approach adopted within the First Homes Planning Advice Note, the recommendation is that the local connection test to be applied to the Register includes one of the following criteria:
- Individuals live or work within the Chelmsford administrative area; or

- Individuals are an essential local worker as defined within the National Planning Policy Framework; or
- Individuals are in the service of the regular armed forces of the Crown (as defined within section 374 of the Armed Forces Act 2006) (or are ex-personnel for a period equal to the length of the longest of any periods that may be required by the test for a condition to be satisfied)

5. Implications of Introducing a Part 1 and Part 2 to the Register

The Council's duty to meet demand identified on the Register

- 5.1 The Self-Build and Custom Housebuilding Regulations 2016 state that authorities with two parts to the Register have a duty to grant enough development permissions to meet the demand only identified on the Part 1 of the Register. Both parts however must be considered when calculating the overall demand for self-build/custom-build housing in plan development.

Prioritisation of those on Part 1

- 5.2 Those on Part 2 of the Register would not be precluded from pursuing self-build opportunities that arise within Chelmsford, but a priority mechanism would be in place to offer these opportunities to those with a local connection first.
- 5.3 In practice, this will take the form of a restriction upon the developer, secured through S106 obligation, to market their self-build and custom build plots to those with a local connection for a fixed period of time, before marketing to the wider population.
- 5.4 During this fixed marketing period, the Council will be able to raise awareness of this opportunity to those on Part 1 of the Register. Once the fixed marketing period has ended, the Council can raise awareness to the whole Register – Parts 1 and 2 – subject to there still being plots available.

Periodic review of the locality test

- 5.5 The PPG recommends that if adopted, the locality test is periodically reviewed to ensure the test remains appropriate and is still achieving the desired effect. It is proposed that this be reviewed when the POSPD is reviewed.

6. Consultation Process

- 6.1 Though not statutorily bound to do so, the PPG advises that authorities seeking to introduce additional eligibility criteria and therefore introducing

Parts 1 and 2 to their Self Build and Custom Housebuilding Register consult on their proposals and to review their adopted locality test periodically to ensure the test remains appropriate and is still achieving the desired effect.

- 6.2 Following approval from Policy Board, we consulted on the proposal to introduce a Part 1 and Part 2 to the Self-Build and Custom Housebuilding Register as well as the criteria proposed for the locality test, via webform through the Council website at: <https://www.chelmsford.gov.uk/planning-and-building-control/planning-policy-and-local-plan/building-your-own-home-and-community-led-housing/consultation-on-changes-to-the-register/>. The webform that was used is attached as Appendix 1 of this report. An Equality Impact Assessment was also prepared to address the proposals and is attached as Appendix 2.
- 6.3 The webform consultation was open for 6 weeks from 8th June 2022 to 20th July 2022, to avoid the summer holidays but allow sufficient time for stakeholders to respond.
- 6.4 The consultation was accessible to all, and reference to the consultation is featured on the Council's "Building your own home and community-led housing" webpage. In addition, notification of the consultation was sent to all of those currently on the Register – a total of 289 applicants at the time of consulting – as this is the main group seen to be impacted by the outcomes.

7. Consultation Feedback

- 7.1 It was agreed at Chelmsford Policy Board that the consultation feedback and any subsequent proposed changes to the locality test be brought to Cabinet for approval.
- 7.2 A full summary of the responses can be seen in Appendix 3, noting that personal details and identifying information has been redacted. In summary, 13 responses were received, 12 via the webform method, and 1 via email. All 13 respondents were individuals, with 12 currently on the Self-Build Register. 8 confirmed that they reside in Chelmsford, 4 reside outside of Chelmsford, and 1 did not confirm.
- 7.3 In response to the question asking to what extent the respondent agreed or disagreed with proposal to introduce a Part 1 and Part 2 to the Register:
- 4 strongly agreed – with all 4 residing in Chelmsford
 - 4 agreed – with 3 residing in Chelmsford and 1 not
 - 1 neutral – who is not a Chelmsford resident
 - 3 strongly disagreed – with 1 residing in Chelmsford and 2 not
 - 1 did not confirm – unknown whether local or not

- 7.4 In response to the question asking to what extent the respondent agreed or disagreed with the proposed locality test criteria:
- 1 strongly agreed – who resides in Chelmsford
 - 6 agreed – all of whom reside in Chelmsford
 - 1 disagreed – who was not a Chelmsford resident
 - 4 strongly disagreed – 1 of which resides in Chelmsford, the other 3 do not
 - 1 did not confirm – unknown whether local or not
- 7.5 Within the comments, respondents have indicated support for the locality test criteria with respect to the opportunity it provides young people to remain in the area and support for the inclusion of Key Workers. A suggestion has been made to include a ‘family connection’ criterion so as not to fully exclude those looking to move closer to family.
- 7.6 PPG cites ‘having a family member residing in the local area’ as a criterion that local authorities may wish to include within a locality test. However, the inclusion of such criterion in a local connection test for the Self-Build and Custom Housebuilding Register would prevent achievement of the aspiration to align the Register with the priority mechanisms stipulated within the POSPD, Self-Build Advice Note and First Homes Planning Advice Note, which seek to prioritise local demand from households already resident or working in the administrative area of Chelmsford City Council. Therefore, Officers do not consider this criterion suitable for the locality test.
- 7.7 The remaining comments provided were neutral to or not relevant to the consultation. It is noted that there is dissatisfaction expressed in the Register being split, as it is felt this would reduce or even eliminate the opportunity for those not living in Chelmsford of obtaining a self-build plot. However, this outcome is not considered an effect of the proposal but is instead a potential consequence of the prioritisation mechanism in marketing of Self-Build plots that is already adopted within the POSPD and the Self-Build and Custom Build Planning Advice Note.
- 7.8 The feedback thus shows there is a general agreement for both the introduction of a locality test to the Self-Build and Custom Housebuilding Register that would split the Register into a Part 1 and Part 2, as well as the proposed criteria to be used for this local connection test.

8. Next Steps

- 8.1 It is therefore not recommended that any alterations be made to the proposal to adopt a local connection test for the Self-Build Register as considered at Chelmsford Policy Board and as set out above.

- 8.2 It is recommended to approve the adoption of a local connection test for Chelmsford's Self-Build and Custom Housebuilding Register, with the proposed criteria for this test as amended per suggestions brought forward at Chelmsford Policy Board set out in paragraph 4.4 above.
- 8.3 If approved, the local connection test will come into effect as of 13 December 2022, at which point all new applicants will be asked to evidence their locality in accordance with the test set out above if they wish to be added to Part 1, in addition to the statutory eligibility criteria set out in legislation.
- 8.4 The timeframe between now and the proposed adoption date will provide officers and the digital team sufficient time to review and update the application process for joining the Self-Build Register in addition to the associated Privacy Notice to accord with the above proposals.
- 8.5 Existing applicants who have previously been successful in joining the Register were never asked to evidence their locality. Therefore, there is currently no robust way to tell whether those on currently on the Register would be eligible or not to be entered onto Part 1 of the Register.
- 8.6 To address this, all existing applicants on the Register will be contacted and offered the opportunity to provide evidence before the 13 December 2022 to confirm they would be eligible to be entered onto Part 1 of the Register. If the appropriate evidence is not provided, they will be placed on Part 2 of the Register.

List of appendices:

Appendix 1 – Consultation webform: Consultation on changes to the Self Build and Custom Housebuilding Register

Appendix 2 – Equality Impact Assessment

Appendix 3 – Consultation Responses

Background papers:

Self-Build and Custom Build Planning Advice Note

Planning Obligations Supplementary Planning Document

First Homes Advice Note

Corporate Implications

Legal/Constitutional:

The Self-build and Custom Housebuilding Act 2015 (as amended) places a duty on Chelmsford City Council to keep a Self-Build and Custom Housebuilding Register of individuals and groups who wish to acquire serviced plots of land and for the Council to then grant enough development permissions to meet the demand identified on the Register.

The Self-build and Custom Housebuilding Regulations 2016 specifies that the following eligibility criteria must be met to join the Register:

- Applicant/s are aged 18 or over;
- Applicant/s are a British citizen, a national of an EEA state, or a national of Switzerland; and;
- Applicant/s are looking to acquire a serviced plot/s of land within the administrative area of Chelmsford to build a house to live in as their main residence.

Authorities can introduce additional eligibility criteria to split the Register into a Part 1 and 2. The Self-Build and Custom Housebuilding Regulations 2016 state that authorities with Parts 1 and 2 to the Register have a duty to grant enough development permissions to meet the demand only identified on the Part 1 of the Register. Both parts however must be considered when calculating the overall demand for self-build/custom-build housing in plan development.

Financial:

There is an existing administrative burden to maintain the Self and Custom Housebuilding Register. The introduction of the locality test would add minimal additional burden.

Potential impact on climate change and the environment:

Self and custom build development needs to adhere to the Council's sustainable development policies within the adopted Local Plan and the guidance within the Council's Making Places SPD. Prioritising plots for those with a local connection has potential to cut carbon emissions through reduced migratory travel into the area.

Contribution toward achieving a net zero carbon position by 2030:

Self and custom build development needs to comply with relevant policies and Building Regulations which are currently working towards a net zero carbon position by 2030. There is scope that such development will go above and beyond these policies and Building Regulations as many are interested in self and custom build for the opportunity to improve environmental performance of their home.

Personnel:

N/A

Risk Management:

N/A

Equality and Diversity:

An Equality Impact Assessment (EIA) has been conducted to assess the effects of introducing a locality test to the Self-Build and Custom Housebuilding Register.

Health and Safety:

N/A

Digital:

Support from Website and Content Analyst required for consultation period to ensure webforms are working and webpages are appropriately updated.

Other:

N/A

Consultees:

Digital Services

Relevant Policies and Strategies:

Local Plan Policy DM1

Appendix 1 – Consultation webform: Consultation on changes to the Self Build and Custom Housebuilding Register

Consultation on changes to the Self Build and Custom Housebuilding Register

* Required

1. First name *

Enter your answer

2. Last name *

Enter your answer

3. Organisation

Enter your answer

4. Email address *

Enter your answer

5. Which of the following apply to you? *

	Yes	No
I live within the Chelmsford administrative area	<input type="radio"/>	<input type="radio"/>
I am on the Chelmsford Self-Build and Custom Housebuilding Register and seek a self-build or custom build plot	<input type="radio"/>	<input type="radio"/>
I represent a developer	<input type="radio"/>	<input type="radio"/>
I represent a town or parish council	<input type="radio"/>	<input type="radio"/>
I represent an organisation	<input type="radio"/>	<input type="radio"/>

Next

Never give out your password. [Report abuse](#)

* Required

6. To what extent do you agree/disagree with our proposal to introduce a Part 1 and Part 2 to the Self-Build and Custom Housebuilding Register? *

People with a local connection would be added to Part 1

- Strongly disagree
- Disagree
- Neutral
- Agree
- Strongly agree

7. To what extent do you agree/disagree with the proposed local connection criteria? *

- Strongly disagree
- Disagree
- Neutral
- Agree
- Strongly agree

8. Any other comments

Enter your answer

Back

Submit

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Chelmsford City Council Equality Impact Assessment

This form enables an assessment of the impact a policy, strategy or activity on customers and employees.

A: Assessor Details	
Name of policy / function(s):	Introduction of a locality test to the Self-build and Custom Housebuilding Register
Officer(s) completing this assessment:	Amy Rayner
Date of assessment:	13 May 2022

B: Summary Details	
<p>Description of policy, strategy or activity and what it is aiming to do</p>	<p>The purpose of the proposal to introduce a locality test to the Self-Build and Custom Housebuilding Register is to be able to identify those on the Register who have an evidenced local connection to the administrative area of Chelmsford.</p> <p>This will align the register with the prioritisation mechanisms as set out within the Planning Obligations Supplementary Planning Document (POSPD) and Self-Build Planning Advice Note which seek to ensure local demand is prioritised.</p> <p>Where self-build or custom housebuilding plots come forward in accordance with Local Plan Policy DM1, developers are required by S106 obligation to market these plots to those with a local connection for a fixed time period before opening up the marketing to all others.</p> <p>Knowing who on the Register has an evidenced local connection to Chelmsford means that the Council can raise awareness of self-build opportunities to this group within the fixed marketing period, before notifying all others on the Register after this fixed marketing period</p>

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	<p>has ended, helping to actively prioritise local demand.</p> <p>The approach to introducing a locality test has been guided by the Self-Build and Custom Housebuilding Regulations 2016 (the Regulations). These stipulate that in adopting a locality test, the Register will split into a Part 1 and Part 2, whereby those on Part 1 have met the locality eligibility criteria set by the Council in addition to their eligibility criteria surrounding age, nationality, and desire to build within the administrative area as set out in the Regulations. Part 2 consists of those that have met the eligibility criteria surrounding age, nationality, and desire to build within the administrative area but have not met the Council's locality criteria.</p> <p>The Self-Build and Custom Housebuilding Regulations 2016 set out that in adopting a locality test and therefore splitting the Register into a Part 1 and Part 2, the statutory duty alters so as the Council are required to grant enough development permissions within the appropriate timeframes to meet the identified demand on Part 1 only. Both Parts 1 and 2 must still be considered when calculating the overall demand for self-build/custom-build housing in plan development.</p> <p> <input checked="" type="checkbox"/> new OR <input type="checkbox"/> existing (<i>If existing, when was the last assessment?</i>) <input type="checkbox"/> internal OR <input checked="" type="checkbox"/> external (i.e. public-facing) <input checked="" type="checkbox"/> statutory OR <input type="checkbox"/> non-statutory </p>
<p>Policy Owner (service)</p>	<p>Spatial Planning</p>
<p>Scope: Internal - Service/Directorate/Council wide External – specify community groups</p>	<p>Internal – Directorate of Sustainable Communities External – Existing and future applicants to the Self-build and Custom Housebuilding Register, developers</p>

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Using the information above, assess if the policy / function could potentially disproportionately impact on different protected groups. Specify if the potential impact is positive, could adversely impact or if there is no impact. If an adverse impact, indicate how the impact will be mitigated.

Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
Age What will the impact be on different age groups such as younger or older people?	No	No	Yes	Introduction of a locality test does not introduce a discrimination against age. However, the eligibility criteria as established by the Regulations – which must be complied for entry onto both Part 1 and Part 2 of the Register – specify that applicants must be of 18 years or over.	This is legislative and cannot be overcome.
Disability Consider all disabilities such as hearing loss, dyslexia etc as well as access issues for wheelchair users where appropriate	No	No	Yes		
Pregnancy and maternity Pregnant women and new and breastfeeding Mums	No	No	Yes		
Marriage or Civil Partnership	No	No	Yes		

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Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
Could this policy discriminate on the grounds of marriage or civil partnership					
Sex Is the service used by more than one gender and are the sexes given equal opportunity?	No	No	Yes		
Gender reassignment Is there an impact on people who are going through or who have completed Gender Reassignment?	No	No	Yes		
Religion or belief Includes not having religion or belief	No	No	Yes		
Sexual Orientation What is the impact on heterosexual, lesbian, gay or bisexual people?	No	No	Yes		
Race Includes ethnic or national	No	No	Yes	Introduction of a locality test does not introduce a	This is legislative and cannot be overcome.

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Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
origins				discrimination against race. However, the eligibility criteria as established by the Regulations – which must be complied for entry onto both Part 1 and Part 2 of the Register – specify that applicants must be a either a British citizen, a national of an EEA state or a national of Switzerland.	
<p>Are there any other groups who could find it difficult to access or make use of the policy / function?</p> <p>For example: low income / people living in rural areas / single parents / carers and the cared for / past offenders / long-term unemployed / housebound / history of domestic abuse / people who don't speak English as a first language / people without computer access etc.</p>	Yes	Yes	No	<p>Those unemployed or of no fixed address but residing within Chelmsford may have difficulty providing evidence of their locality to the administrative area.</p> <p>Those without access to a computer are unable to complete the registration form and submit any applicable evidence to join the Register</p> <p>Those with an existing connection to the local</p>	<p>In the same way as the Housing Register applications are process, a wide variety of evidence will be accepted to evidence locality. This can include tenancy agreements, bills, council tax records, pay slips, employment contracts etc. Informal forms of evidence such as letters or photographs will be determined at the discretion of the Council on a case-by-case basis.</p> <p>Application to join the Self-Build and Custom Housebuilding Register can be made without use of the online form. The</p>

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Characteristic	Positive impact	Could adversely impact	No impact	How different groups could be affected	Actions to reduce negative or increase positive impact
				area – through either residence or employment gain a level of confidence that their desires to remain within the administrative area are prioritised	responsible officer can provide a paper form and details on how evidence can be provided by alternative means.

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Equality Impact Assessment**

D: Consultation process, information used to analyse the effects on protected groups/equality and key findings Please describe the consultation process and evidence gathered. You may attach copies or links to the data / research you are using.		
1.	<p><u>Consultation/engagement</u> What consultation or engagement has been undertaken regarding this policy? <i>[Please summarise what, when and who was involved]</i></p>	<p>Engaged with Digital Services to draft a web consultation and web page detailing the proposals</p>
2.	<p><u>Key findings</u> <i>(Summarise the key findings of your consultation in relation to protected groups as outlined above).</i></p>	<p>A webpage and online consultation can be set up to meet the Council’s accessibility guidelines</p>
3.	<p><u>Data/Information</u> What relevant data or information is currently available about the customers and employees who may use this service or could be affected by this policy? <i>(For example: equality monitoring, surveys, demographic data, research, evidence about demand/ take-up/satisfaction etc).</i></p> <p>What additional information could be collected which would increase your understanding about the potential impact of the policy? <i>(What involvement or consultation with affected groups is still needed?)</i></p>	<p>The Council currently have a handful of webpages which provide information in relation to the Self-Build and Custom Housebuilding Register. This includes links to the application form to join the register, an informative page on the different types for self and custom build developments, and advice and resource pages that provide links to external webpages with specialist information.</p> <p>Evidence in relation to existing demand on the register is published quarterly within the Self-Build and Custom Build Planning Advice Note – again, available on our website. This identifies current trends in demand relating to type of dwelling, location within the administrative area and number of bedrooms desired etc.</p> <p>The consultation on the proposal to introduce a locality test to the register will gauge levels of support and any concerns from those already on the register and possibly developers. This will help guide the Council on how/whether to implement the locality test.</p>

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4.	<p>For existing policies, strategy, activity only: What has changed since the last assessment? <i>(For example: evidence of public concern or complaints / new information has come to light / changes in service provision / changes in service users/ assessed impact on protected groups etc)</i></p>	<p>Reason for proposal to introduce the locality test to the Self-Build and Custom Housebuilding Register is to align the approach to meeting identified demand with that stated within the Planning Obligations Supplementary Planning Document, the Self-Build Planning Advice Note and First Homes Planning Advice Note which all take the approach of prioritising local need/demand first.</p>
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E: Relevance to the Equality Duty Aims:

Consider how the policy relates to the aims below (directly or indirectly), and if it could be adjusted to further meet these equality aims.

1.	<p>To eliminate unlawful discrimination, harassment and victimisation</p>	<p>The measures identified above will reduce any negative impact on the identified protected groups.</p>
2.	<p>To advance equality of opportunity between people who share a protected characteristic and those who do not <i>(This means removing or minimising disadvantages, taking steps to meet needs of different people and encouraging participation. It can involve treating people better than others, e.g. disabled people).</i></p>	<p>The measures identified above will ensure equality of opportunity between those with and without protected characteristics.</p>
3.	<p>To foster good relations between those who share a protected characteristic and those who do not. If so, how? <i>(This means promoting understanding</i></p>	<p>Having transparency around our proposal and implementation of a locality test through details that will be featured on our webpages will foster good relations between those with and without a local connection. This is as there will be clear justification and robustness in the</p>

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<i>between different groups and tackling prejudice)</i>	purpose and execution.
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F: Conclusion	
Decision:	Explanation:
<input checked="" type="checkbox"/> Continue the policy with no changes <i>[For example: evidence suggests no potential for discrimination / all opportunities have been taken to advance equality.]</i>	Identified potential discrimination stems from legislation as opposed to the proposal to introduce a locality test. Measures have been identified to ensure any additional potential discrimination is avoided.
<input type="checkbox"/> Continue the policy with adjustments <i>[For example: Low risk of negative impact / actions or adjustments would further improve positives or remove a potential negative impact.]</i>	
<input type="checkbox"/> Adverse impact but continue <i>[For example: Negative impact has been objectively justified.]</i>	
<input type="checkbox"/> Suspend or withdraw the policy for further review / consideration of alternative proposals <i>[For example: High risk of negative impact for any group / insufficient evidence / need to involve or consult with protected groups / negative impact which cannot be mitigated or justified / unlawful discrimination etc.]</i>	

Approved by:

Lead Officer / Responsible officer: *Amy Rayner*

Date: 17/05/2022

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Senior Manager:

Date: 17/05/2022

[Please save a copy and send one to Human Resources for publication on the website as appropriate]

Appendix 3 - Summary of Responses to the Consultation proposing the Introduction of a Locality Test to the Self-Build Register

Method of Response	Live in Chelmsford?	Currently on Self-Build Register?	Do you represent a:			To what extent do you:		Comments
			Developer	Parish Councillor	Organisation	Agree with the proposal?	Agree with the proposed Locality Test criteria?	
Email		Yes						My comments are as follows, The register is worth than useless. I have been on for in excess of 5 years and only ever received one notification.
Webform	Yes	No	No	No	No	Strongly disagree	Strongly disagree	I also particularly agree with the proposal that key workers, particularly those that work within Essex and more so for Essex (such as myself) be afforded greater priority for opportunities to self build. This I feel supports equality and provides more opportunity for those people who work for local government including the health and social care sector staff, to build their own home in their area of preference which they otherwise are unlikely to be able to afford to do, due to lower earnings.
Webform	No	Yes	No	No	No	Strongly disagree	Strongly disagree	
Webform	Yes	Yes	No	No	No	Agree	Agree	I have had very limited contact with anyone as a result of joining the register. It would be encouraging if there were more opportunities to consider.
Webform	Yes	Yes	No	No	No	Agree	Agree	
Webform	Yes	Yes	No	No	No	Strongly agree	Agree	I live in Chelmsford and work on Chelmsford on a full time basis
Webform	No	Yes	No	No	No	Neutral	Disagree	I have nothing against adding the local connection section to the register however, I find it unfair that those that have are already on the register would also be split. As someone that has been on the register for a number of years, and having only received information about one, possibly two, opportunities in this time (appreciating the effects of Covid), I believe that if I was to be put into part 2 of the list, I would never hear from you again. Perhaps there needs to be an expansion of the criteria for local connection or weighting for individual circumstances. From my point of view, I have lived and worked in Chelmsford, my wife comes from there and my sister in law (and family) still lives there so I do have a local connection though could appreciate current residents or workers getting a higher priority.
Webform	Yes	Yes	No	No	No	Agree	Agree	I like the overall principle - the priority for me is the opportunity for local younger people to access housing, so local residency makes sense. I'm less sure about the need for people to be working 'locally'. Young people these days are just as likely to be travelling/commuting outside the area for their work. Would this rule them out?
Webform	Yes	Yes	No	No	No	Strongly agree	Strongly agree	
Webform	No	Yes	No	No	No	Strongly disagree	Strongly disagree	I was born in chelmsford,so regard myself as a local man,but your proposal would bar me for any self build plot.It is more inportant to have experinced people with a trade background to undertake self build.
Webform	No	Yes	No	Yes	No	Agree	Strongly disagree	In our case, our entire family lives in Chelmsford. We are looking to move back but there is not sufficient housing stock to fit our families needs, especially adapted for disabilities. The criteria set out would actually exclude us from the "local connections" despite us visiting fortnightly with grandparents, cousins, childhood friends, and social groups all being in Chelmsford. Ideally, these criteria would be added into "local connections" as whilst we may not currently reside there, or work there, I am sure many people will be commuting to London and have family or friends in Chelmsford, looking to return but hampered by what property is on offer.
Webform	Yes	Yes	No	No	No	Strongly agree	Agree	
Webform	Yes	Yes	No	No	No	Strongly agree	Agree	