



The Affordable Housing Draft Supplementary Planning Document

Derbyshire Dales District Council's Response to Representations made to the Affordable Housing Consultation Draft Supplementary Planning Document

This statement has been prepared in order to comply with Regulation 18 (4) (b) of the Town and Country Planning (Local Development) (England) Regulations 2004, for the adoption of Supplementary Planning Documents by Local Planning Authorities

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1. The Affordable Housing Draft Supplementary Planning Document (SPD) and accompanying Sustainability Appraisal (SA) were subject to a six week period of consultation which expired on Thursday 16 May 2006.

The draft SPD and Sustainability Appraisal were widely circulated to a number of individuals, groups and organisations including:-

- District Councillors
- Housing Associations
- Local house builders and developers
- Adjacent Local Planning Authorities
- Parish and Town Councils
- Registered Social Landlords operating in the District
- Statutory consultees
- Amenity and voluntary organisations
- Agents and architects (who regularly submit application for this type of building).

2. The documents were made available at the Council Offices, local libraries and on the Councils website. Notices were placed in local newspapers and supplemented by press releases.
3. Representations were received from a total of 19 individuals and organisations, with 94 separate comments made during the consultation period. The schedule below summarises each representation and provides Officer comments and recommendations in respect of each one. The Council has now formally considered these representations, and resolved what action to take in respect of each one. It has resolved that on the basis of the representation received to make further changes to the draft SPD. This statement has been prepared in accordance with Regulation 18 (4) (b) of the Town and Country Planning (Local Development) (England) Regulations 2004, for the adoption of Supplementary Planning Documents by Local Planning Authorities.
4. The Town and Country Planning (Local Development) (England) Regulations 2004 requires the Council prior to adoption to have:
 - *“considered any representations received into the draft supplementary planning document; and*
 - *prepared a statement setting out a summary of the main issues raised in these representations and how these main issues have been addressed in the supplementary planning document which they intend to adopt”.*
5. The schedule recommends that amendments be made to the SPD prior to adoption. It is considered appropriate that this forms the basis of the statement required under the Regulations.
6. This document gives a full list of the changes to the text of the consultation draft Affordable Housing Supplementary Planning Document. The Council has considered each representation received during the formal public consultation, and in response has made some changes to the document. All changes are made in sequence of the SPD.

The text that the Council propose to delete from the SPD is ~~crossed out~~

The new text that the Council propose to include in SPD is in *italics*

Each representation is divided into

Number	Objector	Type	Heading / Page	Summary of Representation	Officer's comments and recommendations
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Number	This is a unique reference number given to the representation.				
Objector	Name of person, agent or organisation.				
Type	Whether the representation is support, objection or comment				
Heading/Page	This is the original paragraph / page in Affordable Housing Draft Supplementary Planning Document – March 2006				
Summary of Representation	This sets out the representation.				
Officer's Comments and Recommendation	This sets out the Officer's comments and recommendations in respect of all the objections.				

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No	Objector	Type	Heading / Page	Representation	Officer Comments and Recommendations
1	East Midlands Regional Assembly	Support	General	The RSS8 includes specific policies on Affordable Housing (Policy 18) and sets an overall regional context for target setting and monitoring. The Affordable Housing Consultation Draft Document is extremely thorough and fulfills all the criteria in this policy and supporting text.	Noted Recommendation No further change
2	Derbyshire County Council	Support	General	The Council considers that the draft Supplementary Planning Document on Affordable Housing provides thorough and comprehensive guidance on the provision of affordable housing in the District, which is fully in accordance with the provisions of the adopted Derby and Derbyshire Joint Structure Plan and should be supported;	Noted Recommendation No further change
3	John Collins	Objection	Page 2 Para 2.1-2.4	Paragraphs 2.1 – 2.4 deal with the Housing Needs Survey undertaken almost 5 years ago in 2001. According to this “objective assessment” there was a net shortfall of affordable housing of 2,284 dwellings in October 2001. Since 2001 house prices have rocketed way beyond what was anticipated even in the worst case scenario. I don’t have access to the figures but clearly the need will be very much greater. Doubtless the Housing Associations are doing their best within the current policy and fiscal framework but what have they actually achieved? Is it even one tenth of the net shortfall identified way back in 2001? To say that “this will not meet the entire backlog housing need” (para 2.2) is, to say the least, understating the reality. The problem has been swept under the carpet for too long. The Council should publish the figures of need and of progress being made towards catering for it. This will focus attention on the true scale of the problem and upon the need for changes in policy and action to more effectively address it.	The revised Housing Needs Survey will give an indication of a new level of need and this will ultimately feed into a new Development Plan Document \ Supplementary Planning Document. A housing market assessment will be commissioned shortly. Both surveys will provide the evidence base for future affordable housing Development Plan Documents. This draft Supplementary Planning Document will complement the affordable housing policies in the adopted local Plan, Recommendation No further change
4	John Collins	Comment	Page 2 Para 3.1	Paragraph 3.1 states that The Derbyshire Dales Corporate Plan and the Derbyshire Dales & High Peak Local Strategic Partnership Community Strategy “ <i>place the provision of affordable housing as a priority</i> ”. Specifically, the Community Strategy recognises “ <i>that everybody should have access to affordable housing that meets the needs of local people and contributes to healthy thriving neighbourhoods.</i> ” These are commendable aims but they have clearly not been translated into effective policies and	The recently published Community Strategy continues to place a priority on Affordable Housing. The Derbyshire Dales Local Plan is one of several vehicles to deliver affordable housing in the District. The Corporate Plan is a strategic document that broadly sets the vision and targets for the Council which includes the number of affordable houses to be provided. The Council has recently secured £9 million through the

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				action. If I'm wrong, please correct me. The Community strategy is 3 years old – what specific changes to policy and action have been made to deliver the above commitment and to what effect?	<p>Housing Corporation to deliver Affordable Housing in the District.</p> <p>Recommendation</p> <p>No further change</p>
5	John Collins	Support	Page 3	Para 4.1 confirms that <i>“one of the priorities”</i> of the joint Housing Strategy for the Peak Sub Region <i>“is to enable the provision of new affordable housing appropriate to the needs of the local population”</i> This is commendable and presumably will lead to new ‘enabling’ initiatives designed to deliver sufficient affordable housing to meet the need.	<p>Noted</p> <p>Recommendation</p> <p>No further change</p>
6	John Collins	Comment	Page 3	Para 5.3 refers to the recognition nationally <i>“that adequate housing, including affordable housing, should be provided to meet local needs and deliver sustainable communities in rural areas.”</i> Will this changing emphasis be reflected in planning policy and practice with the Local Plan Area?	<p>The Government’s objective is that everyone should have the opportunity of a decent home. PPG3 advises that to promote more sustainable patterns of development and make better use of previously land, the focus for additional housing should be within existing towns. This is reflected in the Local Plan which aims to manage the release of land for new residential development in locations that contribute to the achievement of sustainable development, maximises the re-use of previously developed land, and minimises the need to travel by motor vehicle.</p> <p>Recommendation</p> <p>No further change</p>
7	John Collins	Objection	Page 3	Para 5.3 also refers to rural exception sites which <i>“should be small, solely for affordable housing and on land within or adjoining existing small rural communities which would not otherwise be released for general market housing.”</i> This seems at odds with the current stance of insisting on ‘pepper pot’ provision of affordable housing in the towns in order to create mixed, more socially inclusive communities. Equity for rural communities calls for modest mixed housing developments <i>“to meet local needs and deliver sustainable communities”</i> . Geared to meet local needs, these are likely to be heavily biased towards but not exclusively affordable housing. People in rural areas, especially the young, should not continue to be denied the opportunity to own their own	<p>There is no conflict between the Local Plan policies. Policies that allow new development (open market with an element of affordable housing) will be required to be “pepper potted”.</p> <p>The Local Plan embraces Government advice contained in PPG3 and Circular 06/98 by providing policies on affordable housing that seek:</p> <ul style="list-style-type: none"> • an element of affordable housing on suitable sites and • by a rural “exception” policy, which enables the Council to grant planning permission for land within or adjoining villages which would not normally be released for

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				<p>homes by well meaning but in my view misguided over restrictive planning policies. Current policy undermines the sustainability of rural communities by forcing young people to move elsewhere. Balanced provision should include low and modest cost housing for sale including shared ownership as well as rented housing. Whilst I have been requesting this for years, it would now seem to be more in tune with the amended government definition of affordable housing – <i>“non-market housing, which can include social-rented housing and intermediate housing.”</i> (para 5.5).</p>	<p>housing, in order to provide affordable housing to meet local needs in perpetuity.</p> <p>The Local Plan policies have consistently sought to restrict housing development within the rural areas outside the settlement framework boundaries. Policy H13 of the Local Plan allows as an exception to normal planning policy the grant of planning permission for affordable housing on sites that would not normally be released for housing development. Each of these schemes will satisfy an identified and recognised local need. Where such a pressing local need is shown to exist development will be expected to take place within or on the edge of the Settlement Framework and pay regard to normal development control considerations.</p> <p>Recommendation</p> <p>No further change</p>
8	John Collins	Objection	General	<p>Policy should allow for consideration of exception sites adjacent or close to the defined urban areas. Provision of affordable housing from committed schemes is already known and it's woefully inadequate even when it finally gets built. There is no realistic prospect of the shortfall being made up by windfall developments. Clearly safeguards are required regarding the environment and clearly not all edge of settlement sites will be suitable – but some are. Despite being just outside the tightly defined urban areas, some edge of settlement sites have good access to public transport, community facilities and services and to employment sites. A rural exceptions policy is essential (albeit in the modified form suggested to make it more effective) but it is a nonsense to deny the same opportunities to the majority of those in housing need in the main towns.</p>	<p>The draft Supplementary Planning Document cannot change policy, only complement it and provide more details on its implementation.</p> <p>The Rural Exception policy allows in special circumstances development of affordable housing to take place within or on the edge of the Settlement Framework that pay regard to normal development control practice.</p> <p>Recommendation</p> <p>No further change</p>
9	John Collins	Objection	Page 4 Para 6.1	<p>Paragraph 6.1 defines affordable housing in the Derbyshire Dales as housing which <i>“encompasses both low cost market and subsidised housing (irrespective of tenure, ownership, whether exclusive or shared or financial arrangements) that will be available to people who cannot afford to rent or buy houses generally available on the open market.”</i> The following paragraphs go on to reveal that the Council will not accept schemes which comply with its own definition! This</p>	<p>The Council’s definition of affordable housing is contained within the Local Plan and the draft Supplementary Planning Document which reflects the definition contained in PPG3 and Circular 06/98 (Planning and Affordable Housing)</p> <p>The definition of affordable housing in the draft Supplementary Planning Document only seeks to</p>

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				<p>is inequitable. Something is seriously wrong if the practice of an elected body does not follow its own publicly adopted policy. In a situation in which overall delivery of affordable housing is woefully short of need the Council should recognise and welcome the contribution that low cost market housing can make, both in its own right and as an enabler to rented housing as part of a balanced mixed scheme.</p>	<p>encourage Registered Social Landlord involvement to ensure appropriate management arrangements. This is in accordance with Circular 06/98 that contends Registered Social Landlords are an effective way of controlling occupancy.</p> <p>It is however considered that para 6.4 should be amended to avoid any confusion over the Council's definition of affordable housing to include "low cost market housing"</p> <p>Recommendation</p> <p>Amend para 6.4</p> <p>6.4 Consequently, where residential development takes place on sites above the thresholds set out in the Derbyshire Dales Local Plan, and affordable housing is provided on-site, the Council will <i>generally</i> not accept solutions that involve the provision of low cost market housing.</p>
10	John Collins	Objection	Page 11 Para 7.6	<p>Paragraph 7.6 explains that "<i>the Council considers it important to ensure that properties provided as affordable housing are available in perpetuity to meet the needs of the local community</i>". If this was applied to rented housing provided as part of a balanced mix of housing which is what is really needed to meet the needs of local communities, this would be wholly justifiable. However, in the current situation which does not allow for a balanced mix of local needs housing provision, there is a danger that those lucky enough to secure a property may ultimately either find themselves caught in a poverty trap or forced to move out of their home village. Members and Officers should put themselves in the position of those they are trying to help. How would they feel being permanently denied the opportunity to own part or all of their own home. A range of affordable housing is required both in size and tenure to meet identified local needs and the changing needs of those who occupy them. For example, a young couple may need a small rented property but in a few years having started a family they may need larger accommodation and over time they may aspire to owning</p>	<p>The whole purpose of the delivery of affordable housing is to provide an asset for the community which can remain in perpetuity. This can be delivered by Registered Social Landlords (but not exclusively)</p> <p>In principle the Council will seek to provide an asset for the community and accept that a 100% staircasing out is possible. However if current economic and social conditions prevail in the housing market then there will be a continuing need for affordable.</p> <p>The Derbyshire Dales Local Plan establishes that the benefits of affordable housing are passed in perpetuity to those for whom it is most needed.</p> <p>Recommendation</p> <p>No further changes</p>

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				part or all of their own home. They are still local, their needs are still legitimate. In my view, a proactive Council, responsive to the full range of local needs, would seek to cater for needs like these.	
11	John Collins	Support	Page 13 Para 8.2	Good layout and design require thought and skill but need not be costly and certainly not prohibitively so. I would therefore strongly support the policy stance outlined in paragraph 8.2 and commend the Council for taking such a stance.	Noted Recommendation No further changes.
12	John Collins	Objection	Page 13 Para 8.1.3	Paragraph 8.1.3 rightly highlights advice in PPG3 which <i>“encourages local planning authorities to provide wider housing opportunity and choice and a better mix in size, type and location of housing than is currently available, and seek to create mixed communities”</i> . But, the response needs to be much more effective and wide ranging than ‘pepper potting’ affordable housing across a site. Moreover, I doubt pepper potting will be popular with residents or those who provide housing. A number of small groupings well located in relation to public transport and community facilities and services are likely to be more popular and more cost-effective to construct and manage. Far from achieving community integration, scattering affordable housing widely across a site, particularly a large site, may lead to increased isolation and unhappiness.	It is desirable that affordable housing is spread throughout any new housing development in order to achieve a mixed and balanced community (in conformity with PPG3). In terms of management such an approach is generally achievable by Registered Social Landlords The layout of affordable housing is carefully considered at the planning application stage in consultation with the Housing Strategic Officer, who will advise on the arrangements on a site by site basis. Recommendation No further changes
13	John Collins	Support	Page 17 Appendix 1	On reading the Local Plan Policies H10 – H13 (adopted in November 2005) set out in Appendix 1, it seems there may have been a partial, yet nonetheless, welcome change in emphasis to aspects of the original plan which I criticised at the Public Inquiry. In practice, do Policies H12 and H13 now allow for the consideration of affordable housing schemes beyond the settlement framework boundaries of towns as well as villages? If so, in part, this addresses one of my main concerns expressed above in paragraph 1.08.	Where residential development is granted planning permission outside the Settlement Frameworks of Other Settlements and is above the thresholds of the Policy H11 the Council will seek to negotiate a financial contribution towards the provision of affordable housing. The Local Plan’s Rural Exception Policy allows for, where a recognised identified local need exists, affordable housing to be provided elsewhere where housing would not be able to secure planning permission but generally within or on the edge of settlements. Recommendation No further changes
14	William Davis	Object	Page 5	William Davis Ltd. object to the proposed change of approach in the SPD to remove low cost market housing from the definition of affordable housing. Such a change is	The definition of affordable housing in the draft Supplementary Planning Document is the same as the in the Derbyshire Dales Local Plan it only seeks to

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				<p>ultra vires outside of the statutory development plan preparation process. It is also without foundation given the nature of extant government guidance in circular 6/98. Draft guidance in PPS3 carries no weight unless it is confirmed as a final statement of policy. The Council also cannot rely on the Housing Needs Assessment as justification for the approach because this was available at the time the Derbyshire Dales Local plan was prepared.</p>	<p>encourage Registered Social Landlord involvement to ensure management arrangements. This is in accordance with Circular 06/98 that contends Registered Social Landlords are an effective way of controlling occupancy.</p> <p>It is considered that para 6.4 should be amended to avoid any confusion of the Council's definition of affordable housing to include "low cost market housing"</p> <p>Recommendation</p> <p>Amend para 6.4</p> <p>6.4 Consequently, where residential development takes place on sites above the thresholds set out in the Derbyshire Dales Local Plan, and affordable housing is provided on-site, the Council will <i>generally</i> not accept solutions that involve the provision of low cost market housing.</p>
15	William Davis	Comment	General	<p>The District Council should also be mindful of the change in circumstances towards funding for affordable housing provision through Section 106 agreements since its targets were set in the Local Plan. As a matter of policy the Housing Corporation has indicated that funding cannot be guaranteed for Section 106 schemes. It must be accepted that, as a consequence, the proportion and type of affordable housing that is likely to be delivered must be reduced, because provision may be required to be wholly subsidised by the landowner in many cases.</p>	<p>The Draft Supplementary Planning Document will provide detailed guidance on the procedures the Council will operate to determine the amount, type and size of affordable housing to be provided in accordance with the policies in the adopted Derbyshire Dales Local Plan.</p> <p>Although the Housing Corporation has provided funding for the delivery of affordable housing on some sites within the area for which it is the local planning authority, this funding is not guaranteed. However reducing the proportion and type of affordable housing to be delivered would undermine the policy objective of the policies in the Derbyshire Dales Local Plan, unless it can be demonstrated by means of a financial appraisal that there are other circumstances that indicate that a reduced amount of provision should be provided. As such it is not considered appropriate to make any further changes to the Draft SPD.</p> <p>Recommendation</p>

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					No further changes
16	William Davis	Objection	Page 6 and Page 7	This new funding climate since adoption of the Local Plan is a material consideration, which should cause the Council to lower its expectations. The overall targets of 45% and 33% should be reviewed and the option of low cost market housing should certainly not be excluded.	See No 15 above Recommendation No further changes
17	William Davis	Objection	General	<p>The lack of Housing Corporation funding is clearly acknowledged by the ODPM as a material consideration. It is noted in the Draft of PPS3 that local planning authorities <i>"should make informed assumptions about the levels of finance available for affordable housing"</i>. PPS3 promises further guidance in a future companion guide on innovative approaches to securing affordable housing where levels of funding previously assumed are not forthcoming. Unfortunately this further guidance has not yet been released. However, the earlier consultation paper on 'Planning for Mixed Communities' in January 2005, noted that:</p> <p><i>"Where necessary planning obligations should include an appropriate cascade or fallback mechanism to ensure delivery of affordable housing.....Through an alternative arrangement (for example a different split between social rented and intermediate housing or a different proportion of affordable housing)...."</i></p>	<p>The housing policies contained within the Local Plan have been considered at a Local Public Inquiry against the relevant guidance at that time. Amending the Draft Supplementary Planning Document to reflect draft guidance in draft PPS3 is inappropriate as it carries no weight unless it is confirmed as a final statement of policy.</p> <p>The Draft Supplementary Planning Document is intended to provide further guidance to developers on the Affordable Housing policies of the Local Plan. It does not specifically address the levels of funding available for affordable housing. This is a matter that would be considered when a site comes forward.</p> <p>Recommendation</p> <p>No further changes</p>
18	William Davis	Objection	Page 5 Para 6.5	<p>RSL Partners (Paragraph 6.5)</p> <p>The Council cannot prescribe, generally or otherwise, that the developer uses an RSL on the joint commissioning partnership for the Peak Sub Region. This is not a land-use planning matter, and would fetter normal commercial discretion and competition. In our view it can note a preference for use of one of these RSL's but it cannot say that that it will "only support schemes" with these partners. Circular 6/98 advises that:</p> <p><i>"Local planning authorities should not prescribe which partners developers should use to deliver the affordable housing, but rather should aim to ensure that arrangements</i></p>	<p>Whilst Para 3.61 of the Local Plan (which also reflected in the consultation Draft Supplementary Planning Document) states <i>"the Council's preferred approach for controlling the occupancy of any affordable housing provided will be for its management to be undertaken by a registered social landlord, such as a Housing Association or through a shared ownership scheme"</i>.</p> <p>It is accepted that in this instance the Draft Supplementary Planning Document should reflect that other Registered Social Landlords may be acceptable</p> <p>Recommendation</p>

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				<p><i>will deliver the objectives of the policy as set out in the local plan.” (Paragraph 17, Circular 6/98)</i></p>	<p>Amend para 6.5 as follows:</p> <p>6.5 To ensure consistency in terms of the quality of service provided to future tenants of affordable housing schemes the Council will seek to limit the number of registered social landlords with which developers can work within Derbyshire Dales. The Council will <i>generally</i> only support schemes where the registered social landlord is a partner within the joint commissioning partnership for the Peak-Sub Region. The list of registered social landlords that meet the Council’s required standards are set out in Appendix 2.</p>
19	William Davis	Objection	Page 6 Para 7.1.2	<p>Procedures for Delivery of Affordable Housing</p> <p>As noted above a more flexible approach is required to both the proportion and tenure of affordable housing which is to be negotiated. The guidance should indicate that 45% and 33% are “targets”. In line with the specific policy wording of the Local Plan it should also note that the Council will <u>seek to negotiate</u> up to these targets. It should not state, as it does at present, that <i>“the Council will indicate to the applicant the number of properties to be provided”</i>.</p> <p>It should also not express a preference for these to be “gifted” to an “approved” RSL. The precise arrangements and values concerned will depend on the availability of Housing Corporation funding, and the type of tenure (whether social rent or some form of intermediate housing is to be provided). The attempt of a public body to dictate price or capture land value is against public policy in its widest sense and amounts to the confiscation of land without compensation. The legality of such an approach is therefore doubtful.</p>	<p>The Local Plan establishes that <i>“as a general rule, the Council will seek to negotiate within the urban areas a minimum provision of 45% of all new dwellings as affordable housing”</i> for proposals that come forward in the Market Towns and 33% of all dwellings as affordable housing within the Settlement Framework of the Other Settlements.</p> <p>The Local Plan considers at Para 3.56 these levels as being the minimum to be sought. However this is an aspirational target to be the subject of negotiation, and such negotiation would take account of the economics of development on a site by site basis, although developers would need to justify through financial appraisals why this target could not be achieved. This reduces the potential burden of the 45% proportion – it becomes a target for negotiation rather than a minimum requirements</p> <p>Recommendation</p> <p>Amend para 7.1.2 to read</p> <p>7.1.2 The Council will <i>initially</i> indicate to the applicant the number of properties to be provided as affordable housing on-site <i>as required by policy in the Derbyshire Dales Local Plan</i>, or that the Council considers that a financial contribution in lieu of on site provision is required.</p>

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					<p>While it is likely that Registered Social Landlords will be the principal players in the provision and management of affordable housing, it is accepted there are other arrangements of delivering affordable housing. However, given that the draft SPD indicates that it is the District Council's preference for the management of any affordable housing by a Registered Social Landlord, it does not preclude other management regimes.</p> <p>Para 7.1.4 indicates the Council's preferred means of delivering affordable housing in accordance with the affordable housing policies of the Local Plan. It is important to ensure that the type of dwellings to be provided as affordable meets local needs and that any housing is affordable.</p> <p>Recommendation</p> <p>No further changes to para 7.1.4</p>
20	William Davis	Objection	Page 15 Para 9.7	<p>The guidance regarding the payment of a financial contribution in lieu of on-site provision is also not clear. The guidance at paragraph 9.7 in particular requires amendment because it only refers to the situation outside the Market Towns. The SPD should explain under what circumstances such payment is likely to be acceptable rather than simply saying that the Council may "advise" the applicant that it is "required". The formula is also skewed towards payment at full TCI level, which will equate to social rented provision. Required payments should be adjusted to take account of a likely mixed portfolio of social rent and intermediate housing.</p>	<p>Policy H12 of the Local Plan allows the Council to maximise the delivery of affordable housing by negotiating financial or other contributions towards the provision of affordable housing. The implementation of this Policy has already secured £180K for investment in affordable housing to meet local needs.</p> <p>Para 9.7 of the Draft Supplementary Planning Document is correct when it refers only to Market Towns because when addressing the level of need for affordable housing in rural areas, and in order to maximise the delivery of affordable housing, the Council will seek to negotiate a financial contribution or other contribution towards the provision of affordable housing where the development is above the thresholds set out in Policy H11 above. The threshold is that the Council seek to negotiate the provision of 33% of all dwellings on sites of 0.1 hectare or more and / or capable of accommodating 2 or more dwellings in the future.</p> <p>Para 7.3.2 of the Draft Supplementary Planning</p>

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					<p>Document explains the circumstance in which a financial contribution would be required.</p> <p>The Total cost Indicator is based upon all costs associated with the provision of affordable housing including construction and land, which therefore does not make it skewed towards social rented provision. In any case the financial contribution is based on local need and not on different tenure types.</p> <p>Recommendation</p> <p>No further changes</p>
21	William Davis	Objection	Page 10 Para 7.4.1	<p>Occupancy and Management</p> <p>The references made to affordable housing being made available in perpetuity, and shared ownership having no opportunity to staircase to 100% ownership should be deleted. Where an RSL or other organisation accredited by the Housing Corporation uses Social Housing Grant (SHG) to provide dwellings to rent, tenants enjoy the Right to Acquire by virtue of Section 16 of the Housing Act 1996. Similarly every 'shared owner' on the SHG funded model lease has the right to "staircase" to 100% ownership. It will not necessarily be possible therefore for an RSL or accredited organisation to comply with these SPD requirements.</p>	<p>It is accepted that in some instances the potential to staircase out to 100% is possible and this has an impact upon the amount of affordable housing being provided.</p> <p>"Generally" not support proposals where the potential to staircase out is achievable</p> <p>Recommendation</p> <p>Amend para 7.4.1</p> <p>For schemes involving shared ownership there is <i>generally</i> no opportunity to staircase up to 100% ownership</p>
22	William Davis	Support	Page 12 Para 8	<p>Design</p> <p>We support the Council's objective to ensure effective integration of affordable housing into the design and layout of the site. Our experience shows that separation of large areas of affordable housing on sites can cause a 'ghetto' effect. However, pepper potting at low numbers is unpopular with many RSL's for management reasons. We have found that groups of around 12 dwellings are therefore most appropriate.</p>	<p>It is desirable that affordable housing is spread throughout any new housing development in order to achieve a mixed and balanced community (in conformity with PPG3). In terms of management such an approach is generally achievable by Registered Social Landlords.</p> <p>Recommendation</p> <p>No further changes</p>
23	William Davis	Objection	Sustainability Appraisal	<p>Sustainability Appraisal</p> <p>Because of the nature of the problems discussed above we</p>	<p>The purpose of the Sustainability Appraisal is to ensure that the Council applies the principles and aims of sustainable development as an integral part of the SPD</p>

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				<p>consider that the SPD is likely to have an adverse impact on the Council's overall SA objective "to ensure an adequate quality and provision of a range of housing to meet local needs.....", which is ignored in the current SA. The high proportion of affordable housing to be required, and inflexible procedures outlined ,are likely to effect the viability of many development schemes and hence could reduce the overall delivery of affordable housing. It could, in the process, suppress the delivery of overall housing numbers within the district (with further impact on demand/prices and affordability). Although an intention is noted in the SPD to consider an appraisal of development costs/viability, where necessary, it is likely that developers will reject certain sites on viability grounds without reaching this stage of negotiation, and that other landowners will simply decide not to make their land available for development.</p>	<p>production. One of the key requirements of sustainability appraisal is to consider reasonable alternatives. During the development of the draft SPD two options were considered</p> <ul style="list-style-type: none"> • <i>Option 1: "Business as Usual" (i.e. do nothing approach).</i> This involved no change to the level of practical advice offered to developers in respect to the provision of affordable housing. • <i>Option 2: "The Affordable Housing Draft Supplementary Planning Document".</i> This option involved the preparation of a booklet to provide detailed guidance on affordable housing. Although such advice is currently available from planning officers, it would be enhanced by further guidance for those proposing housing schemes that require and element of affordable housing. <p>The Sustainability Appraisal results indicated that:</p> <ul style="list-style-type: none"> • Option 1 is limited in its impact in achieving guidance and could be improved through the provision of more detailed guidance. • Option 2 would provide positive medium to long term impacts, by the provision of enhanced guidance. The Sustainability Appraisal concluded that the proposed SPD would provide a useful tool to inform developers in providing affordable housing. <p>The Affordable Housing policies have been subject to a Local Public Inquiry which take account of the government advice contained in Circular 06/98 and PPG3; and the purpose of this Draft Supplementary Planning Document is to complement the affordable housing policies and provide detailed guidance on the procedures the Council will operate to determine the amount, type and size of affordable housing to be provided in accordance with the policies in the adopted Derbyshire Dales Local Plan.</p>

No	Objector	Type	Heading / Page	Representation	Officer Comments and Recommendations
					Recommendation: No further changes
24	Tansley Parish Council	Comment	General	The Parish Council is concerned that the tourism policies will attract visitors for the benefit of the local economy when in fact it is doing exactly the opposite. Houses are being acquired by people who occupy them on a part time basis and take longer periods of holiday in warmer countries	Noted Recommendation No further changes
25	Government Office for the East Midlands	Comment	Page 5 Para 6.4	<p>PPS12 Local Development Frameworks (2004) indicates at paragraph 2.44 that SPD may contain policies that supplement development plan policies, but should not contain policies that should properly be included in the development plan and subject to independent scrutiny. In this respect, paragraph 3.52 of the adopted Derbyshire Dales Local Plan sets out the Authority's definition of affordable housing, which accords with the definition in DETR Circular 06/98. This is repeated in the draft SPD but paragraph 6.4 of the SPD then goes on to say where affordable housing is provided on site, <i>"the Council will not accept solutions that involve the provision of low-cost market housing"</i>. This statement is considered to be contrary to national policy and to the explanatory text in the adopted Local Plan.</p> <p>Whilst the housing needs survey may indicate a need for subsidised housing for those in greatest need, low-cost market housing still has a role to play in meeting part of the continuum of housing needs. In the SPD you consider specifying requirements to ensure that this type of housing more closely meets the needs of those in housing need in the district.</p>	<p>The Council's definition of affordable housing is contained within the Local Plan and the Draft Supplementary Planning Document which reflects the definition contained in PPG3 and Circular 06/98 (Planning and Affordable Housing)</p> <p>The definition of affordable housing in the Draft Supplementary Planning Document is not changed, and only seeks to encourage Registered Social Landlord involvement to ensure management arrangements. This is in accordance with Circular 06/98 that contends Registered Social Landlords are an effective way of controlling occupancy.</p> <p>It is considered that para 6.4 should be amended to avoid any confusion of the Council's definition of affordable housing to include "low cost market housing"</p> <p>Recommendation</p> <p>Amend para 6.4 as follows:</p> <p>6.4 Consequently, where residential development takes place on sites above the thresholds set out in the Derbyshire Dales Local Plan, and affordable housing is provided on-site, the Council will <i>generally</i> not accept solutions that involve the provision of low cost market housing.</p>
26	A & P M Jennings	Comment	Page 7 Para 7.2	When determining applications for planning permission for residential development within the Framework of a village (Policy H11 – Affordable Housing Within The Settlement Framework Boundaries of Other Settlements) we trust that the Planning Department will take into account the existing number of sites of ex-Council houses and other	The precise arrangements for the provision of on-site affordable housing will be determined at the time a site becomes available and will be dependent upon the level of need for affordable housing, site suitability, the economics of developing each site.

No	Objector	Type	Heading / Page	Representation	Officer Comments and Recommendations
				development now owned by a Housing Association and the amount of industrial activities already existing in such a village Remaining Greenfield sites are of significant importance to local villagers. Such villages could simply become a part of a local town	Recommendation No further changes
27	A & P M Jennings	Objection	Page 10 Para 7.5	Rural Exception Sites New developments must be capable of being integrated into the existing pattern of development in the village without having an adverse effect upon the character of the village". We think this should apply to all rural sites.	The Council's policy on affordable housing as exception sites in rural areas applies to all rural areas within the Local Planning Authority Area. Recommendation No further changes
28	A & P M Jennings	Comment	Para 7.6.4	"Rental levels or shared ownership costs should be affordable to future tenants" We trust the Council will ensure that the provision of affordable housing does enable rental levels to be maintained at affordable levels from the beginning and that such rental arrangements are not subsidised by the Council. Also that the Council does ensure that affordable housing is not sold on and thus create a gap for another such development to fill	Housing Benefit is provided on a means test basis and does not subsidise the rental levels on affordable housing. Rental levels set by the Registered Social Landlords and the Council will be adjusted to be the same by 2010. Recommendation No further changes
29	A & P M Jennings	Comment	General	Settlement Framework Boundaries Applications will be received to increase Settlement Framework Boundaries in order to encompass Greenfield sites. If such applications are granted then the usage of these Greenfield sites can be exploited to the detriment of the village.	All planning applications for development are considered against the policies contained within the Local Plan. In accordance with advice in PPG3 preference will be given to residential development involving previously developed land, located within Settlement Frameworks Boundaries. However the implementation of an affordable housing scheme under the rural "exception" policy will only be pursued if there is a pressing local need and can take place within or on the edge of the Settlement Framework and pay due regard to normal development control considerations. Recommendation No further changes
30	Hognaston Parish	Comment	General	Housing Development – The principles on housing development within the Local Plan seem to be disregarded	All planning applications for development are considered against the policies contained within the Local Plan. In

No	Objector	Type	Heading / Page	Representation	Officer Comments and Recommendations
	Council			and over-ridden. This SPD could allow development where it has been previously disallowed or discouraged, i.e. in 'Green Belt'	<p>accordance with advice in PPG3 preference will be given to residential development involving previously developed land, located within Settlement Frameworks Boundaries. However the implementation of an affordable housing scheme under the rural "exception" policy will only be pursued if there is a pressing local need and can take place within or on the edge of the Settlement Framework and pay due regard to normal development control considerations.</p> <p>Recommendation</p> <p>No further changes</p>
31	Hognaston Parish Council	Objection	Page 12 Para 8	Design – It is felt that inadequate consideration is given to the design of affordable housing. For example, it was noted on page 19 that proposals will be considered if they do not have an 'adverse impact' upon the character and appearance of the area. Proposals should make a positive contribution to the area and community - merely not to have an 'adverse impact' is not sufficient.	<p>Policy H13 presents the criteria that needs to be considered when granting planning permission for affordable housing on sites that would not normally be released for housing development. The policy seeks to achieve a high quality of housing design. Policy H9 (Design and Appearance of New Housing) would also be applied to any new housing scheme which aims to improve the quality and attractiveness of residential areas.</p> <p>Recommendation</p> <p>No further changes</p>
32	Hognaston Parish Council	Objection	Appendix 3 page 29 Page 11 para 7.5.4	Establishing Need – It is felt that the use of a questionnaire is not sufficient to justify 'need' and may give skewed results. There should be direct community involvement as to whether it is desirable development for the immediate village or settlement and the 'need' should relate directly to that area. Factors such as infrastructure and access (schools, communications, transport links, access to employment) should also be given higher consideration in determining the need.	<p>The Council works closely with the local community to establish housing need when looking to develop a site for affordable housing. Whilst the Housing Associations undertake a thorough appraisal of each site, the precise arrangements for the provision of on-site affordable housing will be determined at the time a site becomes available and will be dependent upon the level of need for affordable housing, site suitability, the economics of developing each site, the proximity of local services, and access to public transport.</p> <p>Recommendation</p> <p>No further change</p>
33	Hognaston Parish Council	Comment	General	Addressing the Cause – Nothing in the document addresses the causes of the 'problem' i.e. lower incomes (access to work) or holiday accommodation/second homes.	<p>The purpose of this Draft Supplementary Planning Document is to provide detailed guidance on the procedures the Council will operate to determine the</p>

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					<p>amount, type and size of affordable housing to be provided in accordance with the policies in the adopted Derbyshire Dales Local Plan.</p> <p>The Local Plan acknowledges the main factors that have contributed to an affordable housing problem within the District</p> <p>Recommendation</p> <p>No further change</p>
34	Hognaston Parish Council	Objection	Page 16	<p>Financial Contribution – The worked example is incorrect (£93,296x2.96=£24,630 but should be £246,301). This is a material error and a quick review of the document may not reveal the significance of this payment and not attract the comment it deserves.</p>	<p>Noted</p> <p>Recommendation:</p> <p>Amend the Equivalent Financial Contribution on page 16 to read:</p> <p>Equivalent Financial Contribution = £93,296 × 2.66= £24,630 £248,167</p>
35	Hognaston Parish Council	Objection	Page 13 Para 9	<p>Financial Contribution – The contribution made is substantial and none of this planning gain will be set aside solely to benefit the local community which has the additional housing. There may be a requirement to improve amenities (for example additional play areas, footpaths, street lighting, and village facilities) but none of these funds will be available. It seems inequitable that all of the money from planning gain goes outside the immediate community affected by the development.</p>	<p>The Council wants to ensure equity, as far as possible, in the use of any financial contributions it receives. It will therefore use its best endeavours to utilise any financial contributions it receives for the provision of affordable housing in the vicinity of the site from which a contribution has been derived.</p> <p>In the event that this cannot be achieved, the Council will seek to utilise the financial contribution it receives within the area covered by the Derbyshire Dales Local Plan in accordance with advice in Circular 6/98</p> <p>Recommendation</p> <p>No further change</p>
36	Hognaston Parish Council	Objection	General	<p>Document – We feel that the paper was difficult to read and to understand the full implications. For example when other planning policies were referred to there was no appendix summarising these policies and a full copy of the Local Plan would be necessary but not readily available.</p>	<p>The affordable housing policies of the Local Plan are contained in Appendix1 of the Draft Supplementary Planning Document.</p> <p>Recommendation</p>

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					No further changes
37	Anna Partington	Comment	General	<p>Location</p> <p>While the Draft quite properly takes account of a fair amount of data which may be used in sustainability scoring, I feel it would be helpful to developers, applicants and electors if this SPD were to reflect more prominently the comments in the Report of the Inspector (DD LP).</p> <p>Thus paragraphs 3.1, 3.10 and 3.66 (Inspectors comments) clarify that regional and national policies indicate new housing should be located close to essential services and facilities. This practical approach surely lies at the heart of the principle of sustainability, hence the Inspector's view that "semi-isolated" locations are to be avoided.</p> <p>There are a surprising number of potential sites available for affordable housing in the Dales (cf. Inspector's comment paragraph 3.28). Thus in order to avoid speculative development which overburdens infrastructure and existing amenities, I should like to see this basic principle of sustainability concisely and prominently stated.</p> <p>The word 'sustainability' is frequently used but its practical meaning in the planning context is not widely appreciated. It would be helpful to all parties if its fundamental practical implications – close to essential services and facilities - were to be simply stated.</p> <p>The adoption of such a statement as the foundation stone of affordable housing development would enable all parties to understand what locations are and are not practicable.</p>	<p>The aim of the Draft Supplementary Planning Document is to complement the existing affordable housing policies</p> <p>Recommendation</p> <p>No further changes</p>
38	Anna Partington	Objection	Page 13 Para 8.2	<p>Design</p> <p>The Dales, in common with other regions, has suffered historically from construction of publically funded housing which has failed to echo the distinctive character of 'Dales' settlements.</p>	<p>The design of any development is an important issue. There is a duty to ensure that the appearance and relationship of new built development to its surroundings maintains, and wherever possible enhances the quality of the local environment. This is reinforced in Policy SF5 and Policy H9 of the Local Plan seeks to achieve a high</p>

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				<p>I urge there should now be no compromise on design or layout in order to avoid repetition of this situation.</p> <p>In particular I should like to see attention to use of local materials with traditional configurations stipulated in the SPD.</p> <p>Additionally I urge the SPD to recommend avoidance of inappropriate features such as: half rendering, shiplap boarding, external door 'verandahs' (apologies for porches), boundaries marked by lapboard fencing, or linear block layout.</p> <p>All this is not just for aesthetic reasons There are sound social reasons too.</p> <p>Affordable housing which blends in with traditional character is more likely to:</p> <ul style="list-style-type: none"> • Ensure that any person would be happy to live in the house (irrespective of income); • Ensure that existing households feel these new houses harmonise with the locality; • Avoid economic discrimination; • Avoid alien dwellings which can have the effect of engendering social alienation and behaviourally problems. 	<p>quality of housing design, which is also reflected in PPG3 that envisages new housing development improving the quality and attractiveness of residential areas.</p> <p>Recommendation</p> <p>No further changes</p>
39	Mr J Millward	Objection	General	<p>Settlement Framework Boundaries (SFB)</p> <p>I have read the Inspector's Report (DDDC LP Inquiry) on this issue and note Appendix 1 in the Adopted Local Plan (Nov 2005). I appreciate the criteria determining what land is included within an SFB. However the criteria used to determine <u>which</u> settlements should have an SFB is not at all clear.</p>	<p>This is a Local Plan matter which has been addressed by the Inspector at the Local Plan Inquiry into the Local Plan.</p> <p>Recommendation</p> <p>No further change</p>
40	Mr J	Objection	General	<p>Settlement Classification</p>	<p>See point 39 above</p>

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	Millward			<p>Eight settlements are classified as 'Other Settlements'. However on the basis of their characteristics it is difficult to see why a number of settlements classified as being 'rural' or 'in the countryside' have not also been given the status of 'Other Settlements' with SFBs.</p>	<p>Recommendation</p> <p>No further change</p>
41	Mr J Millward	Objection	General	<p>Garden or Backland Development</p> <p>The principle of private development on garden or backland sites has been discarded for settlements without Settlement Framework Boundaries. For settlements with Settlement Framework Boundaries it now has restricted application.</p> <p>This is at variance with Appendix 5 of the Derbyshire Dales Local Plan which lists the core values that are supposed to underpin everything that the Council does. Two of them are 'Championing Rural Communities' and operating with 'Fairness and Equality'.</p>	<p>See point 39 above</p> <p>Recommendation</p> <p>No further change</p>
42	Mr J Millward	Objection	General	<p>Derbyshire Dales District Council has used the settlement criteria to deliver different rules on Affordable Housing. This has resulted in gross inequality built into the system towards private residents who live Outside Settlement Frameworks regarding their ability to develop a piece of land for private housing.</p>	<p>This is a Local Plan matter which has been addressed by the Inspector at the Local Plan Inquiry into the Local Plan</p> <p>Recommendation</p> <p>No further changes</p>
43	Mr J Millward	Objection	General	<p>Derbyshire Dales District Council has used the settlement criteria to deliver different rules on Affordable Housing. This has resulted in gross inequality built into the system towards private residents who live Outside Settlement Frameworks regarding their ability to develop a piece of land for private housing.</p> <p>Recently I was lucky in that I had a small plot of land in Middleton that was granted planning permission for one dwelling. Had I lived in Matlock, Wirksworth, Ashbourne (Market Towns) or within Other Settlement Frameworks I could have done the same.</p> <p>However if I had lived in Bonsall or similar village classified as Outside Settlement Frameworks with a similar plot of land the Council would have insisted on me contributing about £35,000 for the privilege of building on my own land</p>	<p>See point 42 above</p> <p>The need for affordable housing is a material planning consideration. Circular 6/98 allows for financial or other contributions to be made in appropriate circumstances as reflected in the local plan.</p> <p>To ensure an adequate supply of affordable housing, the Council consider it appropriate to include policy H12 of the Derbyshire Dales Local Plan. The implementation of this Policy has already secured £180K for investment in affordable housing to meet local needs.</p> <p>The Inspector in his report into the Local Plan Inquiry of the Derbyshire Dales Local Plan indicated that the policy does not discriminate against rural housing any more than it should in following national and regional guidance on</p>

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				<p>for my own family. The only other alternative would be to sell the land to a Housing Association at a considerably reduced price.</p> <p>Under its current housing policy commercial developers are required either to include a proportion of affordable houses in developments, or to pay a compensating fee into a housing fund.</p> <p>I am particularly concerned that the policies of DDDC are applied fairly and equitably to all residents of Derbyshire Dales. This is demonstrably unfair. The policy should cover all private developments within Derbyshire Dales, or all private development should be excluded.</p> <p>Small in-fill development will cease if these policies on Affordable Housing are applied to villages like Bonsall, now classified as being Outside Settlement Frameworks. Villages will be left with small plots of land falling into dereliction because residents are unable to pay £35,000 for the privilege of building on their own land or unwilling to 'give it away' to a Housing Association. This will not help to create Affordable Housing.</p>	<p>sustainable development. It is quite clear that the locational sequence for development should concentrate on the main urban areas and Market Towns. Residential development in rural will be the exception. This represents a major shift in local policy in relation to the significance of the sustainable development emphasis of national and regional policy guidance that the Local plan seeks to implement.</p> <p>If affordable housing is provided in accordance with the Derbyshire Dales Local Plan Policy then no contribution is required.</p> <p>Recommendation</p> <p>No further changes</p>
44	Levvel	Objection	General	<p>Conformity</p> <p>The Derbyshire Dales Local Development Scheme (LDS) confirms that the Affordable Housing SPD is scheduled for adoption in September 2006 and will support the "saved policies" from the Local Plan adopted in November 2005. As such the SPD is required to be in conformity with the "saved policies" which it supports until their replacement by the Core Strategy. The SPD however is not, in that it seeks to: secure a greater liability for off site provision through commutation; seeks to secure a betterment levy in securing the profits of development for the benefit of the community; and seeks to prescribe the affordable housing partner a developer will work with. Aspects of the proposed SPD are neither in conformity with the adopted Local Plan nor national policy however, and the Affordable Housing SPD could therefore be considered to fail the Tests of Soundness on this point.</p>	<p>The Draft Supplementary Document provides detail of the implementation of policy on affordable housing. The policies in the Derbyshire Dales Local Plan are saved until November 2008.</p> <p>It is considered that all the matters covered in the draft Supplementary planning document relate to the saved policies in the Derbyshire Dales local Plan and is consistent with current national planning policy and generally conform with the Regional Spatial Strategy.</p> <p>Recommendation</p> <p>No further changes</p>

No	Objector	Type	Heading / Page	Representation	Officer Comments and Recommendations
45	Levvel	Objection	General	<p>Evidence Base</p> <p>Affordable housing cannot be dealt with in isolation from market housing or without being considered in the context of other key strategic objectives, for example economic growth. The creation of an affordable housing policy informed solely by affordable housing need would not ensure that the type and location of affordable housing would compliment other strategic policy objectives nor would it ensure that the policy proposals would not be detrimental to the overall delivery of market housing in the local area, which in turn would frustrate rather than facilitate delivery of affordable housing. We consider that such an evidence base should include a full housing market assessment, a detailed analysis of housing supply, urban capacity study, an assessment of the availability of grant funding, whether existing communities are mixed and balanced and what is needed to improve them, consideration of viability to include anticipated wider planning gain costs and particular site costs</p> <p>The evidence base could also include information from employers about employment retention problems, worker mobility and affordability. The creation of an affordable housing policy informed solely by affordable housing need would not ensure that the type and location of affordable housing would complement other strategic policy objectives. These policy proposals should not be detrimental to the overall delivery of market housing in the local area, which in turn would frustrate rather than facilitate the delivery of affordable housing.</p>	<p>The affordable housing polices have been tested at the Local Plan Inquiry. The Inspector in his report stated: <i>“I am satisfied that the methodology employed in the preparation of the Housing Needs Survey and the analysis of the information gathered provide a sufficiently accurate and robust basis for the determination of affordable housing policies in the plan area”</i></p> <p><i>The Housing Needs Survey clearly identifies a significant imbalance between local house process and incomes that results in many local people being unable to afford open market housing.</i></p> <p>The Council also collect information as evidence on local housing need from a parish level housing needs survey as part as the evidence base for a rural exception site</p> <p>For financial contribution in lieu of on site provision and to ensure that the financial contribution is reasonably related to local need, information is contained on the housing register, districts housing needs survey and any other source such as parish housing needs survey is used to identify generally the type of need required locally</p> <p>A District wide housing needs survey is being undertaken with its findings being reported in the Autumn along with a Housing Market Assessment that will be commissioned to be undertaken shortly. Both surveys will provide the evidence base for future affordable housing Development Plan Documents and will cover all issues raised.</p> <p>Recommendation</p> <p>No further changes</p>
46	Levvel	Objection	General	<p>The issue of affordability arises out of a mismatch between household incomes and housing supply. The issue can therefore be tackled in two ways, by a top-down approach through supply of housing which is affordable and this is referenced above, and through improvements in local economy and wages. There is no evidence that the council has considered the way in which housing and employment</p>	<p>The current saved affordable housing policies in the Local Plan, which the affordable housing draft Supplementary planning documents aims to complement, has been subject to an extensive examination at the Local Public Inquiry. Whilst there was emphasis by the Inspector in delivering sustainable development, he was satisfied that the housing policies of the Local Plan had been</p>

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				<p>are inextricably linked, or that the employment policies will generate the desired effect in improvement of earning capacity locally through increased skills etc. The aim of the new planning system is to strategically link all parts of policy informed by the community plan through spatial thinking and planning. There is no assessment of this nature of need for market housing nor is there a comparison of these competing needs.</p>	<p>formulated on the basis of sound evidence.</p> <p>It is accepted that the new planning system should link all parts of policy. However this is for future elements of the Local development Framework..</p> <p>Recommendation</p> <p>No further change</p>
47	Levvel	Objection	General	<p>We consider that such an evidence base should include a full housing market assessment, a detailed analysis of housing supply, urban capacity study (or Housing Land Availability Assessment), an assessment of the availability of grant funding, whether existing communities are mixed and balanced and what is needed to improve them, consideration of viability to include anticipated wider planning gain costs and particular site costs. Without the existence of a complete evidence base and a commitment to a spatial approach to policy formulation the Council is not able to understand the dynamics of the market and affordable housing issues facing the Borough.</p>	<p>See point 46 above</p> <p>Recommendation</p> <p>No further change</p>
48	Levvel	Objection	Page 5 Para 6.3	<p>There is no evidence of the council or its advisors taking into consideration the deliverability of the policy in economic terms, taking into account the availability of funding for affordable housing, or the forms of subsidy required to ensure that the affordable housing is affordable. Whilst it is stated that the council's preference is for the units to be "gifted to an RSL" and the commuted sum formula is based on 100% of TCI, this does not reflect the practice on the ground, in as much that Section 106 sites are receiving grant from the Housing Corporation confirmed in a telephone conversation with the council. The sustainability appraisal does not attempt to address the sustainability of this practice and the impact on land values, nor does it assess whether this approach is likely to deter housing development from coming forward for development.</p> <p>This is also highlighted by the fact that the viability of the policy cannot be assessed in absence of likely site information.</p>	<p>The gifting of properties to Registered Social Landlords is set out in the Draft SPD as being aspirational, and not seen as being the only method by which affordable homes are transferred to Registered Social Landlords – a fact emphasised in the policies in the adopted Derbyshire Dales Local Plan, which generally call for a negotiated solution for the delivery of affordable housing.</p> <p>The Draft Supplementary Planning Document on affordable housing has been prepared to complement the relevant saved policies contained within the Local Plan to help provide guidance to developers on the provision of affordable housing on the procedures the Council will operate to determine the amount, type and size of affordable housing to be provided in accordance with the policies in the adopted Derbyshire Dales Local Plan. It therefore does not seek to provide advice on funding for affordable housing because this is not a material consideration at this moment in time.</p>

No	Objector	Type	Heading / Page	Representation	Officer Comments and Recommendations
					<p>The purpose of the Sustainability Appraisal is to ensure that the Council applies the principles and aims of sustainable development as an integral part of the SPD production. One of the key requirements of sustainability appraisal is to consider reasonable alternatives. During the development of the draft SPD two options were considered</p> <ul style="list-style-type: none"> • <i>Option 1: "Business as Usual" (i.e. do nothing approach).</i> This involved no change to the level of practical advice offered to developers in respect to the provision of affordable housing. • <i>Option 2: "The Affordable Housing Draft Supplementary Planning Document".</i> This option involved the preparation of a booklet to provide further guidance on affordable housing. Although such advice is currently available from planning officers, it would be enhanced by detailed design guidance for those proposing housing schemes that require an element of affordable housing. <p>The Sustainability Appraisal results indicated that:</p> <ul style="list-style-type: none"> • Option 1 is limited in its impact in achieving guidance and could be improved through the provision of more detailed guidance. • Option 2 would provide positive medium to long term impacts, by the provision of enhanced guidance. The Sustainability Appraisal concluded that the proposed SPD would provide a useful tool to inform developers in providing affordable housing. <p>Recommendation</p> <p>No further change</p>
49	Levvel	Objection	See Adopted Local Plan	Existing Adopted Policy	Local Plan includes supporting text on the following:

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				<p>The policy and supporting text is silent on the issues of:</p> <ul style="list-style-type: none"> • Tenure • Affordability • Funding mechanisms • Developer contribution • Affordable Housing Providers <p>This SPD therefore is considered to add policies in these areas and thus cannot be considered to be in conformity with the saved policy it supports. In addition certain of these issues have significant effects on development and its pace and therefore should be subjected to the degree of public scrutiny and examination attendant on the production of a DPD.</p>	<ul style="list-style-type: none"> • Tenure [See para 3.61 of the Local Plan] • Affordability [See para 3.52 of the Local Plan] • Funding mechanisms [It is not a requirement to include information about funding mechanisms] • Developer contribution [See para 3.59 and 3.62 of the Local Plan] • Affordable Housing Providers [See para 3.61 of the Local Plan] • Recommendation <p>No further change</p>
50	Level	Objection	Page 4	<p>Types of Affordable Housing</p> <p>The SPD contains a definition of affordable housing which is reiterated from the Local Plan. By definition affordable housing must be available to those people unable to access the housing market, either because their earnings are insufficient to permit them to do so or supply at the lower quartile of the market is very restricted. Affordable housing policy through planning should not discriminate against such individuals and should provide affordable housing for all sections of the community. This is an important point as the needs of intermediate households may be under estimated through the needs survey and its methodology. It is therefore inappropriate and not in conformity with the adopted Local Plan to realign the affordable housing sought with that of the Housing Needs Survey findings, given that this was available for the Local Plan process and its very recent adoption. Our comments regarding the provision of affordable housing “in perpetuity” are given later.</p>	<p>The affordable housing policies have been tested at the Local Plan Inquiry. The Inspector in his report stated: “I am satisfied that the methodology employed in the preparation of the Housing Needs Survey and the analysis of the information gathered provide a sufficiently accurate and robust basis for the determination of affordable housing policies in the plan area”</p> <p><i>The Housing Needs Survey clearly identifies a significant imbalance between local house prices and incomes that results in many local people being unable to afford open market housing.</i></p> <p>A District wide housing needs survey is being undertaken with its findings being reported in the Autumn along with a Housing Market Assessment that will be commissioned to be undertaken shortly. Both surveys will provide the evidence base for future affordable housing Development Plan Documents and will cover all issues raised.</p> <p>Recommendation</p> <p>No further changes</p>

No	Objector	Type	Heading / Page	Representation	Officer Comments and Recommendations
51	Levvel	Objection	Page 5 Para 6.3	<p>Providers of Affordable Housing</p> <p>It is stated in parts of the document that the council's preference is for affordable housing to be delivered through RSLs. Whilst this is of itself clearly defining the preferred and not the only methodology of providing affordable housing, it must be noted that RSLs are not the only providers of affordable housing. However it is further identified that the council will only support schemes within the joint commissioning partnership. This is an attempt by the back door to direct developers to a restrictive list of partners with whom they can work, contrary to Circular 06/98 and EU competition provisions. Notwithstanding this the Housing Corporation now also permits developers to directly bid for grant to support schemes and to provide the affordable housing themselves where suitable arrangements are in place.</p> <p>The presumption in favour of RSLs is inappropriate in light of advice contained within Circular 06/1998 paragraph 17. There are a great number of affordable housing providers providing high quality affordable housing without being registered with the Housing Corporation.</p> <p>The need for the LPA to be assured that the quality of housing management and standing of the organisation providing the affordable housing is recognised, but using Housing Corporation accreditation is too limiting. In addition the range of affordable housing products which can be made available to communities may be restricted by limiting the type of provider and therefore may not be in the best interests of the communities that the council serves.</p> <p>The council's expressed practices within the SPD do not confirm to national policy guidance with regard to the providers of affordable housing, nor do they take into consideration the nature of affordable housing grant funding practices.</p>	<p>It is accepted the Council cannot "prescribe" a developer to use a Registered Social Landlord but it is acknowledged that it is an effective way of achieving control over future occupancy of affordable housing.</p> <p>Para 3.61 of the Local Plan (which also reflected in the consultation Draft Supplementary Planning Document) states "<i>the Council's preferred approach for controlling the occupancy of any affordable housing provided will be for its management to be undertaken by a registered social landlord, such as a Housing Association or through a shared ownership scheme</i>"</p> <p>While it is likely that Registered Social Landlords will be the principal players in the provision and management of affordable housing, it is accepted there are other arrangements of delivering affordable housing. However, given that the draft SPD indicates that it is the District Council's preference for the management of any affordable housing by a Registered Social Landlord, it does not preclude other management regimes.</p> <p>Recommendation</p> <p>Amend para 6.5 as follows:</p> <p>6.5 To ensure consistency in terms of the quality of service provided to future tenants of affordable housing schemes the Council will seek to limit the number of registered social landlords with which developers can work within Derbyshire Dales. The Council will <i>generally</i> only support schemes where the registered social landlord is a partner within the joint commissioning partnership for the Peak-Sub Region. The list of registered social landlords that meet the Council's required standards are set out in Appendix 2.</p>
52	Levvel	Objection	General and Housing Needs	Housing Need	The affordable housing policies have been tested at the Local Plan Inquiry. The Inspector in his report stated: "I

No	Objector	Type	Heading / Page	Representation	Officer Comments and Recommendations
			Survey	<p>Level has a number of concerns over the methodology behind the Housing Needs Study. These are highlighted throughout this response. Amongst these concerns are: that the need for intermediate housing is not fully considered; the affordability thresholds are not in conformity with government guidance; the need for social rented accommodation may be over estimated.</p>	<p><i>am satisfied that the methodology employed in the preparation of the Housing Needs Survey and the analysis of the information gathered provide a sufficiently accurate and robust basis for the determination of affordable housing policies in the plan area”</i></p> <p><i>The Housing Needs Survey clearly identifies a significant imbalance between local house process and incomes that results in many local people being unable to afford open market housing.</i></p> <p>Furthermore based on the Housing Needs Survey the Council has included in the plan what the authority regards as affordable in accordance with circular 06/98 - Planning and Affordable Housing.</p> <p>A District wide housing needs survey is being undertaken with its findings being reported in the Autumn along with a Housing Market Assessment that will be commissioned to be undertaken shortly. Both surveys will provide the evidence base for future affordable housing Development Plan Documents and will cover all issues raised.</p> <p>Recommendation</p> <p>No further changes</p>
53	Level	Objection	Page 13 Para 9	<p>Calculation of Yield of Affordable Housing</p> <p>It is important to ensure parity in provision when determining affordable housing arising from different forms of housing, particularly where the need in affordable dwellings is different to the demand for market housing. Affordable housing does not just need to be calculated on the basis of the number of dwellings, but can also be expressed in terms of saleable floor area or habitable rooms. This practice is supported elsewhere in the country, for example through the London Plan.</p>	<p>The Council will seek to ensure size and type of dwellings to be provided as affordable housing meets local needs. Where affordable housing is to be provided on-site, the Council will ensure that there is an appropriate mix of dwellings, type and size to meet these needs.</p> <p>Recommendation</p> <p>No further changes</p>
54	Level	Objection	Page 13 Para 8.3	<p>Housing Mix and Tenure</p> <p>In relation to our concerns over housing mix being determined by reference to housing need for a particular site</p>	<p>The Local Plan policies seek to create mixed and balanced communities in accordance with PPG3; that sets out that local planning authorities should plan to that meet the housing requirements of the whole community. This</p>

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				<p>we would caution that any affordable housing on site needs to be compatible with that development in ensuring a successful housing development, a key to ensuring sustainable residential development. The demand for market housing and the need for affordable housing of a particular size and type must be matched to ensure successful developments. Family housing and the implications of high numbers of children in such developments need to be considered in the context of high density developments which must be mixed and balanced to ensure future sustainability without prejudicing housing management issues. The mix of affordable housing is confirmed as being determined by a number of local needs characteristics; however it is also necessary to consider the development itself as being a prime determinant. For example in the case of sheltered housing the affordable housing could be accommodated on the same site where that site is of a sufficiently large nature and characteristic that the amenity of both the sheltered housing and affordable housing remain unaffected by each other and maintaining the most efficient use of the land, whilst ensuring the proposed occupancy groups are compatible. This is an important point as housing for older people can provide accommodation for vulnerable people, as can certain forms of affordable housing provision and the proposed occupancy groups must be compatible. It is of concern also where potentially incompatible groups are required to share communal accommodation. Levvel considers that this is unlikely to lead to a successful housing development and will not contribute to sustainable communities being created.</p>	<p>includes those in need of affordable and special needs housing. An assessment is undertaken in consultation with the Council's Strategic Housing Officer who will advise on the local housing needs characteristics.</p> <p>The Housing Needs Survey has indicated that the majority of local need is for one and two bedroom accommodation in the form of flats terraces and semi-detached houses. Where affordable housing is to be provided on site, the Council will ensure that there is an appropriate mix of dwellings, type and size to meet these needs.</p> <p>The Council will seek to ensure that the affordable housing secured will contribute to satisfying local housing need having been demonstrated by the housing needs survey and local parish housing needs survey for example.</p> <p>Recommendation</p> <p>No further change</p>
55	Levvel	Objection	General	<p>A key element to the housing market being able to function correctly is to enable choices to be made when seeking housing, regardless of income and financial circumstances. It is appreciated that the Local Authority will be attempting to satisfy the priority need in their function as a social landlord and fulfilling their housing duties to the communities served. However, the straightforward interpretation of affordable housing need equating to more social rented units being built is misleading and fails to reflect the progress that has been made in affordable housing products, particularly</p>	<p>The Draft Supplementary Planning Document explains the Council's preferred approach which includes rented and shared ownership schemes.</p> <p>A District wide housing needs survey is being undertaken with its findings being reported in the Autumn along with a Housing Market Assessment that will be commissioned to be undertaken shortly. Both surveys will provide the evidence base for future affordable housing Development Plan Documents.</p>

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				those for the intermediate housing market. The role of intermediate housing is understood now better than ever before, it enables greater choice and opportunities to households who otherwise would have none. Furthermore, it enables movement into and through the housing market.	<p>Recommendation</p> <p>No further changes</p>
56	Levvel	Objection	General	<p>Increasing social rented housing provision at the expense of other forms of affordable housing is not the answer to satisfying the needs of the whole housing market and is likely to result in increased polarisation between those renting and those who are already home owners, trapping those who are unable to afford to purchase. Provision of more social rented accommodation through planning policy (at the expense of other forms of affordable housing) would merely increase this level of disparity, without offering further choice to those households already in social rented accommodation. Indeed, in offering this choice to those households locked into their tenure through the inequality between housing costs and incomes, particularly purchase prices, it is anticipated that social rented units could be freed up for households in greater need. It is only through considering the needs of the whole housing market in this way that the necessary stocks and flows can be generated to allow the market to function efficiently and most significantly offering people choice in their housing solutions. If existing households in rented accommodation can be facilitated to realise their aspirations and move into intermediate housing the Council will benefit from the opportunity to relet a social rented unit and a new intermediate unit. This approach would help meet need and potentially double the net affordable housing benefit for the Derbyshire Dales District.</p>	<p>The Draft Supplementary Planning Document explains the Council's preferred approach which includes rented and shared ownership schemes.</p> <p>A District wide housing needs survey is being undertaken with its findings being reported in the Autumn along with a Housing Market Assessment that will be commissioned to be undertaken shortly. Both surveys will provide the evidence base for future affordable housing Development Plan Documents and intermediate housing may be revealed as a housing need issue</p> <p>The Draft Supplementary Planning Document does not deal housing management issues. However the Council is actively looking alternative ways in providing and managing affordable housing.</p> <p>Recommendation</p> <p>No further changes</p>
57	Levvel	Objection	Para 7.4 Page 9	<p>Applicability of Affordable Housing to Sheltered Housing</p> <p>In the application of the SPD the council will need to acknowledge the need for private market sheltered housing and its obligation in planning terms for this type of provision. This obligation will also need to be balanced against the council's corporate priority for the provision of affordable housing and at present the wording of the SPD does not</p>	<p>Although the policies in the adopted Derbyshire Dales Local Plan set out a preference for the delivery of affordable housing either as social rented or shared ownership there is no preference given to one tenure type or the other. The tenure delivered being dependent upon the type and nature of the need in the area surrounding the site.</p> <p>It is considered that private market sheltered housing</p>

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				suggest that this flexibility is present. The SPD could be considered to fail the test of soundness in this regard.	<p>satisfies a niche in the market for those that can afford to purchase such properties. As such they would not qualify under the definition of “affordable housing</p> <p>Recommendation</p> <p>No further change</p>
58	Level	Objection	General	<p>Developer Subsidy</p> <p>The subsidy a developer makes when providing affordable housing is through reducing land value and providing serviced land, against which the permission is granted and planning obligations are attached. In effect, the subsidy is the difference in value between the open market value of land and the value of land for affordable housing (which should not be negative but may be reduced to nil dependant on proposed tenure and overall viability of the scheme), reflecting its proposed use and restrictions imposed upon it.</p>	<p>The intention of the policy and draft Supplementary Planning Document is that affordable housing requirement fall on the landowner not the developer . The developer should take account of all the requirements when considering a housing scheme before submitting a planning application. This is a matter that is not controlled or dealt with by the local planning authority.</p> <p>The affordable housing polices are clear in the local plan that will trigger a provision of on site affordable housing that are above the thresholds and will be dependent upon the level of need for affordable housing, site suitability and the economics of developing each site.</p> <p>Recommendation</p> <p>No further change</p>
59	Level	Objection	General	The value of the developer’s subsidy should not be differentiated regardless of whether the provision of the affordable housing is made on site, through discounted land made available, off site through land or units provided or through commutation. The SPD confirms that the level of commuted sum sought should be the equivalent of the developer subsidy if the affordable housing provision had been made on site.	<p>Noted</p> <p>Recommendation</p> <p>No further change</p>
60	Level	Objection	Para 7.1.4	The council expressing a preference for the affordable housing to be “gifted” to an RSL to manage is erroneous, misleading and fails to understand the mechanisms and principles of the provision of affordable housing as set out in Circular 06/1998, PPG3, emerging PPS3, and Circular 05/2005. This principle cannot therefore be considered to be in conformity with national policy. Affordable housing provided for rent is able to generate a capital receipt through the value of the rental income. An RSL or other provider will be able to raise a mortgage against this income.	The gifting of properties to Registered Social Landlords is set out in the Draft SPD as being aspirational, and not seen as being the only method by which affordable homes are transferred to Registered Social Landlords – a fact emphasised in the policies in the adopted Derbyshire Dales Local Plan, which generally call for a negotiated solution for the delivery of affordable housing. As such there are no recommendations to make any changes as a result of the representations on this matter.

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				Accordingly, requiring a developer to provide affordable housing units for free seeks to require the developer to make a provision greater than the land value for the affordable housing land can bear, driving the value of that land below zero. In that instance no affordable housing can come forward.	<p>The Local Plan also makes it clear that the precise arrangements for the provision of on-site affordable housing will be determined at the time a site becomes available and will be dependent upon the level of need for affordable housing and the economics of developing each site.</p> <p>Recommendation</p> <p>No further change</p>
61	Level	Objection	General	In the case of shared ownership units the value of any receipt that can be gained is significantly more, as part of the unit is sold for an outright receipt on sale, the remainder is subject to rental which will have a capitalised value. This could be as much as 75% of open market value for a 50% to 60% market share from our experience in other parts of England.	<p>Noted</p> <p>Recommendation</p> <p>No further change</p>
62	Level	Objection	General	<p>Similarly, the principles outlined in ODPM Circular 05/2005 outlines that planning “obligations created run with the land” and that “planning obligations should never be used as a means of securing for the local community a share in the profits of development ie as a means of securing a betterment levy.” The circular considers that the use of planning obligations may include, amongst other examples, “to secure the inclusion of an element of affordable housing in a residential or mixed use development where there is a residential component.” In addition, the circular confirms that the obligations should be “fairly and reasonably related in scale and kind to the proposed development, as well as being reasonable in other respects.”</p> <p>As such the value of developer subsidy would equal:</p> <p>Open Market Land Price minus Affordable Housing Land Price</p> <p>Accordingly, in seeking a contribution to the build cost of the affordable housing through seeking grant free development in addition to the land value subsidy is seeking “betterment” greater than the affordable housing land can bear, pushing</p>	<p>The community need for affordable housing is a material planning consideration (Circular 6/98). Given the scale of need and the Inspector’s views on the policies in the adopted Derbyshire Dales Local Plan it is considered that the requirements are fairly and reasonably related.</p> <p>Recommendation</p> <p>No further changes</p>

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				the land value of affordable housing to below zero. In this situation development may not occur and the delivery of market housing and affordable housing will be stifled, constraining supply further and driving house prices higher.	
63	Level	Objection	Para 7.2.4 Para 7.1.5	The requirement for financial appraisal and the provision of grant is not a matter for the planning system but a private arrangement between the developer, affordable housing provider and funding body. The availability of grant is a consideration for the planning system and policy and should inform policy formulation, however its administration is not.	If the developer is not able to satisfy the requirements of the Policy it is considered that it is legitimate to seek a contribution by way of a financial appraisal Noted Recommendation No further change
64	Level	Objection	General	Furthermore where there are other planning requirements sought on a site other than affordable housing there is a need to balance those requirements against the need to provide affordable housing. The council confirms that the need for affordable housing is a priority and thus other planning benefits may not be forthcoming from the application of this SPD as drafted. The effect of this has not been appraised at all in the sustainability appraisal; therefore this leads us again to the conclusion that the SPD is unsound given the available evidence base and the consideration of it.	The precise arrangements for the provision of on-site affordable housing will be determined at the time a site becomes available and will be dependent upon the level of need for affordable housing, site suitability, the economics of developing each site, the proximity of local services, and access to public services. It will also take account of the competing demands of other planning requirements. Recommendation No further change
65	Level	Objection	Para 7.1 Para 7.2	Securing Affordable Housing On Site This Draft SPD suggests that it is for the council to determine the number of affordable properties to be provided in relation to an application and whether that provision should be made on site or off. This is contrary to the guidance contained with Circular 06/98 and the adopted Local Plan policy which states that the process of arriving at a suitable affordable housing provision is through negotiation between the council and the applicant. In addition the provision of affordable housing through commutation is, as stated in Circular 06/98, where both the council and applicant agree that this is the most appropriate means by which provision can be made. Our further commentary relating to the calculation of commuted sums is	The Local Plan establishes that <i>“as a general rule, the Council will seek to negotiate within the urban areas a minimum provision of 45% of all new dwellings as affordable housing”</i> for proposals that come forward in the Market Towns and 33% of all dwellings as affordable housing within the Settlement Framework of the Other Settlements. The Local Plan considers at Para 3.56 these levels as being the minimum to be sought. However this is an aspirational target to be the subject of negotiation, and such negotiation would take account of the economics of development on a site by site basis, although developers would need to justify through financial appraisals why this target could not be achieved. This reduces the potential

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				<p>given elsewhere</p> <p>This requirement within the SPD is not in conformity with national policy principles in this regard, now was subject to scrutiny through the local plan process. In addition the effects of the application of affordable housing through this SPD have not been subjected to any sustainability principle, nor is there a robust evidence base to support it.</p>	<p>burden of the 45% proportion – it becomes a target for negotiation rather than a minimum requirements</p> <p>Recommendation</p> <p>Amend para 7.1.2 to read</p> <p>7.1.2The Council will <i>initially</i> indicate to the applicant the number of properties to be provided as affordable housing on-site <i>as required by policy in the Derbyshire Dales Local Plan</i>, or that the Council considers that a financial contribution in lieu of on site provision is required.</p>
66	Level	Objection	Para 8.1.3	<p>The SPD also requires affordable housing to be pepper potted throughout a development. This may be inappropriate as regard will need to be had to the design of the development itself and management issues relating to the open market and affordable dwellings. It is not apparent that the council has collected any evidence that this approach is supported by affordable housing partners, who in our experience prefer to see small groupings of properties (5 units to 25 units) for management economies and practicality. There are separate issues relating to the management of flats and the integration of tenures within one building, particularly in the case of sheltered housing, which are considered elsewhere in this representation.</p>	<p>It is desirable that affordable housing is spread throughout any new housing development in order to achieve a mixed and balanced community (in conformity with PPG3). In terms of management such an approach is generally achievable by Registered Social Landlords</p> <p>The layout of affordable housing is carefully considered at the planning application stage in consultation with the Housing Strategic Officer, who will advise on the arrangements on a site by site basis.</p> <p>Recommendation</p> <p>No further changes</p>
67	Level	Objection	Para 9 Appendix 4 – Table 1	<p>Off Site Provision of Affordable Housing</p> <p>The draft SPD requires commuted sums to be calculated on the basis of 100% TCI. Housing Corporation TCIs were used as a cost benchmark to assess schemes for affordable housing. In April, through a revision to the Capital Funding Guide, the Housing Corporation announced the disbandment of TCI and their use in affordable housing. There is currently no replacement proposed. As such, measuring a commuted sum as being related to Housing Corporation TCI has no grounding as this measure is no</p>	<p>No alternative has been suggested by the Housing Corporation and the Total Cost Indicator currently offers the best means of calculating off site provision for affordable housing within the District given the significant number of building conversions for residential development within the District.</p> <p>Recommendation</p> <p>No further changes</p>

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				longer published.	
68	Levvel	Objection	Para 9 Appendix 4 – Table 1	<p>Furthermore, the commuted sum matrix is contained within Appendix 4 Table 1. Such a calculation matrix is inappropriate and fails to consider: site specific circumstances; the council's intended tenure split; the ability of the land to provide the subsidy necessary; and, fails to be fair and reasonable as required by Circular 05/2005. Levvel's recommendation on determining the developer subsidy, which should be the same regardless of whether provision is made on site or off site, is through the reduction of the land value for the affordable housing land to a value which could be nil. This principle is given above and is supported in Circular 06/1998, Circular 05/2005 and emerging PPS3. Furthermore the principle requiring a commuted sum to be calculated on this basis is in conflict with the suggestions in the SPD that the on site provision of affordable housing will be subject to negotiation.</p>	<p>The approved method in calculating a financial contribution in lieu of on site provision is based upon the type, size and number of properties that would have been required on site and is reasonable related to local need and based on the Total Cost Indicator formula used by the Housing Corporation. Financial contribution is subject to negotiation if the developer is not able / unwilling to pay subject to the submission of a financial appraisal.</p> <p>The Council may seek to negotiate, in lieu of on site the provision of affordable housing.</p> <p>Recommendation</p> <p>No further changes</p>
69	Levvel	Objection	9.3	<p>In addition paragraph 9.3 of the SPD states that the contribution should not take into account the "grant rate that a development may expect to attract from the Housing Corporation". On site affordable housing has, and continues to, attract grant from the Housing Corporation. This principle does not therefore reflect the practice of the provision of affordable housing in the area, nor does it reflect equality between on site provision and off site provision which is the aim stated in paragraph 9.1. This is a further example of the internal conflicts raised within the drafting of this SPD.</p> <p>The above therefore leads us to conclude that the calculation formula for commuted sums is unsound and should be withdrawn.</p>	<p>The advice in the approved Supplementary Planning Guidance published 2003 was based on the grant rate from the Housing Corporation.</p> <p>This draft Supplementary Planning Document takes a different approach in that financial contributions are based on the whole costs of providing affordable housing off site.</p> <p>Recommendation</p> <p>No further change</p>
70	Levvel	Objection	Para 7.4.1	<p>Affordable Housing in Perpetuity</p> <p>It is not appropriate to require affordable housing to be provided "in perpetuity" and Levvel recommends the use of the term "for as long the need exists" as this is felt to be more representative of the circumstances of affordable housing, Circular 06/1998 and PPG3. Affordable housing can be subject to Right to Acquire in the case of social rented and staircasing to 100% ownership in the case of</p>	<p>It is accepted that in some instances the potential to stair case out to 100% is possible and this has an impact upon the amount of affordable housing being provided.</p> <p>"Generally" not support proposals where the potential to staircase out is achievable</p> <p>Recommendation</p>

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				<p>shared ownership. As such those households have been able to satisfy their affordable housing need and that unit is no longer needed to be affordable. It cannot therefore be required to be provided "in perpetuity".</p>	<p>Amend para 7.4.1</p> <p>For schemes involving shared ownership there is <i>generally</i> no opportunity to staircase up to 100% ownership</p>
71	Levvel	Objection	General	<p>Conclusion</p> <p>The Draft SPD for Affordable Housing cannot be properly consulted upon because the Council lacks the evidence base upon which to base the SPD. This Draft SPD on Affordable Housing exceeds the requirements of the saved policy and therefore fails to be in conformity with the Local Plan policy to which it relates. There is no basis for pursuing an SPD on affordable housing at the expense of the approach set out in the regulations and expanded upon in PPS12 and the Companion Guide.</p> <p>The Council's priorities should focus upon: developing a full and robust evidence base and progressing the Core Strategy and Site Allocations DPD to provide a successful affordable housing policy that ensures the delivery of more housing and more affordable housing, maintaining general conformity with the higher level plans. Once the Core Strategy is in place we recommend the production of a Housing DPD to accompany a Site Allocations DPD, where the complementary evidence bases can be considered, together with the issues of affordable housing.</p>	<p>The adopted Local Plan is saved for three which has been prepared under PPG12 and has therefore not been subject to following revised guidance contained in PPS12. The Draft Supplementary Planning cannot consider PPS3 as material consideration until it is adopted as national policy.</p> <p>There is a need to pursue the Draft Supplementary Planning Document to adoption to support the adopted policies in the Local Plan, which will be reviewed and updated when the emerging housing Development Plan Document is adopted.</p> <p>The approved Local Development Scheme, which has been agreed with the Government Office for the East Midlands clearly sets out a 3 year project programme with the milestone of adopting the Affordable Housing Draft Supplementary Planning Document ahead of the Core Strategy and Site Allocations DPD</p> <p>Recommendation</p> <p>No further change</p>
72	Radleigh Homes	Objection	Page 6 Para 7.1.2	<p>It is felt that a provision of 45% affordable housing on some sites in the major towns will be particularly onerous. Flexibility should be allowed so that a judgment can be made on the viability of an individual site at a particular point in time.</p>	<p>The Local Plan establishes that "<i>as a general rule, the Council will seek to negotiate within the urban areas a minimum provision of 45% of all new dwellings as affordable housing</i>" for proposals that come forward in the Market Towns and 33% of all dwellings as affordable housing within the Settlement Framework of the Other Settlements.</p> <p>The Local Plan considers at Para 3.56 these levels as being the minimum to be sought. However this is an aspirational target to be the subject of negotiation, and such negotiation would take account of the economics of</p>

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					<p>development on a site by site basis, although developers would need to justify through financial appraisals why this target could not be achieved. This reduces the potential burden of the 45% proportion – it becomes a target for negotiation rather than a minimum requirements</p> <p>Recommendation</p> <p>Amend para 7.1.2 to read</p> <p>7.1.2The Council will <i>initially</i> indicate to the applicant the number of properties to be provided as affordable housing on-site <i>as required by policy in the Derbyshire Dales Local Plan</i>, or that the Council considers that a financial contribution in lieu of on site provision is required.</p>
73	Radleigh Homes	Comment	Page 2 Para 2.1-2.4	There have been recent major affordable housing applications of late, notably in Ashbourne. In light of this are the Council planning on producing an up to date housing needs survey	<p>A District wide housing needs survey is being undertaken with its findings being reported in the Autumn along with a Housing Market Assessment that will be commissioned to be undertaken shortly. Both surveys will provide the evidence base for future affordable housing Development Plan Documents and will cover all issues raised.</p> <p>Recommendation</p> <p>No further changes</p>
74	Radleigh Homes	Comment	General	There needs to be recognition of the importance of Peak District National Park within the District and the tourism industry that has grown up around it. Smaller villages could afford the Dales an opportunity for creating a sustainable community based around infrastructure and small scale development related to tourism	<p>The District Council is not the Local Planning Authority for the Peak District National Park Authority</p> <p>Recommendation</p> <p>No further changes</p>
75	Radleigh Homes			The Council need to recognise that low cost market housing is a problem which is only set to get worse. It would be prudent at this stage, with the new LDF looking forward over a number of years, not to disregard low cost housing as part of an on site affordable housing allocation alongside subsidized housing	<p>The definition of affordable housing within the Local Plan includes low cost housing. The draft PP3 Housing defines affordable housing as social-rented and intermediate housing (but not low cost housing).</p> <p>A District wide housing needs survey is being undertaken with its findings being reported in the Autumn along with a Housing Market Assessment that will be commissioned to</p>

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					<p>be undertaken shortly. Both surveys will provide the evidence base for future affordable housing Development Plan Documents.</p> <p>Recommendation</p> <p>No further changes</p>
76	David and Carolyn Lucas		Page 16- Calculation of Financial Contribution for Affordable Housing	The worked example should read £245,000 than £24,630	<p>Noted</p> <p>Recommendation:</p> <p>Amend the Equivalent Financial Contribution on page 16 to read:</p> <p>Equivalent Financial Contribution = £93,296 × 2.646= £24,630 £248,167</p>
77	Government Office for the East Midlands	Comment	Sustainability Appraisal	In the Sustainability Appraisal Report it would be desirable to include English Heritage in the list of statutory organisations in Appendix 1, as they are one of the statutory environmental consultation bodies in the SEA Directive, and they are referred to as a consultee in the summary of the Scoping Report consultation responses.	<p>Noted</p> <p>Recommendation</p> <p>Include English Heritage in the list of statutory organisations in Appendix 1.</p>
78	Derbyshire County Council	Support	Sustainability Appraisal	Considers that the Sustainability Appraisal Report provides a detailed and thorough assessment of the sustainability implications of the draft SPD and has no further comments to make.	<p>Noted</p> <p>Recommendation</p> <p>No further changes</p>
79	English Nature	Support	Sustainability Appraisal	English Nature Supports Sustainability Appraisal Objectives 7 and 8 that refer to Flora and Fauna. We are pleased that the detailed indicator for objective 7 includes reference to biodiversity gain in planning applications	<p>Noted</p> <p>Recommendation</p> <p>No further changes</p>
80	English Nature	Support	Sustainability Appraisal	We concur with the findings in Table 4 on the compatibility of Objectives 7 and 8 with the SA objectives and that Option 2 is a better strategy with respect to sustainability issues than “no change2 Option 1	<p>Noted</p> <p>Recommendation</p> <p>No further changes</p>
81	English Nature	Comment	Sustainability Appraisal	With reference to Table 9 – Assessment of the Draft SPD against SA Objectives, SA Objectives 7 and 8 refer to 17 Sites of Special Scientific Interest (SSSI) in the District. At present there are 26 SSSI which are wholly or partly in the	The Local Planning Authority Area does not include the part of Derbyshire Dales District that falls within the Peak District National Park. There are 17 SSSI that are within the Local Planning Authority Area outside the Peak

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				District. We would like the table amended to reflect this	District National Park. Recommendation No further change
82	John Collins		Sustainability Appraisal Para 3.2.1	Para 3.2.1 identifies three key factors which combined are making it increasingly difficult for local people to afford suitable housing. However, perhaps the largest single factor is missing from the list. In my view restrictive planning policies have had, and continue to have, a very significant impact. Such policies may be wholly justifiable but an objective analysis should surely recognise their impact.	The adopted Local Plans contains affordable housing polices that are in accordance with national planning guidance and have been subject to extensive examination at the Local Plan Inquiry. Recommendation No further changes
83	John Collins		Sustainability Appraisal Para 4.3.1	Para 4.3.1, Table 1, Issue 9 states that there is a “High proportion of empty homes”. This could be misleading. There may be a significant number of empty homes but surely this does not constitute a high proportion of the stock.	Noted Recommendation Amend the wording in the Sustainability Appraisal to reflect the number of empty homes within the District
84	John Collins	Comment	Sustainability Appraisal	Para 4.4.2, Table 2, Objective 1. This objective in particular is highly commendable. However, the Council should be aware that in adopting such a strongly worded, positive objective, it is committing itself to appropriately strong action which may well have to include a significant policy shift to redress the situation in which “The level of demand exceeds the number of units likely to be able to be delivered, resulting in growing levels of unmet need each year.” (para 4.3.1, Issue 21, Derbyshire Dales District Council & High Peak Borough Council, A Joint Housing Strategy for 2005 to 2009). The same comment applies to para 4.4.8, Table 3, headline objective 1.	Noted Recommendation No further changes
85	John Collins	Comment	Sustainability Appraisal	All the “Headline Objectives” in Table 3 are commendable. However, in relation to Objective 5, it is questionable whether the “detailed indicators” identified are the most meaningful. <ul style="list-style-type: none"> A 15 minute walk home laden with shopping is probably too far for most shoppers, particularly when applied to sites like Ash Tree Farm where the return journey involves very steep inclines. For the vast majority cycling is not a realistic option 	Noted These indicators have been taken from the Councils Local Output Indicators which are monitored as part of the Annual Monitoring Report and as such are considered to be appropriate indicators. Recommendation No further change

No	Objector	Type	Heading / Page	Representation	Officer Comments and Recommendations
				<p>for shopping trips and rarely the mode of choice for even the keenest cyclists due to difficulties in transporting goods home.</p> <ul style="list-style-type: none"> 30 mins public transport time seems too long as a target. With waiting times of at least 5 minutes per journey added in, the total journey time would appear very unattractive versus the private car. 	
86	John Collins	Comment	Sustainability Appraisal	<p>With regard to “Headline Objective 7”, it is particularly pleasing to see biodiversity gain being sought (and monitored) as an integral part of housing development. (The concept is followed through in Sustainability Appraisal Objective 7, Table 7). Related to this, I would also strongly endorse the more wide ranging comments made by the Countryside Agency in Appendix 1 – “Within the design of new development regard should be given to green space for access and recreation which can: contribute to healthy living, improve the quality of life, reduce the fear of crime, improve the environment, enhance biodiversity and develop local landscape character.”</p>	<p>Noted</p> <p>Recommendation</p> <p>No further changes</p>
87	John Collins	Support	Sustainability Appraisal	<p>The 5 objectives listed in Table 4 are all commendable. The Council’s commitment “To demonstrate to local residents that the Council is being proactive in seeking to deliver an increase in the availability of affordable housing to meet local housing needs” is especially noteworthy.</p>	<p>Noted</p> <p>Recommendation</p> <p>No further changes</p>
88	John Collins	Comment	Sustainability Appraisal	<p>Paragraphs 7.1.2 – 7.3.4 deal with implementation and monitoring and are important. However, the most crucially important requirement of monitoring is missing, ie there is no monitoring of the progress made in tackling the problem of the shortage of affordable housing.</p>	<p>This is important when measuring the success of the delivery of affordable housing and will be included in the sustainability appraisal framework, Annual Monitoring report and Best Value Performance Indicators</p> <p>Recommendation</p> <p>No further changes</p>
89	John Collins	Comment	Sustainability Appraisal	<p>The report gives clear commitment:</p> <ul style="list-style-type: none"> “the Council’s Community Strategy 2003” gives priority to affordable housing” (para 6.4.2. Table 6) “the provision of affordable housing is a Corporate priority.” (para 6.5.5 – misprinted as 6.7.5 in the document). “it is important that the Council takes a proactive 	<p>Noted</p> <p>The publication of parish surveys and presenting the information in tables / graphs will assist in the analysis of housing need. This would also be useful for the continuing collection of baseline information of affordable housing</p>

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				<p>approach to the delivery of affordable housing” (para 6.4.2 Table 6).</p> <p>but, in some respects it lacks the clear means to carry this through. Whilst the scale of the problem – ie an acute lack of affordable housing – is recognised it is not quantified. This will never be an exact science, but the Council has the results of its Housing Needs Survey 2001 supplemented by a number of Parish Surveys. Publication of these figures in a clearly understandable format possibly using tables or graphs to compare identified needs with actual provision being achieved is crucially important. Whatever the format, the comparison of provision relative to need must be clear. Only in this way can the Council “provide a transparent and accountable procedure whereby affordable housing can be secured within the District” (para 5.3) and fulfil its commitment to “demonstrate to local residents that the Council is being proactive in seeking to deliver an increase in the availability of affordable housing to meet local housing needs” (Spatial Objective 4 para 3.3.1).</p>	<p>Recommendation</p> <p>No further changes</p>
90	John Collins		Sustainability Appraisal	<p>If these figures show substantial progress being made in the provision of affordable housing relative to need, then the Council should celebrate its achievements. If, however, the shortfall remains substantial – and worse, growing – then this will be a clear indicator that existing policies and actions are inadequate. In this scenario, revised actions and possibly policies will be required commensurate with the scale of the problem.</p>	<p>Noted</p> <p>Recommendation</p> <p>No further changes</p>
91	The Theatres Trust	N/A	-	No comments	N/A
92	English Heritage	N/A		No comments	N/A
93	Rowsley Parish Council	N/A		No objections	Noted
94	Environment Agency	N/A		No comments	N/A