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Our Ref: DS
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Date: 24 January 2018

Dear Councillor,

Housing and Community Services Committee

A Meeting of the **Housing and Community Services Committee** will be held in the **Council Chamber**, on **Thursday, 01 February 2018 at 18:00**. You are requested to attend.

Yours faithfully,



Chief Executive

To:- **Conservative Group**
Councillor Hewlett (Chairman), Councillor Smith (Vice-Chairman) and Councillors Coe, Mrs Coyle, Grant, MacPherson, Murray, Tipping and Mrs Wyatt

Labour Group
Councillors Rhind, Richards, Shepherd and Taylor

AGENDA

Open to Public and Press

- 1** Apologies and to note any Substitutes appointed for the Meeting.
- 2** To receive the Open Minutes of the following Meeting:-

Housing and Community Services Committee 23rd November 2017 Open Minutes **4 - 7**
- 3** To note any declarations of interest arising from any items on the Agenda
- 4** To receive any questions by members of the public pursuant to Council Procedure Rule No.10.
- 5** To receive any questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 6** Reports of Overview and Scrutiny Committee
- 7** RATIFICATION OF THE ADOPTED AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT **8 - 68**
- 8** COMMITTEE WORK PROGRAMME **69 - 73**

Exclusion of the Public and Press:

- 9** The Chairman may therefore move:-

That in accordance with Section 100 (A)(4) of the Local Government Act 1972 (as amended) the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraph of Part I of the Schedule 12A of the Act indicated in the header to each report on the Agenda.
- 10** To receive the Exempt Minutes of the following Meeting:-

Housing and Community Services Committee 23rd November 2017 Exempt Minutes

- 11** To receive any Exempt questions by Members of the Council pursuant to Council procedure Rule No. 11.
- 12** SERVICE ASSISTANT (EVENTS)

HOUSING AND COMMUNITY SERVICES COMMITTEE

23rd November 2017

PRESENT:-

Conservative Group

Councillor Hewlett (Chairman), Councillor Smith (Vice-Chairman) and Councillors Billings, Coe, Mrs Coyle, Grant, MacPherson, Muller and Mrs Wyatt

Labour Group

Councillors Chahal (substituting for Councillor Taylor), Rhind, Richards and Wilkins (substituting for Councillor Shepherd)

In attendance

Councillor Mrs Coe (Conservative Group)

HCS/44 **CHAIRMAN'S ANNOUNCEMENT**

The Chairman, in noting that this was the last Housing and Community Services Committee the Director of Community and Planning Services would attend before he left the Council, voiced his thanks for the Director's work and contributions, sentiments added to by the Vice-Chairman and Councillor Rhind.

HCS/45 **APOLOGIES**

Apologies for absence were received from Councillors Shepherd and Taylor (Labour Group)

HCS/46 **MINUTES**

The Open Minutes of the Meeting held on 5th October 2017 were noted and approved as a true record and signed by the Chairman.

HCS/47 **DECLARATIONS OF INTEREST**

The Committee was informed that no declarations of interest had been received.

HCS/48 **QUESTIONS FROM MEMBERS OF THE PUBLIC PURSUANT TO COUNCIL PROCEDURE RULE NO 10**

The Committee was informed that no questions from members of the public had been received.

HCS/49 **QUESTIONS FROM MEMBERS OF COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO 11**

The Committee was informed that no questions from Members of the Council had been received.

HCS/50 **REPORTS OF THE OVERVIEW AND SCRUTINY COMMITTEE**

There were no Overview and Scrutiny Reports to be submitted.

MATTERS DELEGATED TO COMMITTEE

HCS/51 **CORPORATE PLAN 2016-21: PERFORMANCE REPORT (1 JULY – 30 SEPTEMBER 2017)**

The Strategic Housing Manager presented the report to Committee.

Members queried or raised comments relating to the definition of risk, the risk register, its contents and actions taken to reduce or transfer risks, all matters addressed by the Strategic Housing Manager and Director of Community and Planning Services.

Councillor Richards referred to Universal Credit and the recent responses from the Member of Parliament and Government Minister on the matter, in addition to further information gained through his work in this area, which he undertook to distribute to Members.

RESOLVED:-

Members noted progress against the performance targets.

HCS/52 **INCREASING SUPPLY OF AFFORDABLE HOMES THROUGH DIRECT ACQUISITION AND L.A. NEW BUILD SCHEMES – OPTIONS REPORT**

The Strategic Housing Manager presented the report to Committee.

Members queried the ability to bid on Section 106 units, whether restricting the purchase options might lead to opportunities being missed, the feasibility of allowing more flexibility within the options, actions relating to former Right to Buy properties and empty / derelict properties and private landlord licensing schemes. The Strategic Housing Manager responded to all the queries in turn and gave an undertaking to return to Committee if it transpired that option revisions became necessary.

The Strategic Housing Manager also made reference to a topic previously raised at Committee, relating to homelessness and her aim to eradicate the use of bed & breakfast accommodation. It was reported that five placements at such establishments were still ongoing, but that these should cease before the end of December 2017. It was also reported that alternative housing option contracts had been negotiated and staff recruited to the establishment, enabling the cessation of agency staff employment.

RESOLVED:-

- 1.1 Members approved options 1, 3 & 6 as outlined in section 5 of the report.**
- 1.2 Members approved option 5 to be pursued in exceptional circumstances where there are demonstrable benefits for the Council on a case by case basis**
- 1.3 Members approved in principle that Housing Revenue Account (HRA) surpluses, HRA headroom and RTB capital receipts can be utilised to purchase section 106 units and homes on the open market that are suitable for use as social housing following approval of an acquisitions policy. (A further report would be brought to Housing and Community Services Committee in February 2018 to set out proposed guidance on the purchase of section 106 units and market housing for use as affordable housing).**
- 1.4 Members approved the acquisition of section 106 units on new development sites where appropriate using HRA surpluses and headroom, capital receipts and commuted sums.**
- 1.5 That any future scheme brought back to this Committee for approval is also referred to the Finance and Management Committee for further appropriate consideration.**

HCS/53 **SPORT ENGLAND FUNDING PROGRAMMES**

The Director of Community and Planning Services presented the report to Committee, highlighting the fact that as the bid made against the Sport England Local Delivery Pilot fund had been unsuccessful, the second part of the recommendation was no longer required.

The proposal to amend the recommendations accordingly was put to the vote and accepted.

RESOLVED:-

Members approved the following:

- (i) To support in principle the Stage 2 bid to the Sport England Core Market Fund for the 'Welcome to an Active South Derbyshire Project' and to receive a future report on the outcome of the bid.**

HCS/54 **SWADLINCOTE TOWN CENTRE CCTV REPLACEMENT PROJECT**

The Communities Manager presented the report to Committee.

Members raised queries relating to coverage of the Diana Memorial Garden area in Swadlincote and the potential for CCTV use in other communities, welcoming the scheme and the perception of additional safety it affords.

RESOLVED:-

Members approved the replacement project to install x11 new static CCTV cameras into the existing Swadlincote Town Centre CCTV system.

HCS/55 **COMMITTEE WORK PROGRAMME**

RESOLVED:-

Members considered and approved the updated work programme.

HCS/56 **LOCAL GOVERNMENT ACT 1972 (AS AMENDED BY THE LOCAL GOVERNMENT [ACCESS TO INFORMATION] ACT 1985)**

RESOLVED:-

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the press and public be excluded from the remainder of the Meeting as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that there would be disclosed exempt information as defined in the paragraphs of Part 1 of the Schedule 12A of the Act indicated in brackets after each item.

MINUTES

The Exempt Minutes of the Meeting held on 5th October 2017 were received.

TO RECEIVE QUESTIONS FROM MEMBERS OF THE COUNCIL PURSUANT TO COUNCIL PROCEDURE RULE NO. 11

The Committee was informed that no questions had been received.

STAFFING AMENDMENTS – COMMUNITY AND PLANNING DIRECTORATE

Members approved the recommendations in the report.

The Meeting terminated at 7.10pm.

COUNCILLOR J HEWLETT

CHAIRMAN

REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 7
DATE OF MEETING:	1st FEBRUARY 2018	CATEGORY: DELEGATED
REPORT FROM:	KEVIN STACKHOUSE - STRATEGIC DIRECTOR	OPEN
MEMBERS' CONTACT POINT:	EILEEN JACKSON Eileen.Jackson@south-derbys.gov.uk	DOC:
SUBJECT:	RATIFICATION OF THE ADOPTED AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE:

1.0 Recommendations

- 1.1 To approve the adopted South Derbyshire Affordable Housing Supplementary Planning Document (SPD), as set out in Appendix A, replacing the 2008 Affordable Housing Guidance.
- 1.2 To note the content of the Affordable Housing Supplementary Planning Document appended to this report

2.0 Purpose of Report

- 2.1 To update Members on the progress of the Affordable Housing SPD and to seek Members' approval to adopt the document.

3.0 Background

- 3.1 Members will be aware that the Local Plan Part 1 was adopted by the Council in June 2016. Both policies H20: Housing Balance and H21: Affordable Housing within the Part 1 Plan are to be further detailed by an Affordable Housing SPD. The Local Development Scheme timetables adoption of the Affordable Housing SPD for late 2017.
- 3.2 The Draft Affordable Housing SPD was presented to this Committee in April 2017 to seek approval for consultation.
- 3.3 The final version of the Affordable Housing SPD was presented to and approved by Environmental and Development Services Committee on 16th November 2017.

4.0 Detail

- 4.1 The Local Plan Part 1 sets out in Policy H21: Affordable Housing, that the Council will seek to secure up to 30% of new housing development as affordable housing, as defined by the National Planning Policy Framework (NPPF), on sites of over 15

dwellings. Policy H21 also sets out where rural exception sites that are kept in perpetuity as affordable housing would be acceptable.

- 4.2 Policy H20: Housing Balance in the Part 1 Plan addresses the balance of housing of any new housing development; this relates to the mix of dwelling types, tenure, size and density. The affordability of housing is assessed when producing a Strategic Housing Market Assessment, a document on which Policy H20 relies for an up to date profile of the housing market and any gaps in the housing offer.
- 4.3 An SPD is a planning policy document that builds upon and provides more detailed advice or guidance on, a policy or policies within a Local Plan. SPDs are material planning considerations in the determination of planning applications. Having an Affordable Housing SPD will support the implementation of these policies, assist applicants in their applications and guide decision makers.
- 4.4 The Affordable Housing SPD provides further detail on: the different types of affordable housing; housing need; affordability and tenure; quality of affordable housing; mechanisms and expectations for delivery and; affordable housing providers.
- 4.5 The Affordable Housing SPD further supplements Policy H21 by detailing the requirements with regard to viability, rural exception sites, the phasing of provision and commuted sums in lieu of on-site provision.
- 4.6 The Draft Affordable Housing SPD was made available for public consultation between 12 June 2017 and 7 August 2017. Regulation 12 of the Town & Country Planning (Local Planning)(England) Regulations 2012 requires that before the SPD is adopted, a statement setting out details of those consulted when preparing the SPD, together with a summary of the main issues raised, must be prepared. Any relevant issues raised during the consultation have been addressed in the final version of the SPD. The Consultation Statement, Appendix B, is appended to this report.
- 4.7 The Affordable Housing SPD has been prepared in compliance with Regulations 12 and 13 of the Town & Country Planning (Local Planning) (England) Regulations 2012, and with regard to the requirements of the NPPF.

5.0 Financial Implications

- 5.1 Following adoption, there is a three month period where any person aggrieved by the decision to adopt the SPD may make an application to the High Court for judicial review. Any application for judicial review should be made promptly and in any event, no later than 3 months after the date of adoption (i.e. no later than 16 February 2018).

6.0 Corporate Implications

- 6.1 The adoption of a complete South Derbyshire Local Plan is a key priority of the District Council and is included as an action within the Corporate Plan. The Affordable Housing SPD will assist the implementation of the Local Plan.

7.0 Community Implications

- 7.1 The affordability of housing continues to be an issue of national concern and the delivery of affordable housing is essential to ensuring that everyone living in South Derbyshire has the opportunity to [Page 9 of 13](#) live that they can afford.

8.0 **Background Papers**

8.1 South Derbyshire Local Plan Part 1

9.0 **Appendices**

Appendix A: South Derbyshire Affordable Housing SPD

Appendix B: Consultation Statement

Appendix C: Strategic Environmental Assessment Screening Report



**South
Derbyshire**
District Council
Community and
Planning Services

South Derbyshire

Affordable Housing Supplementary Planning Document



Affordable Housing
Supplementary Planning Document
November 2017

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This guidance supersedes the Affordable Housing Guidance published in March 2008.

Introduction

It is important that everyone living in South Derbyshire has the opportunity to live in a decent home they can afford. The District Council is committed to helping local people who cannot afford to buy or rent homes on the open market in the area.

At the heart of England and the National Forest, South Derbyshire has grown some 15.8% between 2001 and 2011. The adopted Local Plan Part 1 sets out the delivery of at least 12,618 additional dwellings between 2011 and 2028.

In recent years, average house prices in the District have been higher than the Regional and county-wide averages. The gap between the regional average and the South Derbyshire average is not reducing; figures published by the Office for National Statistics (ONS) in 2015 (Table 1) show that both East Midlands and South Derbyshire saw an increase in average house prices of 20% between 2005 and 2015.

Table 1

Average House Prices	England	East Midlands	South Derbyshire
2005 Quarter 3	£189,130	£152,049	£158,309
2015 Quarter 3	£272,847	£183,284	£190,651

Source: ONS - House Price Statistics for Small Areas: Mean House Prices using Land Registry data

Lower quartile house prices provide a benchmark for first-time buyers and those on low incomes wishing to purchase a home. In 2015 the lower quartile house price in South Derbyshire was £125,000 – £10,000 higher than the Derbyshire average.

Diagram 1: Lower quartile house price against mortgage available at low quartile income



Lower quartile house prices within the District represent a 6.64 ratio of house prices to household income. Mortgages have traditionally been set at three times earnings. Therefore, without a significant deposit, home ownership is out of reach for many potential first-time buyers living in South Derbyshire.

The supply of appropriate and affordable housing impacts on the District's ability to retain and recruit skilled and talented people to support the economic growth of the local economy. Facilitating and delivering a range of integrated and sustainable housing is a key aim in the Council's Corporate Plan.

South Derbyshire Local Plan

There are five key policies across the Local Plan Parts 1 and 2 that work together to facilitate the delivery of affordable housing within the District.

Policy H1: Settlement Hierarchy sets out the appropriate scale of new development which can be accommodated based on the range of services and facilities in that settlement. This policy allows for the delivery of new housing sites adjacent to existing settlements/outside of settlement boundaries as an exceptional circumstance to normal policy, where they are delivering affordable housing on an exception or cross subsidy site. **Policy H21: Affordable Housing** requires 30% affordable housing on sites over 15 dwellings. The policy requires that this target be interpreted flexibly to reflect the local housing market, local needs and viability. This policy also includes the criteria which need to be met to justify the delivery of exception and cross subsidy sites allowed for in Policy H1. **Policy SDT1: Settlement Boundaries and Development** gives spatial effect to Policy H1 by defining settlement boundaries. Areas outside of settlement boundaries (and allocations) are known as Rural Areas; it is here that affordable exception or cross subsidy sites are located. **Policy BNE5: Development in Rural Areas** makes provision for development outside of settlement boundaries where this can be justified, including in accordance with policies elsewhere in the Local Plan. **Policy H20: Housing Balance** seeks to provide a balance of housing that includes a mix of dwelling type, tenure, size and density.

The District Council's own supply of land available for affordable housing is limited. Therefore, the Council will require developers of market housing to provide affordable housing within their schemes in accordance with Policy H21 of the Local Plan Part 1. The Council will also consider allowing exception sites for affordable housing to meet local needs in rural areas.

Affordable housing needs to be of good size and quality, fit for purpose and make a positive contribution to sustaining mixed and balanced communities. This document expands on the National Planning Policy Framework (NPPF) and the Council's affordable housing policies contained within the Local Plan, providing planning guidance for landowners, developers, applicant's agents and council officers regarding proposals for new residential development.



Negotiations for affordable housing provision will be considered on individual sites informed by up to date evidence including: the latest Strategic Housing Market Assessment (SHMA), information from South Derbyshire's Homefinder housing waiting list (choice based lettings) and, evidence of affordable housing provision needed in the locality of the site.

What is Affordable Housing?

The Council uses the Government's own definition of affordable housing, as detailed in the NPPF.

Affordable Housing is defined by the NPPF as:

- Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices.
- Provision should be included for the affordable housing to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.

Social rented housing is owned by local authorities and registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by others and provided under equivalent rental arrangements to that above, as agreed with the local authority or with the Homes and Communities Agency (HCA).

Affordable rented housing is let by local authorities or registered providers to eligible households. Affordable rent is subject to rent controls that require a rent of no more than 80% of the local market rent. Homes let at affordable rent require approval from the HCA.

Intermediate housing is homes for sale and rent provided at a cost above social

rent, but below market levels subject to the criteria in the Affordable Housing definition (shown in the text box). These can include shared equity, shared ownership and discounted for sale in perpetuity.

What is not Affordable Housing?

Homes that do not meet the above definition of affordable housing, such as **Help to Buy** will not be considered as affordable housing for planning purposes.

Starter Homes - the requirement to provide Starter Homes was introduced as part of the Housing and Planning Act 2016. Such homes are defined as new homes, available for purchase by first-time buyers between the ages of 23 and 40, and are sold at a discount of at least 20% of the market value within the price cap (£250,000 for outside Greater London). A Starter Homes exception sites policy has been introduced with the intention that Local Authorities should provide Starter Homes on commercial and industrial land that is either under-used or unviable in its current or former use, and which has not currently been identified for housing. Guidance is provided in the NPPG with further detail expected in the forthcoming revised NPPF.



Housing Need

In 2012 the District population was 94,611. The population is expected to increase to approximately 123,000 by 2035 (an increase of 30%).

There is a need for affordable housing across South Derbyshire. As at September 2017 there were 782 households on the register and of this number, 538 had an identified housing need. This is further evidenced in the 2013 Strategic Housing Market Assessment (SHMA) which identified a need for 1,723 new affordable homes by 2017.

There are three sub market areas within South Derbyshire. Table 2 shows the additional affordable housing requirements within each of these sub areas. Whilst there is need across the whole District, it is clear that the greatest need is within Swadlincote as over 60% of the need is outstanding there.

In addition to the District housing need, as part of the Local Plan, South Derbyshire agreed to meet some of Derby City's housing need that it was unable to deliver in full itself. This means that when negotiating affordable housing in the Derby Fringe sub-housing market, regard will also be given to affordable housing needs arising from the City.

Table 2

South Derbyshire sub-market area *	Net Need	Affordable Housing Completions 2013 to 2015	Outstanding Need as at 1st April 2015
Derby Fringe	447	107	340
North West	248	0	248
Swadlincote South	1,028	69	959
Total	1,723	176	1,547

* See Annex 2 regarding make-up of each sub-market area

Source: 2013 Derby HMA Strategic Housing Market Assessment

Affordability and Tenure

Ensuring that homes are affordable to people within the District in housing need is crucial. The Council recognises that its housing needs are varied and best met through a balance of rented, intermediate tenure homes and starter homes.

The tenure mix will take into account the tenure profile of the surrounding area, and will be based on the prevailing need for affordable housing units with regards given to the current Strategic Housing Market Assessment, local evidence such as housing waiting lists and local housing research studies and transferability of the units to a Registered Provider.

- **Social rented homes.** The majority of social rented homes in the District are Local Authority owned and are let at around 70% of market value
- **Affordable rented homes** are built and rented at approximately 80% of market level and require permission from the HCA.
- **Intermediate housing** is assigned to households who can afford housing above 80% of market rents but cannot afford full market costs.

A proportion of affordable homes for rent, intermediate housing and starter homes will normally be sought on all sites where there is a requirement to provide affordable housing.

This means that developers are required to transfer affordable homes to not for profit Registered Providers or to the Council at a percentage discount of the market price or to sell on the open market at a substantial discount to ensure that they remain affordable to low income households in perpetuity.

In practice, transfer rates to Registered Providers are likely to be less than 50% of the open market value. Starter Homes and other discounted market products are likely to be restricted to an open market value or discounted more than 20% to be affordable to those eligible households who cannot afford to access the market.

In December 2015 the price of a lower quartile semi-detached home in South Derbyshire was £160,000. At 20% discount, a £128,000 starter home is not accessible to the majority of first-time buyers who require a deposit of at least 10% (£12,800) to be able to access a mortgage, in addition to other associated costs such as conveyancing and valuation fees.

Wherever possible, the Council will seek 1-bedroom properties suitable for 2 persons, 2-bedroom properties suitable for 4 persons and 3-bedroom properties suitable for 5 persons. The Council will also seek 4-bedroom properties for larger families and bungalows for households who require accessible or adapted homes.

Quality of Affordable Homes

The Council requires all affordable homes to be of good design and quality and fit for purpose.

To ensure the creation of sustainable and integrated communities, the affordable homes should be 'tenure blind'. This means that they should not be visually distinguishable from the market housing on the site in terms of build quality, materials, detailing, levels of amenity space and privacy including the treatment of gardens and boundaries.

It is advised that the homes should meet the Technical Housing Standards – Nationally Described Space Standard (March 2015, partially updated May 2016) as set out in Annex 2, or as can be demonstrated to be acceptable to Registered Providers. Good space standards are required as affordable homes will normally be let to maximum occupancy as a consequence of the Social Housing Size Criteria, which requires two children to share a bedroom up to the age of 10, and for two of the same sex children to share up to the age of 18.

The following boxes offer information on what is preferred by Registered Providers in the affordable homes that are built. Further information on design within South Derbyshire will be available in the Design SPD.

In addition, homes that are provided within a designated Conservation Area will require the associated level of design.

The Council will not support schemes where the affordable homes offered are:

- Over detached blocks of garages
- 2 or more bedroom flats
- Predominantly over undercrofts
- Predominantly over retail units
- In blocks of unbroken terraces or flats of more than four dwellings.
- Overlooking large areas of courtyard parking.
- Providing bedrooms not large enough for two children to share

Wherever possible, the Council require affordable homes to have:

- In-curtilage or nearby parking
- Gardens finished to the same standard and size as their private neighbours
- External materials and finishes to the same standard as the equivalent private dwellings.
- Sympathetic boundary treatment in keeping with private dwellings
- No shared highway access arrangements.
- A Lifetime Homes standard of build, or specifically built for disabled use.
- No service charges or management fees



Mechanisms for Delivering Affordable Housing

The Council uses four key mechanisms for delivering affordable housing:

- Negotiation of up to 30% affordable housing, as defined by the NPPF, on market sites for developments of over 15 dwellings.
- Registered Provider or Council-led schemes that come forward and achieve higher levels of affordable housing on sites that would not otherwise be viable, such as on brownfield sites.
- Provision of affordable housing on rural exception sites to meet a local identified housing need.
- Acquisition by the Council of new build homes built either as part of S106 agreements or purchased on the open market.

In exceptional circumstances, the Council may accept:

- Commuted sums in lieu of on-site provision to facilitate the delivery of affordable housing on an alternative site.



Affordable Housing Secured on Market Sites

Policy H21 of the Local Plan Part 1 seeks to secure up to 30% of new housing development as affordable housing on **market sites** of more than 15 dwellings. These shall be secured through agreements made under Section 106 of the Town and Country Planning Act 1990 (as amended).

Consideration will be given to:

- I. the local housing market;
- II. the viability of any proposed scheme which will be assessed through independent viability assessments;
- III. the tenure mix and dwelling type to be delivered on-site based on the SHMA or other up to date housing evidence prepared in conjunction with the Council;
- IV. the phases of development that are being proposed.

The onus is on the applicant to demonstrate if market conditions and extraordinary costs mean that there may be a case for reducing the proportion of affordable housing to less than 30%. The applicant will be expected to submit sufficient details in support of any claim for a reduction in the affordable housing, including an Economic Viability Assessment and agree to payment of all reasonable costs for the independent checking and verification by the District Valuer.

Registered Provider and Council-Led Schemes (Affordable Housing Provider)

The Council will support Registered Providers who wish to develop sites delivering affordable housing in accordance with Policy H21 where:

- I. there is an identified local housing need for affordable housing; or
- II. there is a brownfield site which is not viable for the delivery of market housing; or
- III. the site forms part of a regeneration programme involving the demolition of some or all of the existing affordable housing on the site.

Where the Council considers it is appropriate to permit the development of more than 30% of affordable housing on a site, the affordable housing provider will be required to provide other appropriate development contributions unless independent economic viability assessment demonstrates that it is not viable.



Rural Housing Exception Sites

A rural exception site is a site where planning permission will only be granted for small scale rural affordable housing, as an exception to normal planning policy, to meet an identified local need. Rural Exception Sites must be in scale and keeping with the settlement they are within or adjoining and its setting. The NPPF definition of Rural Exception Sites is:

‘Small sites used for affordable housing in perpetuity where sites would not normally be used for housing. Rural Exception Sites seek to address the needs of the local community by accommodating households which are either current residents or have an existing family or employment connection. Small numbers of market homes may be allowed at the local authority’s discretion, for example where essential to enable the delivery of affordable units without grant funding’.

Policy H21 permits the development of housing on rural exception sites that are kept in perpetuity as affordable housing for local people where sites adjoin existing Key Service Villages, Local Service Villages and Rural Villages. The number of dwellings must be in accordance with the settlement hierarchy set out in Policy H1 in the Local Plan, see Annex 3, and only in exceptional circumstances to normal policy where:

- i. the homes meet a clearly identified local need;
- ii. the development provides a majority of affordable homes;
- iii. the need cannot reasonably be met within the development limits of the village concerned and

- iv. the development is in a scale relative to the settlement size and facilities available particularly public transport and does not have any unacceptable adverse impacts on the natural and built environment.

An application for development on an exception site must be supported and based on robust evidence such as an up to date independent Local Housing Needs Study, reflecting the property types and tenure identified in that study and demonstrating why the need cannot be met from other more suitable sites either within or adjoining the village. The affordable housing must be transferred and managed by a Registered Provider (or the Council) and remain affordable in perpetuity and be available for local people as a matter of priority.

The development of rural exception sites are permitted to meet an identified housing need for the local community. On this basis local residents or those who can demonstrate a local connection to the community should be given first priority to either rent or purchase an affordable home and this principle should apply to any subsequent rental lets or sales.

The following definition of local connection (based on 2002 Housing Act) shall apply:

- a person has a local connection because he or she is, or was in the past, normally resident there, and that residence was of his or her own choice; or
- he or she is employed there; or
- because he or she has an immediate family association; or
- because of special circumstances he or she needs to live in the community.

In all circumstances local connection must be for a minimum of 6 continuous months

in the previous 12 month period or at least 3 years in the previous 5 years

There are restrictions placed on Registered Providers that limit the amount they can pay for land. Typically, this will be in the region of £10,000 to £14,000 per property. Where it can be demonstrated through a financial viability assessment that taking into account all of the available funding a scheme is not viable, then consideration will be given to a proportion of the site being developed with market housing. However, this will be limited to the amount of market housing which makes the scheme viable with the majority of housing provided being affordable homes.

Commuted Sum in Lieu of on-site Provision

Policy H20 (Housing Balance) of the Local Plan Part 1 seeks to provide a balance of housing that includes a mix of dwelling type, tenure, size and density. Therefore, it is expected that where affordable housing is required as part of a proposed development, it should be provided on-site.

The Council will only accept the payment of a commuted sum in lieu of on-site provision where it is demonstrated that the provision of affordable housing on-site makes the development unviable or where social housing would be inappropriate.

The payment of commuted sums in lieu of on-site provision may be considered in the following circumstances, but only where the Council is satisfied that such payment will actually result in the provision of affordable housing in the locality:

- I. where the Council considers it is more appropriate to provide the affordable housing on an

alternative site led by the Council or a Registered Provider;

- II. where the Council considers it is more appropriate to subsidise the delivery of affordable housing on an alternative market housing site whereby it has not been possible due to viability to secure 30% affordable housing;
- III. where the Local Housing Strategy has identified a need for specialist or support housing and the Council wishes to pool some or all of the contributions for affordable housing to meet that need;
- IV. where the Council considers it is more sustainable to provide the affordable housing by acquisition of existing homes for affordable use.

Where a commuted sum is acceptable to the Council, the amount payable per dwelling will be calculated and checked by the Council through the District Valuer. All sums received will only be used to subsidise affordable housing provision within the District.

A commuted sum can be used to fund the purchase of new build housing, to purchase existing dwellings for affordable use or contribute to the regeneration or redevelopment of existing housing within South Derbyshire.



Delivery Expectations

Clustering of Affordable Housing

In order to integrate different tenures, the Council will not support the principle of grouping all affordable dwellings together. Instead, new residential developments should be designed so that affordable housing is distributed across the whole site/phase amongst the open market housing in clusters of no more than 10 dwellings, with the exception of 100% schemes.

Clusters will be counted as follows:

- a cluster will include all affordable housing tenures including discounted low cost housing and starter homes.
- a cluster includes all affordable housing which is contiguous including the adjacent gardens and those properties immediately opposite each other divided by a road or car parking.
- a cluster includes any existing affordable homes or any affordable home proposed in an adjacent construction phase regardless as to who the developer is.

Design

As with all other forms of residential accommodation, the Council expects affordable housing to be built to a high standard of design and amenity.

Affordable dwellings provided within a new residential development should be visually indistinguishable, built to the same quality and using the same materials as open market homes; this includes all gardens and boundary finishes.

All affordable homes are expected to have their own front door directly leading to the outdoors.

Affordable dwellings should be well designed and preferably conform to the minimum space standards, as set out in Annex 2, providing a good level of living space for their maximum occupancy. Schemes should also accord with the Council's Design Guide SPD.



Layout Plans

For outline planning applications, the delivery of affordable housing must be agreed in principle. The Council will require details of the percentage of all homes proposed to be affordable homes, types and tenures to be provided and, once agreed, this will be set out in a Section 106 Agreement.

In the case of full and reserved matter planning applications, a site layout plan should be submitted showing the 'Affordable Housing Scheme' indicating the type, tenure and location of the affordable housing. Details of the gross internal floor area and number of bedrooms for each dwelling type should be provided in a schedule shown on the relevant site layout plan.



Property Type

In determining the property types, regard will be given to the current Strategic Housing Market Assessment and local housing needs evidence, including need identified through the district housing waiting list.

1-bed properties should preferably comprise 1 bed houses. Where 1-bed flats are permitted, these should be in blocks of no more than four properties with no internal communal spaces such as corridors and staircases.

2, 3, 4+ bed properties should be houses or bungalows (i.e. no flats) and should preferably be no more than 2-storey, suitable to meet the needs of a family and include a private garden space.

The District has an increasing older population with a 96% (4,489) expected increase in those over the age of 75 by 2031. Where there is evidence, the Council will seek a proportion of bungalows of a good size, suitable for wheelchair use and other adaptations, to be developed on all suitable sites.

Tenure

The affordable housing tenure will be broadly in line with that recommended in the current Strategic Housing Market

Assessment at a sub-housing market level.

Negotiations regarding the tenure split will be based on viability with regard given to the Government’s intention to introduce a proportion of Starter Homes on sites.

South Derbyshire sub-market area	Percentage of Affordable homes for rent	Percentage of Intermediate affordable homes
Derby Fringe	75%	25%
North West	68%	32%
Swadlincote South	68%	32%

Tenure Split recommended in the 2013 Derby HMA Strategic Housing Market Assessment

Transfer Price to a Housing Provider

Registered Providers are restricted in what they can pay to developers for new homes, limited by the finance they can raise on the property, and the associated long term costs of financing the purchase and managing and maintaining the property. The maximum rents they can charge must be affordable, and intermediate tenure must be sold at a price that is affordable to those households not able to access full price market housing.

The Council does not specify a price at which a developer must transfer the affordable housing to a Registered Provider and does not limit developers’ choice in whom they may wish to transfer the properties to. However the Council expects the developer to proactively seek a Provider and be willing to accept a transfer price less than 50% of the open market value. The developer will need to demonstrate through an independent Economic Viability Assessment if they consider the price offered by a Registered Provider renders the scheme unviable and

are seeking a variation to the overall percentage/ tenure split of the affordable housing as set out in the S106 legal agreement.

Service Charges

The developer should not apply service charges to a Registered Provider. On developments where there are communal areas such as car parking, the developer should transfer the freehold of the space/area to the Registered Provider to enable them to minimise future costs to the occupiers.

Phasing

Developers will be expected to complete the affordable units on site broadly in tandem with the delivery of market housing and this will be secured through a legal agreement. A 'Phasing Plan' will be required identifying the phases of the development (if the development is intended to be developed in phases), which will usually be part of the Section 106 Agreement. For single phase developments the proportion, mix (unit types, sizes and tenures) and locations (specific plot number) of the affordable housing will be agreed at the time of a full application or at the time of a reserved matters application for outline applications.

For multi-phase developments, the maximum and minimum amounts of affordable housing on each phase will be agreed at the time of the outline application. The proportion, mix (unit types, sizes and tenures) and locations (specific plot numbers) of affordable housing on each individual phase will then be agreed at the start of each phase.

Affordable Housing Providers

The Council works with a number of Affordable Housing Providers (Registered Providers- not for profit organisations) to develop and ensure the long term retention, management and availability of all affordable homes.

The Council recommends that, following pre-application discussions with the Council, that the applicant puts forward their proposals with an Affordable Housing Provider so they can be involved in the negotiation at the earliest possible stage and preferably be party to the required Section 106 Agreement.

A list of Affordable Housing Providers developing across the District is shown in the box opposite.

This list is not restrictive and applicants may work with an Affordable Housing Provider that is not included on this list. However, the proposed Affordable Housing Provider must be agreed in advance by the Council before any contract with the Provider is entered into, as all of the affordable housing units must be able to be allocated through the District's Choice Based Lettings scheme – Homefinder, or other arrangements approved by the Council.

Affordable Housing Providers developing across South Derbyshire
Derwent Living
East Midlands Housing Association
Midland Rural Housing
Nottingham Community Housing Association
Riverside Housing Association
Sanctuary Housing Association
South Derbyshire District Council
Trent & Dove Housing Association
Trident Housing Association
Waterloo Housing Association



Contacts

If you need any further assistance or clarification of affordable housing policy, please contact the Planning Department at the email address below, or telephone 01283 228706.

If your query relates to a specific planning application, please contact the Development Management team member dealing with your application or email:

planning@south-derbys.gov.uk

Annex One

South Derbyshire Sub-Markets in the Derby Housing Market Area

Sub-Market	Wards in Sub-Market	External Influences
Derby Fringe	Aston, Melbourne, Stenson, Repton, Willington and Findern	Derby
Swadlincote & South	Church Gresley, Hartshorne and Ticknall, Linton, Midway, Newhall and Stanton, Seales, Swadlincote, Woodville	Burton-upon-Trent, Ashby-de-la-Zouch
North West	Etwall, Hilton, North West	Derby, Burton-upon-Trent

Source: 2013 Derby HMA Strategic Housing Market Assessment prepared by GL Hearn

Annex Two

Space Standards Required for Affordable Homes

Minimum space standards, based on DCLG Technical Housing Standards (March 2015, updated May 2016) and set out below, are recommended for all affordable homes regardless of tenure.

Number of Bedrooms	No of bed spaces (persons)	Minimum gross internal floor areas		
		1 storey dwellings (sq. metre)	2 storey dwellings (sq. metre)	3 storey dwellings (sq. metre)
1	1p	39		
	2p	50	58	
2	3p	61	70	
	4p	70	79	
3	4p	74	84	90
	5p	86	93	99
	6p	95	102	108
4	5p	90	97	103
	6p	99	106	112
	7p	108	115	121
	8p	117	124	130
5	6p	103	110	116
	7p	112	119	125
	8p	121	128	134
6	7p	116	123	129
	8p	125	132	138

Additional information

Wheelchair adapted properties should allow for a minimum turning circle of 1500 x 1500 and property type drawings submitted with a planning application should demonstrate that a wheelchair user can move freely around the property and including using toilet and bath/shower facilities.

The DCLG Technical Housing Standards are available at

<https://www.gov.uk/government/publications/technical-housing-standards-nationally-described-space-standard>

Annex Three

The Settlement Hierarchy

Policy H1 ‘Settlement Hierarchy’ of the adopted Local Plan is set out below:

1. Urban Areas – development of all sizes within the settlement boundaries will be considered appropriate and sites adjacent to settlement as an exception or cross subsidy site as long as not greater than 25 dwellings.

Swadlincote including Woodville	Adjacent to Burton upon Trent
Adjacent to Derby	

2. Key Service Villages– development of all sizes within the settlement boundaries will be considered appropriate and sites adjacent to settlement as an exception or cross subsidy site as long as not greater than 25 dwellings.

Aston on Trent	Etwall	Hatton
Hilton	Melbourne	Overseal
Repton	Shardlow	Willington
Linton		

3. Local Service Villages – development of sites within the settlement boundary will be considered appropriate and sites adjacent to settlement boundaries as an exceptions or cross subsidy site as long as not greater than 15 dwellings.

Coton in the Elms	Findern	Hartshorne
Mount Pleasant	Netherseal	Newton Solney
Rosliston	Ticknall	Weston on Trent

4. Rural Villages – development of a limited nature will be allowed as follows:
 - i. within the settlement boundary where applicable or adjacent to as an exceptions or cross subsidy site as long as not greater than 15 dwellings;
 - ii. or of limited infill and conversion of existing building where no settlement boundary.

Ambaston	Barrow upon Trent	Bretby
Burnaston	Cauldwell	Church Broughton
Coton Park	Dalbury	Drakelow Village
Egginton	Elvaston	Foremark
Foston	Ingleby	Kings Newton
Lees	Long Lane	Lullington
Marston on Dove	Milton	Radbourne
Scropton	Smisby	Stanton
Stanton by Bridge	Sutton on the Hill	Swarkestone
Thulston	Trusley	Twyford
Walton on Trent		

5. Rural Areas – areas outside of the defined settlements listed above. Due to the lack of services and facilities and defined settlement boundaries, only development of limited infill and conversions of existing buildings will be acceptable.

Annex Four

Affordable Housing Need identified in the 2013 Strategic Housing Market Assessment

Estimated level of Housing Need (2012-17) by Type of Affordable Housing (Numbers)

Area	Intermediate			Social/Affordable Rented			Total net need
	Total need	Supply	Net need	Total need	Supply	Net need	
Derby Fringe	130	16	114	480	147	333	447
North West	84	5	80	284	115	168	248
Swadlincote & South	361	33	328	1701	1001	700	1028
Total	575	54	522	2465	1263	1201	1723

Source: G L Hearn: 2013 Derby HMA Strategic Housing Market Assessment

Estimated level of Housing Need (2012-17) by type of Affordable Housing (Percentages)

Area	Intermediate	Affordable Rent	Social rent	Total
Derby Fringe	26%	12%	62%	100%
North West	32%	11%	57%	100%
Swadlincote & South	32%	1%	67%	100%
District Average	30%	8%	62%	100%

Source: G L Hearn: 2013 Derby HMA Strategic Housing Market Assessment

Obtaining alternative versions of this document

If you would like this document in another language, or if you require the services of an interpreter, please contact us. This information is also available in large print, Braille or audio format upon request.

Phone: 01283 595795

E-mail: customer.services@south-derbys.gov.uk

यदि आपको ये दस्तावेज़ किसी दूसरी भाषा में चाहिये, या किसी दुभाषिये की सेवाओं की जरूरत है तो हमें सम्पर्क करने की कृपया करें। ये जानकारी माँग करने पर बड़े अक्षरों, ब्रैल या आडिओ के रूप में भी उपलब्ध कराई जा सकती है।

ਜੇ ਤੁਹਾਨੂੰ ਇਹ ਦਸਤਾਵੇਜ਼ ਕਿਸੇ ਦੂਸਰੀ ਭਾਸ਼ਾ ਵਿਚ ਚਾਹੀਦਾ ਹੈ, ਜਾਂ ਕਿਸੇ ਦੁਭਾਸ਼ੀਏ ਦੀਆਂ ਸੇਵਾਵਾਂ ਦੀ ਲੋੜ ਹੈ ਤਾਂ ਸਾਡੇ ਨਾਲ ਸੰਪਰਕ ਕਰਨ ਦੀ ਕ੍ਰਿਪਾ ਕਰੋ ਜੀ ਇਹ ਜਾਣਕਾਰੀ ਮਿੰਗ ਕਰਨ ਤੇ ਵੱਡੇ ਅੱਖਰਾਂ, ਬ੍ਰੇਅਲ ਜਾਂ ਆਡਿਊ ਦੇ ਰੂਪ ਵਿਚ ਵੀ ਉਪਲੱਬਧ ਕਰਵਾਈ ਜਾ ਸਕਦੀ ਹੈ।

اگر آپ یہ ڈاکیومنٹ کسی اور زبان میں چاہتے ہیں، یا اگر آپ کو کسی ترجمان کی خدمات درکار ہوں، تو براہ کرم ہم سے رابطہ کریں۔ درخواست کرنے پر یہ معلومات بڑے پرنٹ، بریل یا آڈیو فارمیٹ میں بھی دستیاب ہیں۔

Published by **South Derbyshire District Council**

Civic Offices, Civic Way, Swadlincote, Derbyshire DE11 0AH

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Affordable Housing Supplementary Planning Document

Consultation Statement

November 2017

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Introduction

Purpose of Document

This Consultation Statement sets out how South Derbyshire District Council has undertaken community consultations and stakeholder involvement in preparing the Affordable Housing Supplementary Planning Document (SPD).

The National Planning Policy Framework (NPPF) paragraph 155 sets out the Government's principles for community engagement; "Early and meaningful engagement and collaboration with neighbours, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made".

South Derbyshire District Council has written the Affordable Housing SPD in addition to the Local Plan to help applicants make successful applications and to aid affordable housing delivery. Paragraph 153 of The NPPF states "Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified. Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used to add unnecessarily to the financial burdens on development".

Statement of Community Involvement

In March 2006, the Council adopted its Statement of Community Involvement (SCI), which sets out how the community and other stakeholders will be engaged in the preparation of the Local Plan and in development management matters.

The SCI proposes possible methods of consultation involvement and indicates the approach which will be used to involve the community in the preparation of the Local Plan and SPDs. It also includes the approaches that may be used if it is believed to be beneficial and/or the resources are available.

The following table is an extract from the SCI, setting out how South Derbyshire will involve the community in preparation of the Local Plan and accompanying documents. It also indicates the additional approaches that may be used where it is believed that they would be beneficial and/or resources are available (P).

Method	Core and General Policies			Development Plan Documents (e.g. area action plan)			Supplementary Planning Documents	
	1	2	3	1	2	3	1	2
Making documents available for review at Council Offices and libraries	-	•	•	-	•	•	-	•
Newsletter or leaflet available at local venues, e.g. supermarkets, surgeries	•	P	P	•	-	-	•	-
Information sent to existing network or organisations and their newsletters	•	P	P	•	P	•	•	P
Press releases/ articles in press	•	•	•	•	P	•	•	P
Exhibition/ display in local areas	-	P	-	-	•	-	-	P
Information and documents on website	•	•	•	•	•	•	•	•
Questionnaire survey	•	-	-	•	-	-	P	-
Public meeting/ surgery	-	•	P	-	•	P	-	•
Focus group with representatives of specific issue area	P	-	-	P	-	-	•	P
Workshop with representatives of range of issues or interest areas	P	•	-	P	-	-	•	P
Participative planning activities	-	P	-	P	-	-	-	-
Community liaison group	P	P	P	P	P	P	P	P

It was considered that a thorough public consultation at stage 2 (preparing the document) would be more valuable in producing an SPD than at stage 1, therefore this alteration to the prescribed practice was made. The consultation during stage 2 far exceeded the minimum levels set out in the SCI and included a number of additional approaches, which the SCI states may be used where it is believed they would be beneficial and/or resources are available. This included giving a copy of the

SPD to Registered Providers (information sent to existing networks and organisations) and producing a press release advertising the consultation.

The District Council undertook public meetings in the form of consultation/drop-in events. It was considered that undertaking traditional public meetings, which are normally held for a specific short period of time, could affect the number of consultees who would attend the events and get involved.

Drop-in events were designed to be as flexible as possible so that members of the public could turn up at any time during the event. They enabled consultees to read material on the consultation and discuss the consultation document with officers on a one to one basis.

The consultation undertaken on the Affordable Housing SPD is in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012, which sets the requirements for producing an SPD.

Consultation

Who was invited to be involved at this stage and how?

The consultation on the Draft Affordable Housing SPD coincided with the consultation on the Draft Design SPD and the Local Green Spaces Development Plan Document.

The consultation period for the three documents ran from 12th June 2017 to 7th August 2017 following approval for consultation being given at Environmental and Development Services Committee on 26 April 2017.

Different methods of public consultation were used to maximise community and stakeholder engagement on the Draft Affordable Housing SPD, such as:

- a. All organisations and individuals on the Local Plan database (including Parish Councils and South Derbyshire's MP) were contacted by letter or email (where provided), informing consultees of the purpose of the consultation, how to find further information and how to make representations.
- b. South Derbyshire Parish Councils and Parish Meetings were sent a copy of the questionnaire and were requested to contact the Planning Policy team if they required a hard copy of the consultation document.
- c. A reference copy of the SPD was available to view in South Derbyshire District Council's Main Reception along with a questionnaire to take away.

- d. Reference copies of the SPD were available to view at all South Derbyshire Libraries and the following libraries outside of the District: Burton on Trent, Mickleover, Blagreaves and Sinfin. Questionnaires were also available to take away.
- e. A questionnaire was produced to find out consultees' comments on the Draft Affordable Housing SPD. These were available at all drop-in events, all South Derbyshire Libraries (and the libraries outside of the District stated above), the District Council's Main Reception and to download from the District Council's webpage.
- f. Details of the drop-in events were published on the District Council's website, and the Draft Affordable Housing SPD and questionnaire were available to view online or download.
- g. Nine drop-in events were held in various locations, with the aim of reaching all sections of the community. Planning Officers were at the events to talk through the consultation and answer questions from members of the public and stakeholders.

The drop-in events included information panels on the three consultation documents. Reference copies of the consultation material were also on display along with a questionnaire which consultees could take away with them.

The drop-in events took place at the following venues:

13 June 2017, Tuesday, 9.30am-2pm – Civic Offices, Civic Way, Swadlincote
 22 June 2017, Thursday, 9.30am-2pm – Civic Offices, Civic Way, Swadlincote
 28 June 2017, Wednesday, 2.30pm-7.30pm – Melbourne Assembly Rooms, Melbourne
 29 June 2017, Thursday, 3.30pm-7.30pm – Hilton Village Hall, Hilton
 5 July 2017, Wednesday, 2.30pm-6.30pm – Repton Village Hall, Repton
 12 July 2017, Wednesday, 3.30pm-7.15pm – Rosliston and Cauldwell Village Hall, Rosliston
 13 July 2017, Thursday, 4pm-6.15pm – Frank Wickham Hall, Etwall.
 17th July, 2.30pm-7.30pm - Aston on Trent War Memorial Hall, Aston on Trent
 20 July 2017, Thursday, 4.30pm-7.30pm— Civic Offices, Civic Way, Swadlincote

- h. The drop-in events were advertised on Twitter.
- i. A short URL code was created for the District Council's webpage, which set out information on the consultation.

- j. The District Council issued a press release advertising the consultation and drop-in events.
- k. On 11th July copies of the Draft Affordable Housing SPD were provided to the Affordable Housing Registered Providers who attended South Derbyshire's Registered Providers Liaison Group. Those Registered Providers which were not at the Liaison Group were posted a copy of the document. The Registered Providers were asked to provide comment on the SPD.
- l. The consultation document was available to view at Safer Neighbourhood and Area Forum meetings. All meetings were held between: 6.15pm—8.30pm.

Etwall Area Forum	12 June 2017 — Hilton Village Hall
Swadlincote Area Forum	13 June 2017 — Goseley Community Centre
Melbourne Area Forum	19 June 2017 — Melbourne Assembly Rooms
Newhall Area Forum	20 June 2017 — Old Post Centre, Newhall
Repton Area Forum	26 June 2017 — Milton Village Hall
Linton Area Forum	28 June 2017— Walton Village Hall
Linton Area Forum	28 June 2017— Walton Village Hall

What were the main issues raised?

In total nine responses were received on the Draft Affordable Housing SPD. A summary of the comments received can be found below. The page numbers referred to relate to the draft version of the document.

- One comment supports the growth of affordable housing in line with research that sets out the health benefits of affordable housing. However it also points out that the increase in housing mass will have wider implications on the health care support available and asks that this is included as a key driver when developments are considered.
- One consultee states that the document is NPPF compliant, states that the introduction and housing needs section on pages 9, 10 and 12 are based on a good range of supporting evidence and supports a number of approaches within the document including: affordable housing on development phases on page 21; the 'Mechanism for Delivering Affordable Housing' on page 15; affordable housing design set out in paragraph 2 of page 14; and the fourth paragraph on page 12.
- One consultee stated that the proposals align to those proposed in Repton Parish's Neighbourhood Development Plan.
- One consultee states that the document defines and details the District Council's high expectations for developers to deliver fit for purpose affordable housing that integrates with new development and communities

- One consultee considered that the mechanism to effectively drive down house prices and rents and hence make them affordable is for Local Authorities to build large quantities of housing of all types and make them available at least at the 80% target rent or less. This would move tenants away from private rented market and address the need for social rented housing.
- One comment stated that the SPD provides greater clarity and certainty as to how Policy H21 of the Local Plan Part 1 will be applied.
- On Page 14 the document states “The Council will not support schemes where the affordable housing offered are...” The consultee states that there is no evidence supporting the need for a negative position (‘not support’) over one that retains an element of flexibility (i.e. ‘prefer’)
- The SPD should be amended to delete the text ‘Exceeds 2-storey’ from the uppermost box on page 14. The consultee states that three storey dwellings are not unsuitable for use as Affordable Housing. Another consultee suggested that in order to maximise sq. foot living space in 3, 4, 5 bedroom properties it may be advantageous to build 3 storey properties.
- It was suggested that the SPD should be clear that the mix of affordable housing tenure sought within the document is a starting point for negotiation as tenure mix could have an impact on viability. The document should make clear that viability may be a material consideration when determining affordable housing tenure mix.
- One respondent stated that it would be more appropriate for the SPD to determine housing mix on a case by case basis, having regard to local need at the time and viability.
- One consultee states that at outline application stage the detail of location, tenure, type and size of units, amount of affordable housing and viability are likely to be unknown. However another consultee supports the ‘Layout plans’ section on page 19 which requires that the delivery of affordable housing is agreed in principle at outline permission.
- It was stated that The Housing White Paper (Feb 2017) sets out the Government’s intention to introduce Starter Homes as an affordable housing product. The consultee states that the consideration of Starter Homes as affordable housing should not solely be limited to previously developed land.
- A comment was made that the District’s Strategic Housing Market Assessment (SHMA) is currently 5 years out of date along with outdated information on the number of households on the District’s housing register. This impacts on the accuracy of data in the Draft Affordable Housing SPD.
- One consultee stated that the aim of providing affordable housing to the same standard as market housing is laudable, however such requirements will surely militate against any developer wanting to build these houses knowing that they will only receive 50% of the market value.

- It was stated that the document correctly points out that the over 75 age group is increasing, however the document and GL Hearn base documents make no mention of residential homes, nursing homes etc. The consultee goes on to add that a proportion of the aging population will be housed in such accommodation, hence reducing the housing need for this age group.
- A comment was provided in relation to Annex Two, observing that the National Space Standards required for affordable homes was updated in May 2016.
- One respondent states that the definition of affordable housing conflates “affordable to buy” with “affordable to rent”.
- An observation was made with regard to how commuted sums are used in the District, as there is the perception that the money is not used to fund alternative affordable housing on sites within the District.
- The Council has been asked to consider “rent to buy” properties as affordable housing, as the Draft SPD mentions only “social rent”, “affordable rent” and “starter homes” when referring to affordable housing.
- It was suggested that the Council acknowledge that Registered Providers, including those not ‘known’ to the Council can provide affordable housing in South Derbyshire.
- It was noted that there are references to in perpetuity to ensure that affordable housing be kept as affordable units. One consultee states that other affordable housing models such as rent to buy will make a valuable contribution to meeting local affordable housing need, but will not be suitable to this restriction. Therefore the Council should alter the wording to reflect the Government proposal that some affordable housing products “may not be subject to in perpetuity restrictions”.

How, where necessary, these issues were addressed

- The Affordable Housing SPD has been amended with regard to the restrictions over multi-storey dwellings. Previously the document stated that South Derbyshire District Council will not support schemes where the affordable homes offered exceeded two storeys. This has been removed and no longer documents this restriction. The Council recognises that the previous restriction over multi-storey dwellings was not beneficial to space standards and the delivery of affordable homes within the District.
- South Derbyshire District Council recognises that new developments may impact health care services and other services within the District. This is considered along with other factors affecting the social infrastructure of the area such as education, access to leisure and transport links when any planning application for a housing development site is processed. Although the Affordable Housing SPD does not directly address this, the Council’s stance on infrastructure can be found in the Local Plan Part 1 Chapter 9. The

Council recognises the importance of improving local physical, social or green infrastructure and that this is essential to creation of sustainable communities.

- South Derbyshire District Council recognises that the current Strategic Housing Market Assessment (SHMA) was written in July 2013, and is almost five years out of date. The Council is due to undergo the process of putting a new SHMA out to tender, which will provide more current statistics for the District. Whilst the Affordable Housing SPD has drawn data from the 2013 Derby HMA (Housing Market Area) Strategic Housing Market Assessment (SHMA), data was also taken from South Derbyshire District Council's Choice Based Lettings (CBL) scheme to determine the current housing need within the District.
- Annex Two of the SPD now makes specific reference to the space standards as being updated in May 2016.
- The Draft Affordable Housing SPD provides a definition of affordable housing as defined by the National Planning Policy Framework (NPPF). The document also provides a clear definition between social rented, affordable rented, immediate housing and starter homes. Therefore, no amendments have been made to the Draft Affordable Housing Supplementary Planning Document on this matter.
- Amendments have been made to the section titled 'Commuted Sum in Lieu of on-site Provision' after comments were received about how and where commuted sums are used within the District. The document explains that a commuted sum can be used to fund the purchase of new build housing or contribute to the regeneration or redeveloping of existing housing within South Derbyshire.
- Whilst it is acknowledged that an increasingly older population may have a greater proportion of housing needs met through residential care homes, it is not considered necessary to amend the Draft SPD with respect to this.
- Policy H21 makes clear that the viability of any proposed scheme will be taken into consideration, as will the SHMA or other up to date evidence. The SPD also states that "negotiations regarding tenure split will be based on viability with regard given to the Government's intention to introduce a proportion of starter homes on sites."
- With respect to the comment 'no evidence supporting the need for a negative position' with regard to the affordable homes offered (page 14), the Council is not seeking to advocate schemes that are known to not be preferred by Registered Providers.
- The Council will continue to build affordable housing itself where the right opportunities arise.
- The approach taken under 'layout plans' with regard to S106s and outline consents, that the delivery of affordable housing must be agreed in principle, including percentages, types and tenures, has been supported by the County Council and has been retained.

- Rent to buy/try before you buy homes are an intermediate product where occupants benefit from a subsidised rent for up to 5 years (during which time the lower rent levels allow them to save). Applicants are offered the new build homes following means testing (usually through a help to buy agent) as they cannot earn over £60k and must not already own a property. After the five years the tenants are expected to purchase the homes from the provider. Whilst the Council supports the need for a mix of tenure types within the 30% affordable on-site provision, the affordable housing element must remain in perpetuity for future generations and this can be achieved by working with our not-for-profit registered providers and through delivery of the Council's own new build schemes. The Council are required to ensure new supply of affordable units to meet newly arising need and this can be achieved by negotiation of on-site provision that will meet needs in the District over the longer term. The Rentplus model and other similar schemes would not meet this definition as occupants can be required to vacate their homes after the initial five year period. This does not happen with not-for-profit registered providers as they would convert the tenure at the end of the five years rather than make the household homeless/end their tenancy.

Strategic Environment Assessment Screening Report

Affordable Housing Supplementary Planning Document June 2017

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1 Introduction and Purpose of this Report

- 1.1 South Derbyshire District Council has produced a Draft Affordable Housing Supplementary Planning Document (SPD) to assist in the delivery of affordable housing in accordance with policies included in the Adopted South Derbyshire Part 1 Local Plan.
- 1.2 This screening report sets out whether or not the contents of the Affordable Housing SPD requires a Strategic Environmental Assessment (SEA) in accordance with the European Directive 2001/42/EC and associated Environmental Assessment of Plans and Programmes Regulations 2004.

2 Legislative Background

- 2.1 The objective of SEA is to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development. It is a requirement of the European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, also known as the SEA Directive. The Directive was transposed in UK law by The Environmental Assessment of Plans and Programmes Regulations 2004, (the SEA Regulations).
- 2.2 Article 3(2) of the directive states that SEA is required for plans and programmes:
 - a) which are prepared for agriculture, town and country planning or land use and which set the framework for future development consent for projects listed in Annexes I and II to the Environmental Impact Assessment (EIA) Directive (85/337/EEC); or
 - b) which, in view of the likely effect on sites, have been determined to require an assessment pursuant to Article 6 or 7 of the Habitats Directive (92/43/EEC).
- 2.3 However, Article 3(3) and 3(4) only requires SEA for some plans and programmes where they have significant environmental effects. This includes plans and programmes which “determine the use of small areas at a local level” or which only propose “minor modifications to plans and programmes”. Annex II of the Directive lists criteria for determining the likely significance of the environmental effects of plans or programmes.
- 2.4 The Planning and Compulsory Purchase Act 2004 required Local Authorities to produce Sustainability Appraisals (SA) in preparing most documents that inform the development and use of land within an Authorities area. It is considered best practice to incorporate the requirements of the SEA Directive into a Sustainability Appraisal. The 2008 Planning Act removed the requirement to undertake a Sustainability Appraisal for a Supplementary Planning Document,

although consideration of whether the proposed plan or programme requires SEA is still required. This report screens for SEA, to determine whether a full assessment is needed.

3 Overview of the Affordable Housing SPD

3.1 The SPD provides clear and consistent guidance on how Policies H20 'Housing Balance' and H21 'Affordable Housing' of the Part 1 Local Plan are to be implemented. It is an important consideration in determining relevant planning applications.

3.2 Policy H20 sets out the Council's policies in respect of securing a mix of housing types and tenures on development sites to reflect local needs, whilst Policy H21 requires that up to 30% affordable housing on sites of over 15 dwellings, subject to economic viability is secured. Policy H21 also sets out the circumstances when rural exception sites for affordable housing or cross-subsidy sites would be acceptable in locations where market housing would not usually be allowed. The SPD provides:

- A summary of recent house price trends in the District.
- A definition of Affordable Housing based on the National Planning Policy Framework and the types of housing that the Council considers to be affordable in line with this definition.
- A summary of local housing need
- Consideration of housing affordability and tenure
- Guidance on housing quality and space requirements for new affordable housing
- Information on the mechanisms for delivering affordable housing; and
- Affordable Housing Providers developing in the District.

3.3 The SPD explains how the policy is applied and answers questions that may be raised when considering the policy, for example:

- When is affordable housing required on market development sites?
- How much housing should be provided on development sites?
- How much affordable housing is needed in the different sub markets and the tenure split?
- Housing quality and design (including space standards)
- What information should be submitted to the Council where a developer seeks to reduce the proportion of affordable housing on a market site to

less than 30%

- The circumstances when the Council will consider a commuted sum in lieu of on site provision
- The exceptional circumstances where the Council will allow rural exception or cross subsidy sites in locations adjoining existing settlements in the District

4 Screening Procedure

4.1 The purpose of the SPD is to provide advice on how the requirements of Policies H20 and H21 of the South Derbyshire Part 1 Local Plan can be met. The Part 1 Local Plan is an 'overarching' strategic policy document and covers a wide range of issues and spatial matters. SEA has been undertaken for the Part 1 Local Plan as part of the Sustainability Appraisal undertaken during document preparation. This screening report establishes whether there are any additional likely significant impacts arising from the preparation of the Affordable Housing SPD that have not been considered in the Part 1 Local Plan Sustainability Appraisal Report. A full SEA is only required if additional likely significant effects are identified.

4.2 Schedule 1 of the Directive sets out the assessment criteria for considering significant environmental effects. The SPD has been assessed against these criteria. The detailed assessment is set out in Appendix 1.

5 Conclusion and Screening Outcome

5.1 As a result of the assessment documented in Appendix 1 it is unlikely that there will be any significant environmental effects arising from the Affordable Housing SPD that were not covered in the Appraisal of the Part 1 Local Plan. Therefore, the Council considers that there is no requirement to undertake an SA/SEA.

Appendix 1: Assessment of Likely Significance of Effects (LSE) on the Environment

Criteria for determining the likely significance of effects on the Environment	Potential effects of the SPD	Is there a LSE
1. The characteristics of plans and programmes, having regard, in particular, to—		
(a) the degree to which the plan or programme sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resources;	The SPD will provide guidance on how to apply policy H20, 'Housing Balance' and H21 'Affordable Housing' as set out in the Part 1 Local Plan. It does not set new policy. The policy framework is therefore set out in the Local Plan, which has been subject to SEA.	No
(b) the degree to which the plan or programme influences other plans and programmes including those in a hierarchy;	The SPD is a daughter document to the South Derbyshire Local Plan and provides detail on how to apply Policies H20 and H21. The SPD could have minor impacts in respect of affordable housing delivery and the tenure split and mix of new homes but such matters would be unlikely to result in any discernible environmental effects. The SPD will not form not part of the Development Plan.	No
(c) the relevance of the plan or programme for the integration of environmental considerations in particular with a view to promoting sustainable development;	The SPD would be unlikely to have any notable effects on the environment given that the principle of new development is established and the SPD will simply seek to control the tenure mix of new homes. However the SPD will assist in the delivery of sustainable development by providing detailed guidance to ensure that the Districts affordable housing need is appropriately met.	No
(d) environmental problems relevant to the plan or programme; and	The SPD will not alter the number or location of new homes but could affect the tenure. In respect of social considerations this document aims to ensure affordable housing is well integrated and meets local needs (as required by the policy) and could therefore have a positive effect on the District.	No
(e) the relevance of the plan or programme for the implementation of Community legislation on the environment (for example, plans and programmes linked to waste management or water protection).	The SPD sets out guidance on the provision of affordable housing. The principle of development is considered through the Local Plan, which has been subject to SEA.	No

Criteria for determining the likely significance of effects on the Environment	Potential effects of the SPD	Is there a LSE
2. Characteristics of the effects and of the area likely to be affected, having regard, in particular, to—		
(a) the probability, duration, frequency and reversibility of the effects;	No adverse effects on the environment have been identified. The Supplementary Planning Document will be used to provide certainty to developers seeking to bring forward larger housing sites (where affordable housing is required) as stipulated in Policy H21 and ensure an appropriate mix of homes is delivered to meet identified local housing needs (as required by Policy H20). This guidance does not affect the overall requirement for housing to 2028 (this is set out in the Part 1 and Part 2 South Derbyshire Local Plans) or the location of that housing. Additional guidance in respect to the tenure mix and local housing mix is unlikely to have any discernible effect on the environment beyond that already considered through the Part 1 and Part 2 Local Plans.	No
(b) the cumulative nature of the effects;	Given that the SPD would have no effect in isolation (the number and location of homes is already defined through the Part 1 and Part 2 Local Plans and this SPD will simply seek to provide guidance on the tenure mix of new housing and detailed matters relating to affordable housing delivery). As such the SPD would be unlikely to combine with other plans and give rise to any cumulative effects.	No
(c) the trans-boundary nature of the effects;	The SPD will have no transboundary effects given that South Derbyshire does not share a boundary with other nation states. Cross boundary effects in respect of housing delivery with Derby City were considered through the Sustainability Appraisal for the Part 1 Local Plan.	No
(d) the risks to human health or the environment (for example,	There are not likely to be significant negative impacts on human health or environment.	No
(e) the magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected);	The SPD covers the District of South Derbyshire which extends around 112 square miles or 33,800 hectares. There were 38,992 homes in 2011 and the population of the District was recorded as 94,611. This had increased to 99,300 by 2015. The SPD will not affect the quantum of housing planned for delivery between 2011-28 or indeed its location (the scale and location of new homes is planned for within the Part 1 and 2 Local Plans). However the SPD could have a limited effect on developers applying for planning permission (depending on the scale of sites, their nature and wider viability). It could also impact on Registered Providers or other organisations bringing forward affordable housing schemes.	No

Criteria for determining the likely significance of effects on the Environment	Potential effects of the SPD	Is there a LSE
<p>(f) the value and vulnerability of the area likely to be affected due to— special natural characteristics or</p> <ul style="list-style-type: none"> (1) cultural heritage; (i) exceeded environmental quality standards or limit values; or (ii) intensive land-use; and 	<p>The SPD will not affect environmental standards or lead to the intensification of land use. The areas that will be affected are designated as housing sites through the Part 1 and Part 2 Local Plans and will be guided by individual planning applications. The SPD will be limited to guiding the appropriate tenure mix of existing allocations.</p>	<p>No</p>
<p>(g) the effects on areas or landscapes which have a recognised national, Community or international protection status.</p>	<p>The likely effects of site allocations and policies to control future development have been tested through the local plan process, including through sustainability appraisal. These indicates that likely effects on the landscape of the District will be limited the location of allocations made in the Plan and through the inclusion of appropriate polices in the Plan to ensure mitigation of potential landscape and visual impacts associated with development. Polices to influence the tenure mix and some detailed design elements of new homes (such as minimum space standards would be unlikely to give rise to further environmental effects.</p>	<p>No</p>

Habitat Regulations Assessment (Screening) Report

Affordable Housing Supplementary Planning Document May 2017

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2	Background to the Affordable Housing SPD	11
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4	Previous HRA Work	12
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1 Introduction

- 1.1 This Habitat Regulations Assessment (screening) report determines whether or not the contents of the Affordable Housing Supplementary Planning Document (the SPD) will result in significant impacts on international sites.

2 Background to the Affordable Housing SPD

- 2.1 The SPD provides detailed guidance on how Policy H20 (Housing Mix) and H21 (Affordable Housing) included in the Part 1 South Derbyshire Local Plan is to be implemented. It is an important consideration in determining relevant planning applications.
- 2.2 The policy requires that affordable housing is provided on sites at or over the site size threshold, subject to economic viability. It also sets out the circumstances when rural exception sites for affordable housing or cross subsidy housing sites would be acceptable in locations where market housing would not usually be allowed. The SPD provides a brief introduction to affordable housing, including:
- A summary of recent house price trends in the District and local housing need
 - A definition of Affordable Housing based on the National Planning Policy Framework and the types of housing that the Council considers to be affordable in line with this definition.
 - Information regarding affordability and tenure in the District
 - The mechanisms for delivering affordable housing; and
 - Information on affordable housing providers active in the District.

3 Background to HRA

- 3.1 Habitats Regulation Assessment (HRA) is required by Regulation 61 the Conservation of Habitats and Species Regulations 2010 (as amended) (the Habitat Regulations) for all plans and projects which may have likely significant effects on an European site and are not directly connected with or necessary to the management of the European site.
- 3.2 European sites include Special Areas of Conservation, Special Protection Areas and listed Wetlands of International Importance (Ramsar sites). HRA is also required, as a matter of UK Government policy for potential SPAs, candidate SACs and proposed

Ramsar sites for the purposes of considering plans and projects, which may affect them. Hereafter all of the above designated nature conservation sites are referred to as 'international sites'.

3.3 The stages of HRA process are:

- **Stage 1 – Screening:** To test whether a plan or project either alone or in combination with other plans and projects is likely to have a significant effect on an international site;
- **Stage 2 – Appropriate Assessment:** To determine whether, in view of an international site's conservation objectives, the plan (either alone or in combination with other projects and plans) would have an adverse effect (or risk of this) on the integrity of the site with respect to the site structure, function and conservation objectives. If adverse impacts are anticipated, potential mitigation measures to alleviate impacts should be proposed and assessed;
- **Stage 3 – Assessment of alternative solutions:** Where a plan is assessed as having an adverse impact (or risk of this) on the integrity of an international site, there should be an examination of alternatives (e.g. alternative locations and designs of development); and
- **Stage 4 – Assessment where no alternative solutions remain and where adverse impacts remain:** In exceptional circumstance (e.g. where there are imperative reasons of overriding public interest), compensatory measures to be put in place to offset negative impacts.

3.4 This report comprises the Stage 1 – Screening of the project.

4 Previous HRA Work

4.1 An HRA has been produced for both the Part 1 and Part 2 South Derbyshire Local Plan Documents. These are available to view on the District Council's website:

<http://www.south-derbys.gov.uk>

4.2 The Screening Report for the Part 1 Local Plan which includes strategic housing allocations (those allocations of 100 homes or more) and strategic policies in respect of environmental protection concluded that:

- There is no likely significant impact on any SPAs or SACs located outside of the District as a result of implementing the Local Plan.
- There is no potential for growth earmarked within the Local Plan to increase foul water flows to waste water treatment works within the Mease SAC catchment (as no allocations were proposed for that part of the District in the Mease in this document).
- There is no potential for growth earmarked within the Local Plan to increase diffuse water pollution within the River Mease catchment (as no allocations were proposed for that part of the District in this document).
- The Water Companies operating in the District have undertaken Habitat Regulations Assessment of their water resource management plans. These have concluded that proposed growth in water demand (associated with new development and changes in demand) will not have any significant impact on water dependent wildlife sites such as the River Mease SAC.
- As the Local Plan Part 1 will have no impact on the River Mease SAC or any other SAC or similarly protected International site in isolation it will not have any impact in combination with other plans and strategies.

4.3 In respect of Draft Part 2 Local Plan (which sets out the location of non-strategic housing locations (sites of fewer than 100 homes) and development management policies this concluded that:

- There is no likely significant impact on any International Sites located outside of the District as a result of implementing small scale development projects outlined within the Local Plan 2 given that the housing requirement and the spatial distribution of growth on these sites.
- Two proposed allocations would increase foul flows to Overseal treatment works, although water quality impacts associated with increased discharges into the SAC will be mitigated via contributions to the River Mease Developer Contribution Scheme

- Three sites could increase surface water flows into the SAC, although the use of sustainable drainage (required by flood risk and drainage policies in the Part 1 Local Plan) will ensure surface water is appropriately treated prior to discharge.
- Two of the proposed sites in the Mease catchment (Valley Road and Acresford Road Overseal) already have planning consent and have been subject to Habitat Regulations Assessment through that process and no likely significant effects have been identified.
- The remaining allocated site located in Woodville would discharge foul and potentially surface water out of the River Mease Catchment.
- As the South Derbyshire Local Plan (parts 1 & 2) will have no impact on the River Mease SAC alone, they would not have in combination effects with other plans and strategies.

4.3 Given the conclusions reached in the detailed screening assessments for the Part 1 and Part 2 Local Plans, it is unnecessary to undertake an appropriate assessment under the Habitat Regulations for the Affordable Housing SPD. This is because this SPD will not increase housing delivery within the Plan period (as the quantity and location of new homes is planned through the Part 1 and 2 Local Plans). The scope of the SPD would be to simply ensure that the housing delivered meets local housing needs of the District in respect of tenure and mix.

4.4 In any case the Council has sought control the extent of new housing in the catchment of the River Mease SAC through the Local Plan part 1 and Part 2 documents and indeed allocations for less than 134 homes in total are proposed for villages in the River Mease Catchment. Moreover all sites discharging to WwtWs in the Mease SAC benefit from planning consent and will make an appropriate financial contribution towards mitigating their potential effects via the River Mease Developer Contribution scheme (DCS).

5 Conclusions

5.1 The Council has previously screened out a requirement to undertake an appropriate assessment under the Habitat Regulations Assessment in respect of the Part 1 Local Plan and Part 2 Local Plan. This is because both plans would not have a likely significant effect on International Sites when considered alone or in combination with other plans or programmes owing to the scale and nature of growth planned, its location and the measures proposed to control the significance of any environmental effects.

5.2 Given the limited scope of the Affordable Housing SPD which provides guidance on housing mix and tenure no effects on International Sites are likely. Nothing in the SPD will alter the location or scale of new development proposed in higher tier policy documents

Exley Kevin

From: Drewry, Joe A <joe.drewry@environment-agency.gov.uk>
Sent: 23 May 2017 15:27
To: Exley Kevin
Cc: Millbank, Rob
Subject: FW: Affordable Housing SPD SEA and HRA screening

Hi Kevin,

We have no comments to make on the below draft screening statement as it indicates no significant environmental effects.

Thanks,

Joe Drewry

Planning Advisor - Derbyshire

Sustainable Places - Planning Team

Please note my new telephone number

Email : joe.drewry@environment-agency.gov.uk

External : 02030 253277, Internal: 53277

From: Planning, Lower Trent
Sent: 19 May 2017 16:25
To: Millbank, Rob <rob.millbank@environment-agency.gov.uk>; Drewry, Joe A <joe.drewry@environment-agency.gov.uk>
Subject: FW: Affordable Housing SPD SEA and HRA screening

From: Exley Kevin [<mailto:Kevin.Exley@south-derbys.gov.uk>]
Sent: 19 May 2017 15:48
To: 'e-emids@HistoricEngland.org.uk' <e-emids@HistoricEngland.org.uk>; Planning, Lower Trent <planning.trentside@environment-agency.gov.uk>; 'consultations@naturalengland.org.uk' <consultations@naturalengland.org.uk>
Cc: Sworowski Nicola <Nicola.Sworowski@south-derbys.gov.uk>
Subject: Affordable Housing SPD SEA and HRA screening

Dear Sir/Madam

Please find attached a copy of the draft Affordable Housing SPD Screening assessment undertaken by South Derbyshire District Council in respect of the HRA and SEA regulations. I have addressed this to the general consultation email address we hold of your respective organisations however if you have received this email directly I have copied you in the expectation that you are the most likely officer to respond to the consultation.

This document was considered by our Environment and Development Services Committee in April and will shortly be released for Consultation.

For information Policies H20 and H21 which relate to this SPD are set out in the Housing Chapter of our Part 1 Local Plan which is available to view at:

http://www.south-derbys.gov.uk/Images/Local%20Plan%20Part%201_Chapter%205_Policy%2011%20-%2022_tcm21-281380.pdf

whilst the Part 1 SA is available to view at:

http://www.south-derbys.gov.uk/Images/LP1%20Sustainability%20Appraisal%20update%20Main%20Report_tcm21-281382.pdf

I have included a draft version of the councils screening assessment which concludes that the Plan will not give rise to any likely significant environmental effects and will not affect the integrity of any European/Ramsar sites. A negative screening decision in respect of the need for SEA and any further stages of HRA has therefore been provisionally reached.

I would ask that in all cases that a formal response in respect of the need to undertake SEA or an appropriate assessment be provided to the Authority by Monday 12 June, but would very much welcome an early response if at all possible. I would also welcome early discussion should you need further information regarding the scope and content of either SPD or the South Derbyshire Local Plan in coming to a formal view, or should you have concerns regarding your ability to respond within 21 days.

Kind regards

Kevin Exley
Planning Policy Officer (Sustainability)
South Derbyshire District Council

01530 228717

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Exley Kevin

From: Mahoney, Sean (NE) <Sean.Mahoney@naturalengland.org.uk>
Sent: 30 May 2017 05:44
To: Exley Kevin
Subject: RE: Affordable Housing SPD SEA and HRA screening

Dear Kevin,

Planning consultation: South Derbyshire District Council Affordable Housing Supplementary Planning Document (SPD) Strategic Environment Assessment (SEA) & Habitats Regulations Assessment (HRA) Screening Report

Thank you for your consultation.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England welcomes the Screening Report which assesses the requirement for a Strategic Environmental Assessment (SEA) and a Habitats Regulations Assessment (HRA) for the South Derbyshire District Council Affordable Housing Supplementary Planning Document (SPD).

Natural England concurs with the report's conclusion that it is unlikely that there will be any significant environmental effects arising from the Affordable Housing SPD that were not covered in the Appraisal of the Part 1 Local Plan which means that there is no requirement to undertake an SA/SEA. Natural England also agrees that the Affordable Housing SPD would be unlikely to result in any significant effect on any European Site either alone or in combination and therefore no further assessment work under the Habitats Regulations is required.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us. For any queries relating to the specific advice in this letter only please contact me on 02080261940. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

Kind regards

Sean Mahoney

Lead Adviser

Sustainable Development

East Midlands Area Team

Natural England

Apex Court
City Link
Nottingham
NG2 4LA

Tel: 02080261940

Mobile: 07825934258

www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

Natural England offers two chargeable services – The Discretionary Advice Service (**DAS**) provides pre-application, pre-determination and post-consent advice on proposals to developers and consultants as well as pre-licensing species advice and pre-assent and consent advice. The Pre-submission Screening Service (**PSS**) provides advice for protected species mitigation licence applications.

These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, reduce the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

We now offer free and chargeable advice to land owners and managers planning works on Sites of Special Scientific Interest through the [SSSI Advice Service](#).

From: Exley Kevin [<mailto:Kevin.Exley@south-derbys.gov.uk>]

Sent: 19 May 2017 15:48

To: 'e-emids@HistoricEngland.org.uk'; 'planning.trentside@environment-agency.gov.uk'; Consultations (NE)

Cc: Sworowski Nicola

Subject: Affordable Housing SPD SEA and HRA screening

Dear Sir/Madam

Please find attached a copy of the draft Affordable Housing SPD Screening assessment undertaken by South Derbyshire District Council in respect of the HRA and SEA regulations. I have addressed this to the general consultation email address we hold of your respective organisations however if you have received this email directly I have copied you in the expectation that you are the most likely officer to respond to the consultation.

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whilst the Part 1 SA is available to view at:

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I have included a draft version of the councils screening assessment which concludes that the Plan will not give rise to any likely significant environmental effects and will not affect the integrity of any European/Ramsar sites. A negative screening decision in respect of the need for SEA and any further stages of HRA has therefore been provisionally reached.

I would ask that in all cases that a formal response in respect of the need to undertake SEA or an appropriate assessment be provided to the Authority by Monday 12 June, but would very much welcome an early response if at all possible. I would also welcome early discussion should you need further information regarding the scope and content of either SPD or the South Derbyshire Local Plan in coming to a formal view, or should you have concerns regarding your ability to respond within 21 days.

Kind regards

Kevin Exley
Planning Policy Officer (Sustainability)
South Derbyshire District Council

01530 228717

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Historic England

EAST MIDLANDS OFFICE

Mr Kevin Exley
South Derbyshire District Council
Civic Offices
Civic Way
Swadlincote
Derbyshire
DE11 0AH

Direct Dial: 01604 735460

Our ref: PL00098670

8 June 2017

Dear Mr Exley

RE: SDDC AFFORDABLE HOUSING SPD - SCREENING OPINION REQUEST

Thank you for your consultation request for a Screening Opinion in respect of the Affordable Housing SPD.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage. Our comments are based on the information supplied with the screening request.

On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of 'SEA' Directive], Historic England is of the view that the preparation of a Strategic Environmental Assessment is not likely to be required.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at:

<https://historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

Should it be concluded that, overall, a SEA will be required for the Plan, Historic England would be pleased to discuss the scope of the assessment in relation to the historic environment in due course.

I hope that this information is of use to you at this time. Should you have any queries, please do not hesitate to contact me.



2nd Floor, WINDSOR HOUSE, CLIFTONVILLE, NORTHAMPTON, NN1 5BE

Telephone 01604 735460
HistoricEngland.org.uk





Historic England

EAST MIDLANDS OFFICE

Yours sincerely,

Rosamund Worrall
Historic Environment Planning Adviser
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REPORT TO:	HOUSING AND COMMUNITY SERVICES COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	1st FEBRUARY 2018	CATEGORY: DELEGATED
REPORT FROM:	STRATEGIC DIRECTOR (SERVICE DELIVERY)	OPEN
MEMBERS' CONTACT POINT:		DOC:
SUBJECT:	COMMITTEE WORK PROGRAMME	REF:
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: G

1.0 Recommendations

1.1 That the Committee considers and approves the updated work programme.

2.0 Purpose of Report

2.1 The Committee is asked to consider the updated work programme.

3.0 Detail

3.1 Attached at Annexe 'A' is an updated work programme document. The Committee is asked to consider and review the content of this document.

4.0 Financial Implications

4.1 None arising directly from this report.

5.0 Background Papers

5.1 Work Programme.

Housing and Community Services Committee – 1st February 2018 Work Programme

Work Programme Area	Date of Committee meetings	Contact Officer (Contact details)
Reports Previously Considered By Last 3 Committees		
Open Space, Sports and Community Facility Strategy Action Plan	5 th October 2017	Zoe Sewter Open Space and Facility Development Manager (01283) 5955753
Disabled Facilities Grants – the 2017/18 allocation	5 th October 2017	Eileen Jackson Strategic Housing Manager (01283) 595763
Implications of the Homelessness Reduction Act 2017	5 th October 2017	Eileen Jackson Strategic Housing Manager (01283) 595763
Corporate Plan 2016-21: Performance Report (1 July – 30 September 2017)	23 rd November 2017	Keith Bull Head of Communications (01283 228705)
Increasing Supply of Affordable Homes through Direct Acquisition and L.A. New Build Schemes – Options Report	23 rd November 2017	Eileen Jackson Housing Strategy Manager (01283) 595763
Sport England Funding Programmes	23 rd November 2017	Hannah Peate Sport and Health Partnership Manager (01283) 595973

Swadlincote Town Centre CCTV Replacement Project	23 rd November 2017	Chris Smith Communities Manager (01283) 595924
Changes To The Housing Stock	9 th January 2018	Martin Guest Interim Housing Services Manager (01283) 595940
Service Base Budgets 2018/19	9 th January 2018	Kevin Stackhouse Strategic Director (Corporate Services) (01283) 595811
Housing Revenue Account Budget, Financial Plan and Proposed Rent 2018/19	9 th January 2018	Kevin Stackhouse Strategic Director (Corporate Services) (01283) 595811
Provisional Programme of Reports To Be Considered by Committee		
Adoption of Affordable Housing Supplementary Planning Document	1 st February 2018	Eileen Jackson Housing Strategy Manager (01283) 595763
Swadlincote Woodlands Management Plan	8 th March 2018	Malcolm Roseburgh Cultural Services Manager (01283) 5955774
Orchard Improvements	8 th March 2018	Martin Guest Business Support Manager (01283) 595940

Review of Leaseholder Policy	8 th March 2018	Martin Guest Business Support Manager (01283) 595940
Corporate Plan 2016-21: Performance Report (1 October – 31 December 2017)	8 th March 2018	Keith Bull Head of Communications (01283 228705)
Allocations Policy and Choice-Based Lettings	8 th March 2018	Eileen Jackson Housing Strategy Manager (01283) 595763
Review of the Disabled Facilities Grant Policy	8 th March 2018	Eileen Jackson Housing Strategy Manager (01283) 595763
Community Partnership Grant Scheme: Criteria and Procedures	8 th March 2018	Ian Hey Community Partnership Officer (01283) 228741
Review of Housing Complaints Procedure	26 th April 2018	Martin Guest Interim Housing Services Manager (01283) 595940
South Derbyshire Playing Pitch Strategy	26 th April 2018	Hannah Peate Sport and Health Partnership Manager (01283) 595973
Safer South Derbyshire Partnership – Community Safety Partnership Plan 2018-21	26 th April 2018	Chris Smith Communities Manager (01283) 595924

Corporate Plan 2016-21: Performance Report (1 January – 31 March 2018)	2018/19	Keith Bull Head of Communications (01283 228705)
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