

Stakeholder Consultation Responses

In March 2019 a range of stakeholders were consulted on a draft of the Housing Supplementary Planning Document. A summary of the responses received are set out in the table below, along with the subsequent response from Eden District Council.

Paragraph	Comment	EDC response
2.1	<p>Useful if we can take the opportunity to clearly set out what is meant by ‘Social Rent/ Affordable Rent’ and ‘Intermediate’ Affordable Housing, as it can be confusing and it isn’t easily set out in NPPF definition. That way when we are asking for the required tenure split of affordable rented units and intermediate units we can refer to this section for a clear range of affordable products. Therefore suggest:</p> <ul style="list-style-type: none"> - Inclusion of a sub heading in para 2.1.3 Social Rent/Affordable Rent - Inclusion of a sub heading in para 2.1.7 ‘Intermediate’ Affordable Housing - very small rework to para 2.1.7 - along the lines of the below: <p>Para 2.1.7 - For those who wish to buy their own affordable home, there are several low cost home ownership initiatives aimed at helping local people on modest incomes to purchase a home, the most common intermediate tenures include:</p> <ul style="list-style-type: none"> • Discounted Sale... • Shared Ownership..... 	<p>Definition of ‘social rent’ reworded.</p> <p>Wording about intermediate affordable housing has been included after paragraph 2.1.2.</p> <p>Suggested changes accepted.</p>

Paragraph	Comment	EDC response
	<ul style="list-style-type: none"> • Rent to Buy: properties are rented, through a shorthold tenancy, at a reduced rate, approximately 80% of the market rent. The expectation (although not obligation) is that the shorthold period allows the tenant the opportunity to save for a cash deposit towards buying a share of the home. • Starter Homes: introduced, in principle, through the Housing and Planning Act 2016 and are recognised in the NPPF as a form of affordable housing. The Act states that starter homes are dwellings available to purchase by qualifying first-time buyers at a discount of at least 20% of the market value, up to a cap of £250,000 (outside London). There are restrictions on sale and letting of these homes. 	
2.3	Following Para 2.3.5 - could be a good opportunity to set out what our approach is when negotiation proposals which are not viable at the full quota of affordable housing, as suggested in additional para below:	Suggested changes accepted.

Paragraph	Comment	EDC response
	<p>2.3.6 Where a scheme is demonstrated to be unviable with the required policy level of affordable housing, consideration will be given to a range of alternative options in negotiation with applicants. These options will vary depending on site specific circumstances and constraints but include, flexibility on the tenure ratio, the potential transfer of serviced plots, a reduced percentage of affordable housing (where this is considered we will seek to secure quality over quantity, for example, although fewer units may be provided they should be well matched in size, type and tenure to local needs, see section 2.15 Tenure and Size), or off-site contribution.</p>	
2.3.1	Delete word 'robustly' in the first bullet point.	This is the wording of the NPPF (paragraph 62).
2.4.2/9.5	<p>The Affordable Housing Statement (Appendix 5) should not require off-site affordable housing provision "to be built before the application site" as this could introduce additional financial burdens on development and risk the delivery of housing.</p> <p>Delete the wording "(which would usually need to be built before the application site)".</p>	<p>The wording of the tenth bullet point in appendix 9.5 has been revised to the following:</p> <p>The expectation set out in Local Plan policy HS1 is that affordable housing will be delivered on the application site, unless it can be evidenced that this cannot be managed effectively on site or there would be other benefits</p>

Paragraph	Comment	EDC response
		<p>(eg significantly widening housing choice and encouraging a better social mix) of providing the Affordable Housing on an alternative site or via a financial contribution. If the proposal specifies that the affordable housing will be delivered on an alternative site it should be completed in full and ready for occupation before the development within the application site is completed - in accordance with a scheme of provision to be negotiated and agreed within a Section 106 Agreement. This should be agreed with the Council's Housing or Planning team, prior to submitting the details in the Affordable Housing Statement.</p>
2.4.2	<p>We would encourage that planning applications should not be invalidated based on the absence of a named preferred Housing Association at the time of submitting a planning application as this level of detail may not be known at this stage. This risks delaying valid planning applications and ultimately delaying the delivery of housing.</p>	<p>Agreed as the means of delivery will be clearly stated within the Affordable Housing Statement. The eleventh bullet point in appendix 9.5 has been amended to the following:</p> <p>Details of the preferred Housing Association partner involved in the development. Where this is unknown at the time of submitting the application the named Housing Association will need to be confirmed prior to the commencement on site to ensure the satisfactory delivery of Affordable Housing as part of the overall scheme. This will be achieved through the imposition of a pre-commencement planning condition or a scheme of delivery to be agreed also through the imposition of a pre-commencement planning condition.</p>

Paragraph	Comment	EDC response
2.5.2	This paragraph talks about a commuted sum being payable in lieu of affordable housing on sites of 6-10 dwellings outside Penrith. There is nothing specifically in the document referring to whether EDC would accept a commuted sum from sites within Penrith or whether all affordable housing in Penrith is required to be on site (in the past developers have provided the affordable element on a different site (eg extension to White Ox Way) - could how this refers to Penrith be made more explicit.	Suggested changes accepted.
2.5.3	A mechanism should be included to allow a commuted sum in lieu of on-site affordable housing in exceptional circumstances.	The mechanism is in place in paragraph 2.3.1 which states that if robust evidence justifies a financial contribution this is acceptable. 2.5.3 is clarifying that a financial contribution will not be acceptable simply because this is the developer's preference, or the preference of people living near the development site in question.
2.6	This section is lengthy.	This section has been reduced by deleting unnecessary background information.
2.6	The Council should adopt a flexible approach to the calculation of financial contributions required on sites between 6 and 10 dwellings.	Any affordable contribution through either a financial contribution or affordable housing will always be the subject of a financial viability appraisal, should the applicant maintain that the requirement would make the scheme unviable. Any such viability appraisal will be the subject of independent evaluation.

Paragraph	Comment	EDC response
2.6	Have the requirements of Policy HS2 (ie local occupancy restriction and dwelling size limit) been taken into account in the calculation of the commuted sum requirement?	The value of the properties within the proposed development, whether or not they have a local occupancy restriction will be the subject of a financial viability appraisal, should the applicant maintain that the requirement would make the scheme unviable.
2.8	Remains a need to be aware of the anticipated forthcoming changes to developer contributions as set out in 'Supporting housing delivery through developer contributions' and, as part of this, the future reporting of the affordable housing funds through the Infrastructure Funding Statement.	Suggested changes accepted. The following text has been added: The Community Infrastructure Levy (Amendment) (England) Regulations 2019, which will come into force on 1 September 2019, will require the Council to publish an Infrastructure Funding Statement on an annual basis. This will include the details of developer contributions received for and spent on Affordable Housing in the previous year.
2.8	Clarification needed on how commuted sums paid by developers are used and whether they are ring fenced to help provide more affordable housing.	This section covers how commuted sum payments are used. An additional paragraph has been added (2.8.4) to advise that the Authority will be required to publish the details of how commuted sums are spent (once the amendment to the Community Infrastructure Levy Regulations comes into force). 'Only' has been added to the following wording for clarification: Committed sum payments will be held in the affordable housing fund. The fund will only be used to meet the Council's affordable housing objectives...

Paragraph	Comment	EDC response
2.8.2	Reference is made to ‘spending contributions within the same Housing Market Area (HMA)’ but the SHMA states that the HMA covers the whole district.	This has been revised to ‘the Council will seek to allocate any affordable housing contributions within the locality of the approved development.’
2.9.1	<p>Consider addition of sentence at the start of para 2.9.1 to explain what a rural exception site is:</p> <p>2.9.1 The NPPF defines rural exception sites as small sites used for affordable housing in perpetuity where sites would not normally be used for housing.....</p>	Suggested changes accepted.
2.9.2	‘small element’ is thin end of the wedge, so landowners will expect more £s for site driving up demand for more OM houses. It should just be affordable homes.	The purpose of the open market housing on a rural exception site is to provide a cross subsidy to make the overall development viable and enable the provision of the necessary affordable homes for that area. The need for open market properties to cross subsidise the provision of affordable housing must be demonstrated through the applicant providing an economic viability assessment.
2.10.3	There is no indication within this paragraph as to the size of, or distance to, the nearest settlement that would be acceptable, nor whether some or all of the services listed are essential and, if not all, how many would be acceptable to make it a rural exception site.	It is not the aim of the guidance to be overly prescriptive on this matter but to indicate what factors that will be considered when making a decision on a proposal for a rural exception site.

Paragraph	Comment	EDC response
		<p>Each application will be considered on a case-by-case basis and the benefits of the proposal (ie the provision of affordable housing) will be weighed against the harm. The significance of such things as the distance to the nearest settlement and the number of services nearby will depend on the size of the proposal, the type of services provided, among others. As such, it is difficult to provide more detailed guidance and furthermore may be detrimental to the provision of affordable housing.</p>
2.10.4	<p>We ask for a ‘housing need assessment’ to accompany an application for a rural exception site, however in Para 2.11.2 we are referring to ‘housing need survey’ to accompany an application of this nature - to avoid any confusion may need to make sure we’re clear about what we are asking them to provide ie Parish level housing need survey (as stated in para 2.12.2).</p>	<p>Suggested changes accepted.</p>
2.13	<p>Although information has been provided by Lambert Smith Hampton on viability, concern is expressed that the percentage of bungalows on sites is too low from the evidence provided by the Housing Need Survey and from the completed questionnaires coming back for the Neighbourhood Plan.</p>	<p>The inclusion of bungalows as part of the affordable housing provision will be considered as part of a financial viability assessment. In general terms as bungalows have a larger footprint they do tend to have a negative impact on viability except in comparatively large schemes. Where it does have a negative on the financial viability of a particular scheme this will be taken into account in assessing the need to secure a 30% provision, and therefore a smaller proportion could potentially be agreed. The Housing Team will advise on the form and tenure of the required affordable housing provision in any particular instance.</p>

Paragraph	Comment	EDC response
	<p>Concern is also expressed that if bungalows are built on developments a requirement for less than 30% affordable housing on sites of more than 10 units could potentially be reduced where bungalows form part of the housing mix. Evidence is that Penrith not only needs more bungalows but affordable housing for young families.</p>	
2.13	<p>Is the requirement for bungalows in addition to the 20% requirement for dwellings to be built in accordance with Building Regulations requirement M4(2)?</p>	<p>No the requirement for bungalows is an issue to be taken into account as part of the overall proposal. The requirement for 20% of dwellings to be built in accordance with Building Regulations requirement M4(2) is a requirement in respect of any major development proposals of 10 dwellings or above. It is expected that this 20% proportion of adaptable homes will be spread across the scheme and include both market and affordable housing.</p>
2.13	<p>Additional clarity is needed on whether this requirement applies to market or affordable housing or both.</p>	<p>The following wording has been added to paragraph 2.13.2 (now 2.13.4):</p> <p>eg on sites of 50-99 dwellings 5% of affordable houses should be bungalows and 5% of market-led dwellings should be bungalows.</p>
2.13	<p>The proposed wording and table risks introducing new planning policy and would add unnecessarily to the financial burdens on development.</p>	<p>This section has been re-worded to clarify that the provision of bungalows is a recommendation not new planning policy.</p>

Paragraph	Comment	EDC response
	<p>Indeed, paragraph 2.13.1 of the document identifies that this requirement can raise viability issues.</p> <p>The wording is not consistent with Policy HS5 of the adopted Eden Local Plan 2014-2032 and does not provide more detailed advice or guidance.</p> <p>The section should be re-named “Need for Accessible and Adaptable Homes” in line with Policy HS5 of the adopted Eden Local Plan 2014-2032 and the repeated references in this section to bungalows should be deleted.</p>	
2.13.2	<p>The paragraph should be deleted and replaced with “The requirement to provide Accessible and Adaptable Homes relates to both market and affordable housing”.</p>	<p>This section is regarding bungalows but the suggested wording has been added section 6.1 (Accessible and Adaptable Homes).</p>
2.13.3	<p>The word “potentially” should be deleted as this does not provide more detailed advice or guidance.</p> <p>The word “bungalows” should be deleted and replaced with “accessible and adaptable dwellings” as the word “bungalows” would add unnecessarily financial burdens on development.</p>	<p>The word ‘potentially’ is crucial because this course of action may not always be appropriate.</p> <p>The potential reduction of the affordable housing requirement when bungalows are provided is intended to ensure that this does not add unnecessarily to financial burdens on developers.</p>

Paragraph	Comment	EDC response
2.14	<p>This section identifies that there could be a “marginal negative effect of viability arising from the requirements for bungalows...”.</p> <p>It is not acceptable to suggest that “a requirement to provide 5% of units as bungalows on a 50 units size (equating to three bungalows) and 10% of units as bungalows on 100 unit sites (10 bungalows) is not particularly challenging in viability terms” (Story Homes emphasis).</p> <p>In the absence of a demonstrable evidence base, the section is not consistent with the adopted Eden Local Plan 2014-2032 and should be deleted.</p>	<p>This is a recommendation not a requirement. These levels of provision of bungalows do not have a material impact on financial viability and a developer is advised to consider this level of provision to improve the housing type and mix of an overall development.</p>
2.15	<p>Will need to update in light of new evidence in Housing Needs Study, as reported below:</p> <ul style="list-style-type: none"> - Range of affordable dwelling types and sizes is required with a particular affordable need for 2-bedroom flats, bungalows and 3-bedroom houses. 	<p>The following wording has been added at paragraph 2.15.3:</p> <p>When proposing the development of affordable housing developers will be required to provide a range of dwelling types and sizes. Developers should particularly look to provide house types that are needed, as set out in the most recent District Housing Need Study. The current study (December 2018) emphasises a particular affordable need for 2-bedroom flats, bungalows and 3-bedroom houses.</p>

Paragraph	Comment	EDC response
2.16.1	40% discounted sale needs to be at same standards as open market properties or lower price as low standards.	<p>Paragraph 2.16.1 states:</p> <p>Affordable housing should not be distinguishable from market housing in terms of location, appearance, materials and build quality, and should be fully integrated within the scheme.</p> <p>Addition to wording:</p> <p>Affordable homes for Discounted Sale will be valued upon completion prior to marketing, in accordance with the Homeseekers' Register Policy. The Council's standard valuation template should be used which will take into account all elements (exterior and interior) of the property so any differences in quality and specification from an open market equivalent are taken into account in the discounted purchase price.</p>
2.16.1	The Housing SPD states that affordable housing should be fully integrated within the scheme however it would be better to state that affordable housing should be fully integrated throughout the scheme. Stating that it should be 'within' the scheme gives developers the opportunity to put all the affordable housing in one area, potentially in a less desirable area whereas it should be spread throughout any development.	Suggested changes accepted.

Paragraph	Comment	EDC response
2.17.1	<p>The recommended space standards should reflect the Nationally Described Space Standards. Suggested wording:</p> <p>The Council will seek to achieve these Nationally Described Space Standards (NDSS) on all housing developments that include a proportion of affordable housing. If a scheme comes forward with units that are below the NDSS they will only be supported in exceptional circumstances. If such a scheme is to be supported the developer must:</p> <p>provide written confirmation at time of submission of the planning application that a Registered Provider (RP) has signed up to taking possession of the finished affordable housing products; and provide appropriate evidence at the time of submission that demonstrates there is a realistic prospect that an RP will sign up to the affordable homes provided on the scheme. This should be in the form of expressions of interest and/or formal written offers.....</p>	<p>The minimum house size recommendations have been altered to reflect the Nationally Described Space Standards (2015).</p> <p>The SPD can only recommend internal space standards, any requirement would need to be incorporated in a local plan as per planning practice guidance. (Where a local planning authority (or qualifying body) wishes to require an internal space standard, they should only do so by reference in their Local Plan to the nationally described space standard.)</p> <p>The wording in 2.17 has been amended as follows:</p> <p>The Council expects that affordable homes will be designed to meet comfortable space standards in line with the Nationally Described Space Standards (2015) shown in Table 1. These standards have been included as guidance for applicants to help inform their negotiations with Registered Providers, and are also applicable to low cost home ownership dwellings.</p> <p>Policy DEV5 (Design of New Development) requires applicants to demonstrate that new development 'can be easily accessed and used by all, regardless of age and disability' and providing high quality homes with adequate sized rooms is necessary to achieving this requirement.</p> <p>Where Affordable Housing on a proposed scheme does not meet the standards set out in Table 1, the applicant should demonstrate that there is a realistic prospect that a Registered Provider will sign up to the affordable homes.</p>

Paragraph	Comment	EDC response
3.2.2	<p>The document states that a site must be predominantly enclosed by a strong defensible boundary to round off a development and that stone walls will not be considered as strong defensible boundaries in most circumstances. It is felt that many of the stone walls, especially the old high 'park walls' that have been around for some time, sometimes centuries should be considered a strong defensible boundary.</p>	<p>The guidance does say 'in most circumstances' offering some flexibility on this matter ie if there is a stone wall that is considered to be a significant and permanent feature in a particular locality then it is possible that this could be considered as a defensible boundary and this can be considered on a case-by-case basis.</p>
3.2.6	<p>The wording is not compliant with Policy LS1 of the Eden Local Plan 2014-2032 and should be deleted.</p>	<p>Within the Smaller Villages and Hamlets Policy LS1 only permits development of modest infill and rounding off sites. The development of such sites would not involve extensions into the open countryside.</p>
3.3.4	<p>Regarding the size of modest infill and rounding off, 10% should be specified as within the lifetime of this local plan, rather than "at the time of the application".</p> <p>Otherwise the hamlet could be subject to 10% more properties in, say 2020, a further 10% of the 2020 total in 2021, and cumulative totals of 10% in each subsequent year, so that the final total over 12 years could be 10% cumulatively year on year. eg let's say that Temple Sowerby has approx. 200 houses. By 2032, that would have grown to approx 630, a trebling of the size of the village over the period.</p>	<p>The Housing SPD is a guidance document and is not a means of introducing restrictions on development over and above that of the Local Plan. Paragraph 3.3.4 provides an interpretation of the term 'modest' which refers to proposals for individual sites. The suggested wording would introduce a cap on the size of a Smaller Village and Hamlet that is not required by the Local Plan.</p> <p>The Smaller Villages and Hamlets do not require a cap on development. Proposals must be located on an infill or rounding off site, of which there is not a huge abundance in every village. Furthermore, the occupancy of housing of greenfield sites would be subject to the local occupancy criteria so there is unlikely to be a high demand for this type of housing.</p>

Paragraph	Comment	EDC response
3.3.4	The 10% cap on proposals in the Smaller Villages and Hamlets is not in accordance with the adopted Eden Local Plan 2014-2032 and should be deleted.	Reference to a 10% cap in the Smaller Villages and Hamlets has been removed.
3.5.1-2	Paragraphs 3.5.1 and 3.5.2 are contradictory. 3.5.1 states that sites in the Smaller Villages and Hamlets will not be considered acceptable for affordable housing and yet 3.5.2 states that development may be acceptable.	‘normally’ added to paragraph 3.5.1 as follows: Development on a site within a Smaller Village and Hamlet, that does not meet the criteria for infill and rounding off (see section 3.1 and 3.2) will not normally be considered acceptable for 100% Affordable Housing.
3.6	The requirement to limit the size of dwellings to a maximum of 150m ² has been applied flexibly by the Council and Inspectors, and the guidance should reflect this.	The 150m ² gives a target for initial considered and any divergence from this will be considered on a case-by-case basis depending on the context of a particular proposal.
3.6.6	The SPD would appear to be attempting to amend the wording of the policy to exclude brownfield sites from meeting the maximum dwelling size limit of 150m ² . It should be clear that this is contrary to the wording of Policy HS2.	Agreed and paragraph revised to following: Policy HS2 acknowledges that there are additional costs and constraints involved in the development of previously developed land and as a consequence does not seek to restrict occupation to a person meeting the local connection criteria. As a consequence, subjecting the dwelling to a maximum floorspace of 150m² to make it more attainable for local people is unnecessary. These sites provide an opportunity for the provision of unrestricted, market led properties, which form part of the wide range of housing development available to an area.

Paragraph	Comment	EDC response
4.1.9	Can we prevent occupancy conditions on agricultural workers' dwellings from being removed?	<p>No, it would not be possible to prevent the removal of the condition that restricts the occupancy of an agricultural workers' dwelling to the occupation of people working within a rural business. This is because it is unreasonable to prevent the removal of such a condition where the dwelling is no longer required by an agricultural worker and no replacement occupant can be found. However, a planning application to remove the condition would need to provide evidence to demonstrate that the property was no longer required and had been appropriately marketed as an agricultural dwelling.</p> <p>It is not possible to require the replacement of the agricultural worker condition with a local occupancy condition (see Appendix 6 of Eden Local Plan 2014-2032) or make the property an affordable dwelling through the Housing Supplementary Planning Document. This would constitute new policy and therefore could only be introduced through the production of a Local Plan.</p>
4.1.9	When applying for the removal of an agricultural worker occupancy restriction should the requirement be to market the property for 6 months rather than 12?	It is felt that a 12 month period for marketing a property reflects the very real problems of selling an encumbered property within the housing market.
6.1.1	The wording is pre-emptive of a local plan review and should be based on objectively assessed need. The final sentence should be deleted.	Agreed, the final sentence has been deleted.

Paragraph	Comment	EDC response
6.1.3	We would encourage Eden District Council to prepare a pro-growth strategy to address the identified ageing population and associated issues such as diminishing working age population as part of a local plan review.	We are able to confirm that these issues will be considered when the Local Plan is reviewed.

Additional comments not related to current content

Comment	EDC response
<p>Providing a safe environment and incorporating appropriate crime prevention measures is an important element of a high quality design.</p> <p>Proposals for new housing and refurbishment of existing buildings to dwellings are expected to comply with Policy DEV5 of the Local Plan “Incorporates appropriate crime prevention measures”.</p> <p>Developers should demonstrate that the following issues have been addressed:</p> <ul style="list-style-type: none"> • Designated Public Open Space, communal areas and all access routes shall be directly overlooked from surrounding dwellings and from a variety of directions. • Dwellings are positioned and orientated to maximise surveillance opportunities, avoiding blank frontages or gables. 	Suggested wording incorporated.

Comment	EDC response
<ul style="list-style-type: none"> • Vehicular, cycle and pedestrian routes shall be generally laid out together and designed to serve the development to reach places where residents wish to go and do not merely provide short-cuts for non-residents nor create excessive permeability. • Public and private spaces shall be clearly defined, utilising appropriate physical treatments to promote the concept of ownership and 'defensible space' and to deter intrusion. • Landscaping schemes shall be designed so that trees and shrubs do not form hiding places, obstruct views, nor impede the effects of street lighting as they mature. • Street lighting schemes shall exhibit high uniformity and Colour Rendition Index values to provide confidence and reassurance in the Public Realm. Low intensity schemes may be more appropriate for rural areas. • Dwellings shall be provided with exterior low-energy 'white' light sources (controlled by the householder) to enhance natural surveillance opportunities in private spaces throughout darkness. • Dwellings shall be protected against forced entry, eg incorporating exterior doors and ground floor windows compliant with PAS 24:2016 and fitted with a pane of laminated glazing, as appropriate. • Garages (particularly dwelling integral examples) and outbuildings shall be protected against forced entry eg vehicle entry doors compliant with LPS 1175 or STS 202 BR1 - or hasps and padlocks compliant with BS EN 12320 or 'Sold Secure' certification. 	

Comment	EDC response
<ul style="list-style-type: none"> • Car and communal pedal cycle parking facilities shall be provided where they can be easily supervised. Suitable physical security measures may be necessary, eg ‘Sheffield’ type stands or ground anchors to which cycles and motorcycles can be attached. • ‘Wheelie’ bins will be stored securely when not in use to prevent exploitation as a climbing aid or source for arson. • Deployment of CCTV may be appropriate in some circumstances, eg within apartment blocks or in other buildings with communal entrances. <p>As the Constabulary may be consulted as part of the planning process, the council encourages developers to consult with the police Crime Prevention Officer for site specific design advice, prior to application stage. Otherwise, developers must be prepared to alter or amend designs where a vulnerability has been identified, which may delay determination of the application.</p> <p>The council welcomes applications that seek to achieve ‘Secured by Design’ certification.</p>	
<p>From our limited assessment of the document, we welcome the additional advice it provides. Our only comments relate to providing clarity with regards any additional criteria which may need to apply in order to encourage the repair and reuse of historic buildings for residential use.</p> <ul style="list-style-type: none"> i) It would be helpful to clarify whether this document is just referring to new build, or refurbishment and conversion of existing buildings. (Many historic buildings may not have been traditionally used for housing, but there are many successful schemes where conversions have been carried out to bring historic buildings back into use.) 	<p>There is not a section of the Local Plan that deals specifically with the conversion of historic buildings but the following wording will be added to Section 2.3 (Viability) in order to provide clarity on the Council’s stance regarding the conversion of historic buildings and affordable housing requirements:</p>

Comment	EDC response
<p>ii) The issue of viability can be complex for historic buildings, many of which need considerable investment in order to ensure their long-term conservation. In addition, the optimum viable use may not necessarily be the most profitable one. The National Planning Policy Guidance provides more details on viability and heritage assets at Paragraph: 015 Reference ID: 18a-015-20140306, and it might be useful for the SPD to recognise that, in order to encourage the re-use of traditional buildings, certain criteria may need to apply.</p>	<p>The issue of viability can be complex for historic buildings, many of which need considerable investment in order to ensure their long-term conservation. In addition, the optimum viable use may not necessarily be the most profitable one.</p> <p>Where a proposal involves the conversion a designated heritage asset to a level of housing that would require an affordable housing contribution, the Council will encourage the sensitive conversion of the asset and consider the implications this has on the ability to provide affordable housing. Should an applicant consider that they are unable to meet the affordable housing requirement they must support their case with a viability assessment.</p>
<p>How can we work with landowners who want to develop community local housing (eg bungalows for locals sale & rent at Greystone House, Stainton) whilst ensuring the affordable homes are kept affordable & local in long term?</p>	<p>Local Plan policy requires 30% of homes on a development site of over 10 houses to be Affordable Houses. The Affordable Houses are secured through a Legal Agreement, which also ensures they will remain as Affordable Houses in perpetuity.</p>

Comment	EDC response
<p>If ensuring local occupancy properties in smaller settlements in rural areas (eg Newbiggin) who will be doing checks initially and long term? as PCs need to be reassured these are enforced.</p>	<p>We will secure occupancy restrictions through the use of either a planning condition or a planning obligation through a Section 106 legal agreement of the Town and Country Planning Act 1990. Any suspected breaches of such conditions should be reported and the Council will investigate claims of occupancy which contravene imposed restrictions. If the occupant is not complying with the occupancy restrictions this is a serious matter and we will take action.</p>
<p>There was no opportunity to contribute to the SPD and it is now published.</p>	<p>The SPD is still a draft document and it was the intention of this consultation to get initial comments from key stakeholders before the document is put out for public consultation.</p>
<p>It was proposed to a developer that if affordable house sizes were of national standards the developer might consider building fewer of them than the expected 30%.</p>	<p>A developer may only build fewer than the required amount of affordable homes if they are able to demonstrate, through an economic viability assessment, that there are constraints affecting the site that would render the development unviable if they were to provide the requested number of affordable homes.</p>

Comment	EDC response
<p>The document includes information on vacant buildings but does not include any information saying that the authority would look favourably on bringing abandoned buildings back into use.</p>	<p>Policy AL2 in the Local Plan supports the redevelopment of traditional former dwellings in Alston Moor, and further information regarding this policy is now provided in Section 9 of the Housing SPD.</p> <p>Policy RUR3 supports the conversion of traditional buildings in the rural areas, although the Housing SPD does not cover this policy.</p> <p>In the section concerning Vacant Building Credit abandoned buildings are explicitly excluded. If a building has been abandoned planning permission would need to be sought to re-establish a use for the building, whether this is the same as its former use or different. The following wording has been added to Section 2.22.1 for clarity:</p> <p>Evidence that the referenced building is not an abandoned building (an abandoned building no longer had a use and is merely considered previously developed land), or vacated solely for the purpose of the proposed redevelopment.</p>