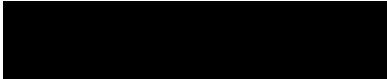
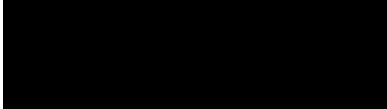


## Comment

Consultee	John Ashby (1303538)
Email Address	
Address	
Event Name	Housing Needs Supplementary Planning Document
Comment by	John Ashby (1303538)
Comment ID	1
Response Date	4/6/23 5:53 PM
Status	Submitted
Submission Type	Web
Version	0.12
Question 1	

### **Do you agree with the proposed scope and content of the SPD? Please give reasons for your answers.**

I am responding on behalf of the City of Durham Trust.

Yes, the Trust agrees, and also supports the usefulness of a housing need template for Neighbourhood Plan areas as mentioned in paragraph 4.5.

### **Q1 DCC Response**

Support noted.

### **Question 2**

### **Do you have any comments on the Accessible and Adaptable Home Statement and M4(2) Checklist?**

I am responding on behalf of the City of Durham Trust.

The Trust is strongly supportive of paragraph 2.4: the applicant must demonstrate compliance with Policy 15; the provision of the information is compulsory; and the applicant must answer questions 1-6 or the application will not be validated.

### **Q2 DCC Response**

Support noted.

### Question 3

#### Do you have any comments on the guidance on Multi-Generational Homes section of the SPD?

I am responding on behalf of the City of Durham Trust.

The Trust welcomes this text which makes clear what characteristics constitute multi-generational homes and what do not. Paragraph 5.115 of the County Durham Plan explains that the viability assessment has been based on bungalows, and the Trust considers that the SPD should emphasise bungalows as a principal form of housing for meeting the needs of older people. The SPD should also highlight the importance of locational issues such as access to public transport and local services and the benefits of being clustered together for mutual social interaction.

#### Q3 DCC Response

Support for the inclusion of further guidance on MGH noted. The SPD states at paragraph 3.9 that it would be unlikely that multi-generational homes would form the dominant older persons house type on a site, and would be a minority product to supplement bungalows. Policy 15 notes that the older persons provision should be situated in the most appropriate location within the site for older people. Comments in relation to location of older persons housing are noted. The SPD has been revised to add further clarity on this issue.

### Question 4

#### Do you have any comments on the Local Area Housing Needs Assessments template?

I am responding on behalf of the City of Durham Trust.

The Trust considers that paragraph 4.3 is important for stating that exceptions must be justified on the basis of a pressing local need for affordable housing. It is noted that this should be demonstrated by appropriate evidence including a local needs study. We propose an equivalent approach for Policy 16.2(a). Consultation on local needs must be truly local and for the particular settlement; consultees have to include the Parish Council where there is one.

Given that Neighbourhood Plans can allocate housing sites beyond those identified in the County Durham Plan there ought to be more mention of Neighbourhood Plans, especially as what is being assessed is all about assessing local housing needs, which is an important feature of Neighbourhood Plans. This could be addressed by an extra bullet point in paragraph 4.8.

#### Q4 DCC Response

This is noted and the draft will be amended to reflect the inclusion of Parish/Town Councils where applicable for consultation.

Reference to the neighbourhood plan, where one exists, will be included.

### Question 5

#### Do you have any comments on the PBSA needs assessment template?

I am responding on behalf of the City of Durham Trust.

The Trust welcomes much of what is proposed here but believes that some improvements are necessary in order to achieve the clarity needed, given experience of considerable difficulties for all concerned in agreeing what is required to meet the terms of Policy 16.2 (a) and (b).

Paragraph 5.7 of the draft SPD references the University growth strategy to 2026/27 and states:

*“this accommodation strategy is likely to be updated at regular intervals and it is important that applicants make reference to the most up-to-date accommodation strategy or student numbers published by Durham University or the relevant education provider.”*

The Trust recognises that the University Strategy sets out the quantum of growth to achieve the target total of 21,500 students by the year 2026/27, but the only element that represents an accommodation strategy is:

*“We are committed to housing over 50% of our students in College accommodation by 2027. To meet this objective the University will establish four to six new Colleges in partnership with private sector developers.”*

This aspiration has been overtaken by events, and the Trust urges the County Council and the University together to develop a comprehensive accommodation strategy that covers how all 21,500 students will be accommodated consistent with the County Durham Plan’s intention “to deliver student accommodation to create inclusive places in line with the objective of creating mixed and balanced communities.” (paragraph 5.125).

This joint County Council/University strategy would recognise the serious community imbalance created through University expansion which has resulted in many streets in the inner city having a proportion of HMOs far exceeding the limit of 10% currently applied via Article 4 direction, and should include measures to deliver a rebalancing of these areas.

The draft SPD is directed at applying the first two requirements of County Durham Plan Policy 16.2:

**“All proposals for new, extensions to, or conversions to, Purpose-Built Student Accommodation on sites not allocated for student accommodation, will be required to demonstrate:**

- a that there is a need for additional student accommodation of this type in this location;**
- b consultation with the relevant education provider pursuant to the identified need.”**

The proposed assessment to meet Policy 16.2a is in two steps: first quantitative need, then qualitative need.

For Step A quantitative need the text of the draft SPD in paragraph 5.13 says that applicants should:

- . set out number of bedrooms as well as the number of students to be housed (bedspaces).
- . reference the current University Masterplan.
- . provide some narrative text to set out:
- . how need reflects existing supply.
- . why range and choice etc in market are important and how that fits with the qualitative elements set out below.
- . the context of need, i.e. that it is possible that purpose built student accommodation schemes will also be proposed on non-allocated sites during the plan period and parts (a) to (i) set out criteria to manage such developments.”

The Trust is most concerned that this checklist requires less of the applicant than County Durham Plan 5.141 which states:

*“The consideration of ‘need’ for additional student accommodation which developers must undertake shall include, but not be limited to, the potential contribution of schemes with planning consent; and University student growth forecasts. Developers should demonstrate what specific need the proposal is aimed at and why this need is currently unmet, giving consideration to the type of accommodation proposed. In seeking to meet need, the council recognises that PBSA can increase choice for the student population and is an alternative to Houses in Multiple Occupation (HMO).”*

The Trust observes that the checklist proposed in the SPD omits the crucial requirement to show how the proposal meets an identified quantitative need, as set out in Policy 16.2a and paragraph 5.141 of the County Durham Plan.

There has to be a requirement for proper quantitative evidence to be provided by the applicant, as there is for Local Area Housing Need assessments, identifying through survey evidence the segment(s) of the student market for which the proposal claims to meet a quantified need of the particular type in the particular location. Anything less than this not only negates the approved County Durham Plan Policy 16.2a and paragraph 5.141 but also permits the mis-information that has been promulgated around recent applications. This evidence should include genuine consultation with Durham Students Union and Joint Common Rooms.

To assist in making sure that quantitative need is in the correct context, the Trust considers that there should be an annual joint declaration by the University and the County Council as to the overall quantities of need - how many students in total now, of whom how many are in Durham City/Central Durham, how many more will there be to meet the target for 2026/27 of 21,500; how many bed-spaces there are now in Durham City/Central Durham, and therefore what if any is the shortfall. The accompanying narrative should acknowledge that there has to be choice in the market so some surplus is justifiable and also should set out the additional future capacity 'in the pipeline' from PBSAs with planning permission but not yet constructed.

Published data should include best estimates of the rate of occupancy of PBSA and college accommodation and the spatial distribution and capacity of student HMOs. Gathering and publishing such data annually will provide a sound evidence base for review of the current planning policies, and help to determine if they are delivering.

The second step in assessing 'need' is qualitative need. **The Trust considers that it is only if the application satisfies the evidential requirements on quantitative need does the question of qualitative need arise.**

On Step B qualitative need the text of paragraph 5.14 is extensive. Strictly speaking, the checklist ought to be just about type and location as specified in the approved Policy. Otherwise there is a risk of being disregarded as an attempt to create new policy. There are in addition many other aspects of quality which are to be addressed such as air quality and open space, so it would be worth making clear that relevant County Durham Plan and Neighbourhood Plan policies and various regulations apply beyond the requirements of Policy 16.2a.

Turning to Policy 16.2b, this requires:

**"consultation with the relevant education provider pursuant to the identified need."**

County Durham Plan paragraph 5.142 explains:

*"To ensure that PBSA is designed to meet the needs of the students, it is important that the applicant can demonstrate consultation with the relevant education provider. This will ensure that accommodation reflects the accommodation requirements of the student population."*

The checklist set out in the draft SDP paragraph 5.16 seems to the Trust to be right for establishing whether the education provider considers the proposal to be of the right type for the specific location.

## Q5 DCC Response

Comments noted. The council takes on board the comments made and agrees with the need to work with the University and is actively working with Durham University over the subject of student accommodation.

The SPD sits alongside the CDP. The purpose of the SPD is to provide guidance in addition to the relevant CDP policies, including policy 16.

The Council understand the point regarding a quantitative evidence-based approach to the supply of PBSAs. However, as set out in the SPD, a number of qualitative matters also need to be considered when assessing PBSAs as well as the quantitative measures set out in the SPD through paragraphs 5.13 Quantitative Needs and 5.14 Qualitative Needs.

Ensuring the accuracy of data gathered from all different accommodation types and tenures would be difficult to confirm. We don't currently have a mechanism to accurately quantify the number of students living in private accommodation.

The draft will be amended to require original correspondence to be attached from the education provider as part of para 5.13, to understand the education provider's position on anticipated numbers.

Comments are noted regarding the inclusion of external space as part of amenities, the draft will be amended to reflect the inclusion of this.

The draft will be amended to require developers to receive a response from the relevant education body before an application is submitted, to demonstrate evidence of consultation as part of para 5.16.

Regarding consultation with students and students union, the SPD requirements say that the applicant must consult with the university. How they do this is up to the applicant.

## **Question 6**

### **Do you have any comments on the Application of the Nationally Described Space Standard in C Class Uses section of the SPD?**

I am responding on behalf of the City of Durham Trust.

The flowchart in paragraph 6.6 is most helpful. With regard to the bullet point labelled *Use Class C4/Sui Generis* in paragraph 6.7 we consider that, where the existing residential unit meets the NDSS, then there should be no backtracking, whether by sub-dividing rooms, moving internal walls, building extensions, or otherwise. The resulting residential unit after the development should also meet the NDSS. Our reason is that a change of use back to a family home (C3) is permitted development and, if as we hope the University increases the proportion of its students in College or PBSAs, then there

could be a surplus of HMOs at some point within the lifetime of the current County Durham Plan. The objective of having more homes that meet the NDSS should not be undermined. We hope this can be made mandatory, but if the rules on NDSS do not permit this, then the SPD should specifically state that best practice is not to allow this kind of back-tracking.

#### **Q6 DCC Response**

The Council can seek to control potential increases in the number of tenants which will help to address pressure on subdivision or alterations that would reduce internal living space standards. This is through a planning condition and the SPD has been changed to include guidance on this matter within paragraph 6.7 to highlight the issue.

#### **Question 7**

##### **Do you have any comments on the First Homes Interim Policy Statement?**

I am responding on behalf of the City of Durham Trust.

The table below paragraph 7.16 seems to be an excellent tool for applying the First Homes requirement in the context of Policy 15. Clearly, there is a crucial factor to consider, namely the average local income.

The Trust hopes that the above comments are helpful in achieving the welcome purpose of this Supplementary Planning Document. We look forward to the consultation on the final draft.

#### **Q7 DCC Response**

Support for applying the First Homes requirement noted.

## Comment

<b>Consultee</b>	Justin Hancock (1336298)
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<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	Banks Group ( Justin Hancock - 1336298)
<b>Comment ID</b>	10
<b>Response Date</b>	4/11/23 1:05 PM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.5
<b>Question 5</b>	

### Do you have any comments on the PBSA needs assessment template?

Our comments relate to Chapter 5 (Purpose Built Student Accommodation needs assessment template). Banks Group is currently proposing a new PBSA development at Mount Oswald which may be determined by the Council imminently. It is important to understand the context of the Local Plan which assumed that Mount Oswald would deliver approximately 850 further student bed spaces over and above the establishment of South College and John Snow College. These 850 bed spaces had planning permission at the time of the Examination in Public of the Plan. Since then the permission has lapsed (partly due to the effect of Covid on new investment decisions). It is important that the scheme is brought forward in due course to achieve the anticipated level of accommodation provision in the City. There has been very limited (if any) progress bringing forward any of the allocated PBSA sites since the adoption of the plan in 2020. The SPD refers to the University Strategy which is a high level document running only to 2027. The SPD acknowledges that student numbers have recently exceeded the University's target of 21,500. This is potential for this to happen again particularly with a bulge in school leaver population occurring over the remainder of this decade. The most important planning consideration however is the balance between purpose built student accommodation and the informal provision of private rented sector HMOs. A reduction in the number of HMOs in Durham has long been an aspiration of the Council and local community. Policies have been put in place to make it much harder to create new HMOs. University colleges currently provide accommodation for around 40% of full time university students needing accommodation which is significantly short of the Local Plan statement (at paragraph 5.10) that the University aims to provide 50%. Private PBSA provides a further 15%. This leaves around 45% of full-time students needing to find accommodation. There is clearly then a strong demand for further PBSA and a community benefit of meeting more need outside of HMOs. Currently the scarcity of HMOs is pushing up the rental prices leading to more HMOs outside

the Article 4 direction area. We feel that the SPD should be updated to put greater emphasis on meeting this need.

#### **Q5 DCC Response**

The lapsed planning is an issue for a commercial operator of PBSA. If it is in accordance with the CDP then the council would support this renewal.

A revised application has been approved pending s106 agreement. Deliverability rests with the future operators

In terms of Qualitative need, the council agree with the university that different price bands of accommodation are required to meet differing needs of students and offer choice in the market.

The council is actively working with Durham University over the subject of student accommodation.

#### **Question 8**

##### **Do you have any other comments?**

In paragraph 5.14 the SPD suggests that applicants should provide a "consideration of price band". We do not believe that it is appropriate to require this type of financial information unless there is a wider assessment relating to project viability. In many cases applicants simply will not know the future price of accommodation, particularly if the applications are in outline. It is not clear how this would influence Council planning decision making.

#### **Q8 DCC Response**

In terms of Qualitative need, the council agree with the university that different price bands of accommodation are required to meet differing needs of students and offer choice in the market.



## Comment

Consultee	Marc Hoenen (1336299)
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Company / Organization	NHS Property Services Ltd
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Event Name	Housing Needs Supplementary Planning Document
Comment by	NHS Property Services Ltd ( Marc Hoenen - 1336299)
Comment ID	11
Response Date	4/11/23 1:20 PM
Status	Submitted
Submission Type	Email
Version	0.8
Question 4	

### Do you have any comments on the Local Area Housing Needs Assessments template?

The National Planning Policy Framework considers Essential Local Workers to be public sector employees who provide frontline services in areas including health, education, and community safety. By and large it is acknowledged that nurses and other NHS staff, teachers, police, firefighters, rescue services and military personnel, social care and childcare workers would all be categorised as key workers. Research from PWC (UK Economic Outlook, July 2019) found that key workers such as nurses often face rents above the 30% of income affordability threshold, and that the acute housing affordability challenges faced by key workers is forcing them to commute from ever further away. Underlying staff shortages are evident in the high vacancy rates across the NHS, and there are more than 47,000 registered nursing posts reported vacant in England (NHS Digital, September NHS Property Services Limited, Registered in England & Wales No: 07888110 2022), which equates to more than 1 in 10 posts. The Council should therefore look to ensure that Section 4 "Local Area Housing Needs Assessments template" includes a review of key worker housing needs, to ensure these vital workers have adequate access to housing.

### Q4 DCC Response

We acknowledge that there is a difficulty in some public sector workers finding suitable accommodation. We would therefore not specifically request that the assessment focus on named key workers, rather we will request that the assessment looks at all groups of people who have a housing need in the area.

### Question 7

### **Do you have any comments on the First Homes Interim Policy Statement?**

As well as considering key workers within housing needs assessments, the council should set out in Section 7 "First Homes Interim Policy Statement and Local Eligibility Criteria" that NHS staff will be considered amongst a priority group for First Homes. First Homes represent one potential opportunity to support affordable housing delivery in the county. However, we would welcome further consultation with the council to consider a wider range of affordable housing tenures which prioritise key workers. For example, a cascade mechanism, where Shared Ownership or other affordable housing properties would have an eligibility criterion to support key workers. Further, it is important to consider options for affordable rental housing options for key workers, given the prevailing unaffordable rents as discussed above

### **Q7 DCC Response**

Comments noted.

### **Question 8**

#### **Do you have any other comments?**

Foreword

NHSPS is wholly owned by the Department of Health and Social Care. NHSPS manages, maintains and improves NHS properties and facilities, working in partnership with NHS organisations to create safe, efficient, sustainable, modern healthcare and working environments. NHSPS has a clear mandate to provide a quality service to its tenants and minimise the cost of the NHS estate to those organisations using it. Any savings made are passed back to the NHS.

About NHS Property Services In April 2013, the Primary Care Trust and Strategic Health Authority estate transferred to NHSPS, Community Health Partnerships and NHS community health and hospital trusts. All organisations are looking to make more effective use of the health estate and support strategies to reconfigure healthcare services, improve the quality of care and ensure that the estate is managed sustainably and effectively. One of NHSPS's main roles is strategic estates management, this involves acting as a landlord, modernising facilities, buying new facilities, and optimising assets the NHS no longer needs. As part of this strategic estates management, NHSPS plays an influential role in the planning process, ensuring that future requirements for health are accurately measured and planned for, and is proactively engaged in the production of development planning documents across England.

### **Q8 DCC Response**

Noted.

## Comment

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<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	Theakston Land ( Theakston Land - 1336303)
<b>Comment ID</b>	12
<b>Response Date</b>	4/11/23 2:28 PM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.13
<b>Question 2</b>	

### **Do you have any comments on the Accessible and Adaptable Home Statement and M4(2) Checklist?**

#### Implementation of the M4(2) Accessible and Adaptable Housing Standard

Our Client has no objections to the principle of completing the Accessible and Adaptable Home Statement and M4(2) Checklist for schemes of 5 units or more. We do however note that at paragraph 2.5, it states the use of the M4(2) checklist is recommended but not compulsory. This contradicts the planning application validation requirements for full planning applications and for the approval of reserved matters that include details of house types. This point should therefore be clarified in the SPD.

#### Guidance on Dwellings of a Design and Type for Older People

Our Client welcomes confirmation that the 10% M4(2) compliant homes delivered as part of the Local Plan Policy 15 requirement for homes to meet the needs of older people will also contribute to the requirement to deliver 66% of homes to M4(2) standards. This provides necessary clarity to developers and should be retained in the SPD.

Paragraph 3.4 recognises the statement in Policy 15 that “housing options for older people should be situated in the most appropriate location within the site for older people”. However, no further guidance is provided within the SPD that identifies what DCC will take into account in the consideration of the ‘most appropriate location within the site for older people’.

Additional guidance should be provided as to what would be considered as an appropriate location to meet this requirement. Whilst it is acknowledged that the Council often wish to see a ‘pepper-potting’ of bungalows across the site, this is often not the most appropriate solution and can lead to isolation of older residents in areas of larger housing. It is often more appropriate to provide clusters of older persons housing to create a sense of community within the older population.

Paragraph 3.5 recognises that the list of types of homes suitable for older people within Policy 15 is not exhaustive. The SPD would benefit from including additional guidance on the types of housing that could be considered suitable.

## **Q2 DCC Response**

The validation requirements are that the M4(2) declaration is completed and signed, but that the checklist is recommended not compulsory, this is set out in the SPD.

Comments in relation to location of older persons housing are noted. The SPD has been revised to add further clarity on this issue. The list of options of older persons housing within Policy 15 is not exhaustive, to provide flexibility should developers put forward alternative products for consideration, given the diverse range of housing needs which can come under the definition of older people.

## **Question 3**

### **Do you have any comments on the guidance on Multi-Generational Homes section of the SPD?**

#### Multi-Generational Homes

Our Client welcomes the principle of providing further guidance in relation to the reference to ‘housing products that can be shown to meet the needs of a multi-generational family’ however, there should be further flexibility within the guidance that allows a greater range of homes to meet this need. Should greater flexibility be provided, there is the opportunity for these homes to provide a valuable contribution towards housing for older people whilst ensuring developments remain viable.

In terms of the contribution that multi-generational homes will make to housing supply, paragraph 3.9 of the draft SPD states that “it would be unlikely that multi-generational homes would form the dominant older persons house type on a site, rather they should be utilised as a minority product to supplement bungalows and / or level access flats”. It is agreed that a multi-generational home may not be a realistic option for some older people (paragraph 3.9), however, this alone should not preclude this type of housing from significantly contributing to the housing supply within the County. With the correct characteristics, homes suitable for a multi-generational family could provide a valuable contribution to providing homes suitable for a lifetime meeting needs for older people now and in the future. A home with the correct characteristics could not only allow older people to move into an existing family home but could also allow grown-up children to continue to live with parents as they grow old or allow family members to move into an existing home to allow older people to remain in their own home.

Although we agree that a multi-generational home is not simply a home built to M4(2) standards, paragraph 3.21 of the SPD states that “A multi generation home is not about building housing products which can be adapted in future as needs change/evolve over time and is instead about delivering a product which meets the needs of older people at the point of completion and increases housing options”. We disagree that a home needs to be completed so that it meets the needs of older people at the point of completion. An adaptable home could also meet the housing needs of people as they grow old and as families grow and adapt over time, removing the need for the expense of moving home to be incurred as family members require additional support. This is particularly relevant in light of paragraph 5.116 of the CDP which states “The formation of multi-generational families, which include older people, is being driven by financial pressures and rising care costs”. The cost of adapting

an existing home, designed at the out-set to be easily adaptable, would be significantly less than the costs of moving home or into a care setting.

Indeed, Local Plan paragraph 5.118 recognises that there is an existing demand for existing homes to be extended to care for older people stating that “we will also be sympathetic to households which wish to extend or adapt existing homes in order to care for older relatives, where any related impacts are acceptable.”

Although adaptable homes may be purchased by those who are not immediately in need of a home for older people, there should also be no restriction on the purchase of a bungalow or level access flat to ensure that these only benefit older people. The provision of an adaptable home would provide the opportunity for conversion in the future, an opportunity that would not be available should a younger person/family purchase a flat/bungalow which was delivered with the intention of providing homes for older people. It would not be appropriate to control occupancy for such properties, again because by its nature the occupancy and needs of occupants in multi-generational homes changes over time. Similarly, an ‘older person’ may have perfectly good mobility at the time of purchasing a property and may only need to make adaptations several years after moving in.

Notwithstanding the above, we agree that it should be clear at the point of purchase that the home can be made suitable for multi-generational living and that whilst the home can be provided in some version of its ‘adapted’ form at the point of purchase, it is not required by planning policy to fit it out to an arbitrary specification.

Paragraph 3.16 of the draft SPD states in relation to specific rooms in a multi-generational home that “the CDP notes that they are built with dedicated semi-private living space, an additional bathroom and separate kitchen facilities”. Paragraph 3.17 goes on to state that “Living space would be expected to consist of a lounge area, but also could be supplemented by a study, or a garden room for example. A separate and dedicated bathroom should be provided within easy reach of the bedroom space and should be accessible to the living space to support privacy and independence. A separate kitchen or kitchenette, including space to eat would be required to further foster independent living”.

However, Paragraph 5.116 of the Local Plan also states that “It is considered that this type of housing should generally have potential for a semi-private living space within the house with an additional bathroom and perhaps kitchen facilities.” We would suggest that paragraphs 3.16 and 3.17 are amended to be consistent with one another and with the Local Plan which allows flexibility in the provision of additional rooms.

### **Q3 DCC Response**

The council agrees that with the correct characteristics MGH can help to diversify the housing offer for older people. Further clarity has been added to the SPD in relation to the characteristics of a MGH to ensure that the product that is delivered is suitable but to also provide flexibility. In relation to MGHs being adaptable over time, the council believes that a MGH should be increasing options for older people now, not simply be adaptable as that is just a M4(2) compliant house type, which is a separate requirement.

While adaptable homes will provide housing options for older people in future, this is not effective in meeting the significant need identified in the Strategic Housing Market Assessment (SHMA).

### **Question 7**

#### **Do you have any comments on the First Homes Interim Policy Statement?**

First Homes Interim Policy Statement and Local Eligibility Criteria

Our Client welcomes the opportunity to comment on DCC’s Interim Policy Statement and Local Eligibility Criteria. It is recognised that the NPPF does give local authorities the ability to amend the price cap for First Homes contained within Planning Practice Guidance (PPG), although in this instance we consider that the price cap proposed within the SPD is not appropriate within many areas of County Durham and further evidence should be gathered to apply appropriate price caps across the County.

With respect to setting local price caps, PPG states that these should be determined through the plan making process with regard to local income levels, related to local house prices and mortgage requirements. PPG also states that 'local price caps should not be set arbitrarily and should also be used if evidence demonstrates a need for intermediate housing at particular price points'.

In respect of the evidence presented within the SPD, this is limited to a single reference to the average lower quartile house price within County Durham. The price cap for First Homes across the entire county has then been defined simply by discounting 30% from this cost.

The cap does not take into account the scale of County Durham and its very broad range of house prices, as reflected to some extent in the Local Plan Housing Viability Areas. In this regard, the Local Plan splits the County into four viability areas with paragraph 4.72 stating that "evidence within the Local Plan Viability Study, shows that viability and market attractiveness vary significantly across the county with values fluctuating significantly across short distances". This confirms that it would not be appropriate to determine a single price cap based upon the lowest quartile of house prices across the County. Indeed, average house prices across Durham range from around £70,000 to more than £200,000 illustrating the huge disparity in prices across the County.

Additionally, this price cap does not take into account local income levels to determine the affordability of First Homes. Data indicates that the affordability ratios across the County range from around 2 to more than 5. This confirms that it would not be appropriate to set a requirement for the price of all homes across the County to be capped in respect of a 30% discount against the lowest quartile house price.

In respect of the above, to comply with PPG requirements with regard to setting local price caps further evidence should be provided to ensure that appropriate price caps are introduced across the county taking into account the local income levels, local house prices and mortgage requirements. In line with the Housing Viability Areas within the Local Plan it is envisaged that a suitable price cap will vary across the County. The introduction of this price caps should also be carefully considered with respect to its impact on the ability of sites to viably deliver housing at this cost, particularly in respect of high and highest market value areas.

## **Q7 DCC Response**

Based on evidence of newbuild house prices in County Durham, a cap below £250,000 is justified. The evidence base makes use of lower quartile house prices in County Durham which, are considered to be the entry level price for home ownership. In County Durham, 70% of the lower quartile 4 plus bedroom property price is £176,500.

The Council has updated its plan wide assessment of viability to accommodate for the impact of additional policy or guidance requirements since the adoption of the County Durham Plan. In respect of First Homes, the viability assessment indicates that the cap should be raised to £140,000. Therefore First Homes are to be sold at a discount of 30% of the open market value of the property, up to a maximum level of £140,000 in lined with a viability informed cap.

## **Question 8**

### **Do you have any other comments?**

On behalf of our Client, we welcome the opportunity to make these comments and would be happy to engage further with the Council on any revisions and future drafts published. If you have any queries on any part of the above Representation then please do get in touch

## **Q8 DCC Response**

Noted.

## Comment

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<b>Comment by</b>	Taylor Wimpey c/o ( Emma Hepplewhite - 1304814)
<b>Comment ID</b>	13
<b>Response Date</b>	4/11/23 2:58 PM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.10
<b>Question 2</b>	

### Do you have any comments on the Accessible and Adaptable Home Statement and M4(2) Checklist?

TW have no comment to make regarding the content of the Accessible and Adaptable Homes Statement, however, would request that the SPD is amended to confirm that this is only a validation requirement for Full Planning Applications and for applications for the approval of Reserved Matters that include details of housetypes.

In this regard, the content of the Statement requires details to be confirmed including:

- Have you screened your site and house design plans against the checklist provided at Appendix One of this form?
- Are you satisfied all plots and house types meet the key requirements in the checklist at Appendix 1 of this form?

These statements cannot be confirmed at the outline stage and therefore it is considered more appropriate that this is a validation requirement for full and reserved matters applications only. TW welcome confirmation that submission of the M4(2) checklist is not compulsory and suggest that this is retained in future revisions to the SPD.

### Q2 DCC Response

Comments noted, however it must be completed for all applications. There is the option on the Accessible and Adaptable Homes Statement to chose "no" in relation to detailed house types which

with explanation that house types have not yet been confirmed at outline stage will still enable validation of the application.

### Question 3

#### **Do you have any comments on the guidance on Multi-Generational Homes section of the SPD?**

TW welcome confirmation that the 10% M4(2) compliant homes delivered as part of the Local Plan Policy 15 requirement for homes to meet the needs of older people will also contribute to the requirement to deliver 66% of homes to M4(2) standards. This provides necessary clarity to developers and should be retained in the SPD.

What is the most appropriate location within the site for older people?

Paragraph 3.4 of the SPD recognises the statement in Policy 15 that “housing options for older people should be situated in the most appropriate location within the site for older people”. However, no further guidance is provided within the SPD that identifies what DCC will take into account in the consideration of the ‘most appropriate location within the site for older people’.

We request that additional guidance is provided within any revised draft of the SPD to identify what characteristics DCC will take into account in determining the most appropriate location within the site for older people.

Are there any other options that would be considered to meet the requirement for 10% older peoples accommodation?

Paragraph 3.5 recognises that the list of types of homes suitable for older people within Policy 15 is not exhaustive. The SPD would benefit from including additional guidance on the types of housing that could be considered suitable.

How should multi-generational homes contribute to the 10% requirement for older peoples housing?

TW welcome the principle of providing further guidance in relation to the reference to ‘housing products that can be shown to meet the needs of a multi-generational family’ however, there should be further flexibility within the guidance that allows a greater range of homes to meet this need. Should greater flexibility be provided, there is the opportunity for these homes to provide a valuable contribution towards housing for older people whilst ensuring developments remain viable.

In terms of the contribution that multi-generational homes will make to housing supply, paragraph 3.9 of the draft SPD states that “it would be unlikely that multi-generational homes would form the dominant older persons house type on a site, rather they should be utilised as a minority product to supplement bungalows and / or level access flats”. It is agreed that a multi-generational home may not be a realistic option for some older people (paragraph 3.9) , however, this alone should not preclude this type of housing from significantly contributing to the housing supply within the County. With the correct characteristics, homes suitable for a multi-generational family could provide a valuable contribution to providing homes suitable for a lifetime meeting needs for older people now and in the future. A home with the correct characteristics could not only allow older people to move into an existing family home, but could also allow grown-up children to continue to live with parents as they grow old, or allow family members to move into an existing home to allow older people to remain in their own home.

Can an adaptable home be considered suitable for a multi-generational family?

Although we agree that a multi-generational home is not simply a home built to M4(2) standards, paragraph 3.21 of the SPD states that “A multi generation home is not about building housing products which can be adapted in future as needs change/evolve over time and is instead about delivering a product which meets the needs of older people at the point of completion and increases housing options”. We disagree that a home needs to be completed so that it meets the needs of older people at the point of completion. An adaptable home could also meet the housing needs of people as they grow old and as families grow and adapt over time, removing the need for the expense of moving home to be incurred as family members require additional support. This is particularly relevant in light of paragraph 5.116 of the Local Plan which states “The formation of multi-generational families, which include older people, is being driven by financial pressures and rising care costs”. The cost of adapting an existing home, designed at the out-set to be easily adaptable, would be significantly less than the costs of moving home or into a care setting.



Indeed, Local Plan paragraph 5.118 recognises that there is an existing demand for existing homes to be extended to care for older people stating that “we will also be sympathetic to households which wish to extend or adapt existing homes in order to care for older relatives, where any related impacts are acceptable.”

Although adaptable homes may be purchased by those who are not immediately in need of a home for older people, there would also be no restriction on the purchase of a bungalow or level access flat to ensure that these only benefit older people. The provision of an adaptable home would provide the opportunity for conversion in the future, an opportunity that would not be available should a younger person/family purchase a flat/bungalow which was delivered with the intention of providing homes for older people. The needs of households change over time so what suits a family at one point may change multiple times. An adaptable home (with a layout and infrastructure that enables different forms of adaptation and conversion at different times) is most suitable for multi-generational living but it would be wrong to prescribe and impose a form of the layout/infrastructure at the time of first occupation. It would also be wrong to control occupancy for such properties, again because by its nature the occupancy and needs of occupants in multi-generational homes changes over time. Similarly, an ‘older person’ may have perfectly good mobility at the time of purchasing a property and may only need to make adaptations several years after moving in.

The benefit of multi-generational homes is simply that they exist and are advertised accordingly – by seeking to control their form or limit their occupancy the planning system would stifle their purpose – to be adaptable. Notwithstanding the above, we agree that it should be clear at the point of purchase that the home can be made suitable for multi-generational living and that whilst the home can be provided in some version Notwithstanding the above, we agree that it should be clear at the point of purchase that the home can be made suitable for multi-generational living and that whilst the home can be provided in some version of its ‘adapted’ form at the point of purchase, it is not required by planning policy to fit it out to an arbitrary specification.

What characteristics should a multi-generational home have?

Paragraph 3.16 of the draft SPD states in relation to specific rooms in a multi-generational home that “the CDP notes that they are built with dedicated semi-private living space, an additional bathroom and separate kitchen facilities”. Paragraph 3.17 goes on to state that “Living space would be expected to consist of a lounge area, but also could be supplemented by a study, or a garden room for example. A separate and dedicated bathroom should be provided within easy reach of the bedroom space and should be accessible to the living space to support privacy and independence. A separate kitchen or kitchenette, including space to eat would be required to further foster independent living”.

However, Paragraph 5.116 of the Local Plan also states that “It is considered that this type of housing should generally have potential for a semi-private living space within the house with an additional bathroom and perhaps kitchen facilities.” We would suggest that paragraphs 3.16 and 3.17 are amended to be consistent with one another and with the Local Plan which allows flexibility in the provision of additional rooms. For example, it is clear that not all older people would have a requirement for separate kitchen facilities and would prefer to share with their family. Fully independent living may also be inappropriate for those who find it necessary to live with family for the purposes of receiving a significant degree of care.

Notwithstanding the above, it is recognised that the home would be required to be adaptable to provide at minimum an accessible bed and bathroom facilities. However we disagree that these must be accessible upon completion (paragraph 3.15) for the reasons set out in the preceding section of this letter. Albeit the option should be provided for these to be fitted at the point of purchase.

### **Q3 DCC Response**

Comments in relation to location of older persons housing are noted. The SPD has been revised to add further clarity on this issue. The list of options of older persons housing within Policy 15 is not exhaustive, to provide flexibility should developers put forward alternative products for consideration, given the diverse range of housing needs which can come under the definition of older people. In relation to MGH, the draft SPD aimed to provide more detail and clarity on the characteristics of a MGH, while still providing a degree of flexibility. MGH should be increasing options for older people now, not simply be adaptable as that is just a M4(2) compliant house type, which is a separate

requirement. While adaptable homes will provide housing options for older people in future, this is not effective in meeting the significant need identified in the Strategic Housing Market Assessment (SHMA).

## Question 7

### Do you have any comments on the First Homes Interim Policy Statement?

TW welcome the opportunity to comment on DCC's Interim Policy Statement and Local Eligibility Criteria. It is recognised that the NPPF does give local authorities the ability to amend the price cap for First Homes contained within Planning Practice Guidance (PPG), although in this instance we consider that the price cap proposed within the SPD is not appropriate within many areas of County Durham and further evidence should be gathered to apply appropriate price caps across the County. With respect to setting local price caps, PPG states that these should be determined through the plan making process with regard to local income levels, related to local house prices and mortgage requirements. PPG also states that 'local price caps should not be set arbitrarily and should also be used if evidence demonstrates a need for intermediate housing at particular price points'. In respect of the evidence presented within the SPD, this is limited to a single reference to the average lower quartile house price within County Durham. The price cap for First Homes across the entire county has then been defined simply by discounting 30% from this cost.

The cap does not take into account the scale of County Durham and its very broad range of house prices, as reflected to some extent in the Local Plan Housing Viability Areas. In this regard, the Local Plan splits the County into four viability areas with paragraph 4.72 stating that "evidence within the Local Plan Viability Study, shows that viability and market attractiveness vary significantly across the county with values fluctuating significantly across short distances". This confirms that it would not be appropriate to determine a single price cap based upon the lowest quartile of house prices across the County. Indeed, average house prices across Durham range from around £70,000 to more than £200,000 illustrating the huge disparity in prices across the County. TW can also confirm that they have live evidence on current development sites that prices in excess of the proposed cap are affordable for 3-bed intermediate tenure properties.

Additionally, this price cap does not take into account local income levels to determine the affordability of First Homes. ONS Data indicates that the affordability ratios across the County range from around 2 to more than 5. This confirms that it would not be appropriate to set a requirement for the price of all homes across the County to be capped in respect of a 30% discount against the lowest quartile house price.

In respect of the above, to comply with PPG requirements with regard to setting local price caps further evidence should be provided to ensure that appropriate price caps are introduced across the county taking into account the local income levels, local house prices and mortgage requirements. In line with the Housing Viability Areas within the Local Plan it is envisaged that a suitable price cap will vary across the County. The introduction of this price caps should also be carefully considered with respect to its impact on the ability of sites to viably deliver housing at this cost, particularly in respect of high and highest market value areas. In this regard, the Council should confirm that the introduction of this requirement has been fully tested as part of the Development Viability, Affordable Housing and Financial Contributions SPD.

The SPD should also confirm that the First Homes requirement will not apply to Reserved Matters applications where the outline planning permission was granted and S.106 contributions agreed prior to the adoption of the SPD.

## Q7 DCC Response

The Council has updated its plan wide assessment of viability to accommodate for the impact of additional policy or guidance requirements since the adoption of the County Durham Plan. In respect of First Homes, the viability assessment indicates that the cap should be raised to £140,000. Therefore First Homes are to be sold at a discount of 30% of the open market value of the property, up to a maximum level of £140,000 in lined with a viability informed cap.

## Comment

<b>Agent</b>	Nicola Crowley (1255776)
<b>Email Address</b>	[REDACTED]
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<b>Consultee</b>	Matthew Wright (1256180)
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<b>Address</b>	[REDACTED]
<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	Durham University ( Matthew Wright - 1256180)
<b>Comment ID</b>	14
<b>Response Date</b>	4/11/23 8:27 AM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.6
<b>Question 1</b>	

**Do you agree with the proposed scope and content of the SPD? Please give reasons for your answers.**

The Housing Needs SPD provides detailed guidance on the application of the following policies in the CDP, providing information on how policies will be interpreted and applied:

- Policy 11: Rural Housing and Employment Exception Sites;
- Policy 15: Addressing Housing Need;
- Policy 16: Durham University Development, Purpose Built Student Accommodation and Houses in Multiple Occupation;
- Policy 29: Sustainable Design; and
- Policy 31: Amenity and Pollution.

## Q1 DCC Response

Comment noted.

### Question 5

#### Do you have any comments on the PBSA needs assessment template?

The SPD sets out at section 5 how developers should assess need for Purpose Built Student Accommodation ('PBSA'). Part 2 of Policy 16 relates specifically to PBSA and is used to assess any applications for such proposals from the University or other accommodation providers. Part 2 of Policy 16 includes a number of criteria however this SPD seeks to provide further guidance in respect of criteria (a) and (b) of the policy specifically.

Durham University supports in principle the additional guidance set out above in relation to the requirement to demonstrate a need for PBSA proposals on non-allocated sites, and the requirement to demonstrate consultation with Durham University or relevant education provider. The University also have the following comments:

- . Durham University is generally supportive of the approach set out in the draft SPD in relation to the need to demonstrate quantitative and qualitative need for PBSA developments, however the SPD should provide some clarity as to how the LPA will assess schemes against these quantitative & qualitative needs
- . Para 5.13 refers to 'existing supply'. Existing supply should be defined, the definition should include completed PBSA, PBSA in development and existing HMOs whether occupied/unoccupied, there should also be reference to PBSAs with planning permission. The applicant should demonstrate how their development will contribute beneficially to the range and choice in the market.
- . Para 5.13 states 'reference the current University Masterplan' in addition developers should consult with the University/education provider to understand the latest position on anticipated student numbers and demographics.
- . Para 5.14 additional amenities should include provision for 'suitable exterior space'.
- . Para 5.14 refers to 'Consideration of price band - in the context of target markets'. Affordability of housing is a key factor for University students and is highlighted as a concern within student surveys and consultation with Durham Students' Union. The SPD should ensure that the applicant demonstrates that various financial demographics are specifically catered for within their scheme and that their development will contribute beneficially to the range and choice in the market.
- . Para 5.14 references 'Consideration of how the Management Plan of the PBSA reflects the specific needs of the target market'. The Management Plan also should consider how the target market will interact in the local community and affect its balance. Durham University has been working hard to increase engagement with the local resident population and PBSA providers, through a comprehensive management plan, should uphold this engagement strategy with provision for regular meetings with resident's groups and Durham University to address any issues arising and minimise risk of any potential conflict.
- . Para 5.14 refers to a requirement for 'Pastoral support – office space within the development'. Durham University are supportive of this requirement within their own PBSA developments and those of other providers as it is important to allow for pastoral and support meetings with students in a quiet and professional setting.
- . Para 5.16 – states 'demonstrate evidence of consultation ... with the relevant education provider'. The SPD should set out a formalised way of demonstrating evidence of consultation, such as a form to be completed by the developer, with comments from the provider and counter-comments, and requiring sign-off from the education provider to confirm that they have been consulted with.
- . Para 5.16 – The University requests an additional requirement is included so that the developer will undertake consultation directly with students, independent of University involvement, to establish what the students' views are on current needs/requirements from accommodation provision. This could be facilitated via Durham Students' Union as DSU is independent from the University, and would therefore provide impartial advice and advocacy for students. Again, the SPD should set out a formalised approach to demonstrating evidence of consultation.

## Q5 DCC Response

The SPD provides further clarity to what was outlined in the CDP policy 16. The SPD lists what applicants should consider in their applications relating to quantitative and qualitative needs.

It is set out in para 5.16 that the application should show evidence of consultation and liaise with the relevant education provider to identify what information they need to include as a minimum.

The University are consulted on PBSA applications by the Council and can submit this information regarding latest position and anticipated numbers as part of their consultation response.

Comments are noted regarding consultation with education providers and the inclusion of exterior space as an amenity, the draft will be amended to reflect the inclusion of these points.

Regarding qualitative need, the financial demographics is covered off in the Qualitative needs paragraph 5.14 under the form of accommodation and consideration of price band bullet points.

Regarding consultation, the SPD requirements say that the applicant must consult with the university. How they do this is up to the applicant.

Regarding consultation directly with students, independently of university involvement, it is not for the council to require a developer to do their own market research.

## Comment

<b>Consultee</b>	Janet George (1256292)
<b>Email Address</b>	[REDACTED]
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<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	Janet George (1256292)
<b>Comment ID</b>	15
<b>Response Date</b>	4/10/23 3:14 PM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 5</b>	

### Do you have any comments on the PBSA needs assessment template?

Please can you include the comments I sent previously which were as below and for this consultation I would like to specifically highlight the imbalance of housing and demography of the City community.

Two thirds student who move house every year and only one third permanent resident remaining. Of the remaining residents, many are older and there is no suitable housing for them if they wish to remain in the City i.e. within walking distance of shops and transport.

My other comments are below and I would be grateful if you could include them in your consultations feedback

The Article 4 Directive is very welcome but does not control student landlords sufficiently. What now happens is that any area that is below the 10% ratio within 100m is snapped up by cash rich developers who know their way around the system. This means that any remaining family streets continue to lose houses to HMO development and this skews the balance of communities.

There are no controls on conversion of family homes into 2 bed flats and we see developers doing this in areas that are over 10% student occupation. This means more family homes are lost.

There are no controls on landlords ( or parents) purchasing properties and placing 2 students in them. This leads to a future application to increase numbers as the property is already student occupied.

The University has pledged to reduce capacity and there is confirmation of around 1,000 excess student bed spaces currently but no curbs on more HMO conversion. I can give examples of young families not being able to purchase in the City because of inflated price expectations and the speed of action by cash rich developers. It is impossible for an ordinary person to choose, conduct surveys, raise mortgages etc quickly.

The new interpretation of 'need' appears now to be 'need for choice'. Not only is there an excess of student beds there is a serious lack of choice for non students. Allowing 'need for choice' effectively

opens the door for any student planning application to be approved. The system is weighted firmly pro student housing.

Of those PBSAs open (some have planning permission but not yet begun construction), the prices in PBSAs are not competitive and students find it cheaper to live in HMOs.

While students express the desire to be central in other university towns students have to commute. There is no reason why students may not take a bus ride, walk or cycle.

The uneven balance, roughly 22,000 students in the Parish and less than 10,000 permanent residents impacts on the City. In the past permanent locals walked in to shop, now we have a glut of bars, cafes and restaurants making the City appeal to only to those who want a night time economy.

There needs to be cessation on any further student development while numbers remain as the University intends. The university does not have the resources to cope with increased numbers and future trends will include more online learning, short courses, apprenticeships at Colleges etc.

There is no contribution from landlords bar a one off small HMO registration and Durham has a transient population that moves every year and the majority leave the area after completion of studies. There is a lack of a settled population in the City and effectively people who do wish to put down roots are driven to outlying villages, forcing them to commute.

There is no provision for the high number of older people left in the City.

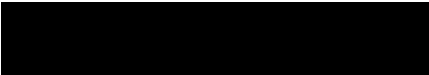
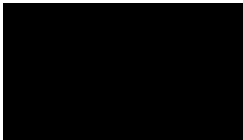
There are no protections re housing for young families or young people who wish to make the City a permanent home.

I do hope Spatial Policy will implement strong controls on the leeching away of the permanent City community.

#### **Q5 DCC Response**

Thank you for your comments, we agree with the need to keep communities mixed and balanced as per policy 16.

## Comment

<b>Consultee</b>	Planning and Local Authority Liaison Team (1299775)
<b>Email Address</b>	
<b>Company / Organization</b>	The Coal Authority
<b>Address</b>	
<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	The Coal Authority ( Planning and Local Authority Liaison Team - 1299775)
<b>Comment ID</b>	16
<b>Response Date</b>	4/4/23 4:12 PM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.5
<b>Question 8</b>	

### Do you have any other comments?

Thank you for your notification received on the 24<sup>th</sup> February 2023 in respect of the above consultation.

The Coal Authority is a non-departmental public body sponsored by Department for Energy Security and Net Zero. As a statutory consultee, The Coal Authority has a duty to respond to planning applications and development plans in order to protect the public and the environment in mining areas.

Our records indicate that within the County Durham area there are recorded coal mining features present at surface and shallow depth including; mine entries, shallow coal workings, surface coal mining, fissures or breaklines, reported surface hazards and mine gas sites. These recorded features may pose a potential risk to surface stability and public safety.

The Coal Authority's records also indicate that surface coal resource is present in the area, although this should not be taken to imply that mineral extraction would be economically viable, technically feasible or environmentally acceptable. As you will be aware those authorities with responsibility for minerals planning and safeguarding will have identified where they consider minerals of national importance are present in your area and related policy considerations. As part of the planning process consideration should be given to such advice in respect of the indicated surface coal resource.

It is noted that this current consultation relates to a Supplementary Planning Document for Housing Needs. I can confirm that the Planning team at the Coal Authority have no specific comments to make on this consultation document.

Please do not hesitate to contact me should you wish to discuss this further.



## Q8 DCC Response

Comments noted.

## Comment

<b>Agent</b>	Jack Osgerby (1336172)
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<b>Consultee</b>	James Reid (1256137)
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<b>Address</b>	[REDACTED]
<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	Miller Homes ( James Reid - 1256137)
<b>Comment ID</b>	17
<b>Response Date</b>	4/11/23 3:30 PM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.10
<b>Question 3</b>	

### Do you have any comments on the guidance on Multi-Generational Homes section of the SPD?

In setting out when Multi-Generational Homes should be applied, Paragraph 3.9 of the SPD states that “multi-generational homes should be utilised as a minority product to supplement bungalows and / or level access flats on a site.” However, Policy 15 of the County Durham Plan (CDP) specifically states that either “level access flats; level access bungalows; or housing products that can be shown to meet the specific needs of a multi generational family” (Emphasis Added) are appropriate to meet this requirement. Paragraph 5.115 which supports Policy 15 also states that “although the viability assessment has been run based on bungalows, other types of housing including level access flats and housing products that can be shown to meet the specific needs of a multi-generational family would accord with the policy”.

The above text contained in the CDP makes it clear any of the housing options of older people listed are appropriate and no specific option is prescribed. The appropriate mix of housing options

of older people will depend on the site, market, local context, development and developer. With this in mind, it is therefore not appropriate to specify a mix of housing options of older people, particularly when the CDP specifically allows for flexibility between the options in this regard. Planning Practice Guidance (PPG) (Paragraph: 008 Reference ID: 61-008-20190315) states that “SPDs should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan.” The Policy Statement should therefore not seek to prescribe a mix when the CDP specifically does not, particularly as no evidence has been provided to justify this departure. If the SPD seeks to specify the mix of older persons housing, this should not be ambiguous as it is currently set out in the SPD, and it should instead be quantified for areas of high, medium and low need. Such requirements should be evidence-based and reflect the varying need across the County.

It is welcomed that the SPD seeks to clarify the requirements of a multi generational home, however, it is considered that there is a general lack of detail with regards specific sizes and dimensions of the spaces required. Currently the SPD is highly ambiguous which does not provide clear guidance to developers or decision-makers. This will lead to significant delays for applicants as this will need to be determined through the application process. As such, the SPD should list the requirements for multi generational homes which includes specific dimensions for the required areas.

Specifically, Paragraph 3.16 of the draft SPD states that “in terms of specific rooms provided for within a multi generational home, paragraph 5.116 of the CDP notes that they are built with dedicated semi-private living space, an additional bathroom and separate kitchen facilities.” However, Paragraph 5.116 CDP actually states that this type of housing “should generally have potential for a semi-private living space within the house with an additional bathroom and perhaps kitchen facilities” (Emphasis Added). This supporting text recognises that there is not a standard or set layout for multi generational homes and that a degree of flexibility should be provided for in this regard. This is actually reflected in Paragraph 3.10 of the SPD which recognises that there is not a standard type, template or design for multi generational homes. Paragraph 3.16 of the draft SPD should be reworded to reflect the wording of the CDP to make it clear that multi generational homes should generally have potential for such spaces but that these are not fixed requirements and will depend on the context of the development. As set out above the PPG makes it clear that SPDs should not go above and beyond what is set out in the CDP.

Paragraph 3.17 also states that a “separate kitchen or kitchenette, including space to eat would be required to further foster independent living.” However, for the above reasons, there is no set standard for multi-generational living and the wording should be more flexible in this regard, reflecting that contained in the CDP.

Paragraph 3.18 then states that “separate front doors would be an option to further support independent living”. This is not considered necessary for multi-generational living as whilst such dwellings should provide a degree of separation, it is still one house to be occupied by different generations of a family. A separate front door could lead to the segregation of the living space which is against the principles of multi-generational living and could also be impractical from a design perspective, depending on the layout and access arrangements dwelling.

Finally, it is welcomed that Paragraph 3.15 does allow for the provision of multi-generational living above ground floor levels providing it is accessible at the point of completion. However, the SPD should clearly set out what the Council considers to be accessible in this regard to assist developments and decision makers in the future.

### **Q3 DCC Response**

The CDP and SPD both provide options for meeting the needs of older people, but the SPD also highlights that CDP policy 19 is applicable to older persons house types as it is to all other house types on site, which does take account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations.

The SPD clarifies and details what constitutes a multi generational home, given that they are a new product to the UK market and following applications which have been submitted since the adoption of the CDP which the council believe have misinterpreted the policy. The draft SPD aimed to provide more detail and clarity on the characteristics of a MGH, while still providing a degree of flexibility. The

SPD has been amended to include further detail as suggested to provide clarity and ensure a more efficient application process.

## Question 7

### Do you have any comments on the First Homes Interim Policy Statement?

Firstly, the Policy Statement should make it clear that, in accordance with the First Homes Written Ministerial Statement of 24 May 2021 and the PPG (Paragraph: 020 Reference ID: 70-020-20210524), the new First Homes policy requirement does not apply to the following:

- sites with full or outline planning permissions already in place or determined (or where a right to appeal against non-determination has arisen) before 28 December 2021
- applications for full or outline planning permission where there has been significant pre-application engagement which are determined before 28 March 2022; and
- sites where local and neighbourhood plans are adopted/made under the transitional arrangements, as detailed in paragraphs 18 and 19. These transitional arrangements will also apply to permissions and applications for entry-level exception sites.

It should also be noted that in accordance with the PPG (Paragraph: 022 Reference ID: 70-022-20210524) the First Homes policy does not apply to applications made under section 73 of the Town and Country Planning Act 1990 to amend or vary an existing planning permission unless the amendment or variation in question relates to the proposed quantity or tenure mix of affordable housing for that development.

It is important that the above points are acknowledged in the SPD to assist developers/officers when preparing/determining applications.

Overall, the Council does not provide appropriate or suitable reasoning for proposing a price cap on First Homes. Paragraph 7.6 of the Policy Statement states that “the question for a price cap is whether the price of a First Home reflects a genuine discount on market prices.” However, to ensure that First Homes are genuinely discounted, national policy ensure there is a requirement to sell the property by a minimum of 30% against the market value. To ensure this, developers are required to obtain a valuation from a registered valuer acting in an independent capacity in accordance with the PPG (Paragraph: 006 Reference ID: 70-006-20210524). This is the mechanism which ensures that there is a “genuine discount” on first homes as sought by the Council and therefore the proposed price cap is not necessary to achieve this.

In determining the proposed price cap on first homes, Paragraph 7.7 states that “in County Durham, 70% of the lower quartile 4 plus bedroom property price is £176,500. A price cap at this value would ensure that First Homes remain a genuinely affordable option. However, almost all of the need for First Homes comes from properties which are 3 bedrooms or lower and a price cap of around £120,000 would ensure that any properties sold represent a genuine discount. A price cap

of any properties being sold as First Homes with prices above £176,500 for 4 bedrooms, or £120,000 for 3 bedrooms would not represent a 30% discount on current entry level house prices.”

In relation to the above paragraph, it is important to note that the 30% reduction from the market value (required for First Homes) will be the mechanism which specifically secures the “genuine discount” sought by the Council. As set out above, developers are required to obtain a valuation from a registered valuer acting in an independent capacity in accordance with the PPG (Paragraph: 006 Reference ID: 70-006-20210524). The proposed price cap is therefore not considered necessary to achieve the discount as this is secured through the 30% reduction.

The evidence used in the Policy Statement to inform the proposed local price cap (‘Opinion Research Services, Durham County Council First Homes Assessment 2022’) sets out how the lower quartile newbuild price for a 4 bedroom dwelling in Durham is £252,551. Through applying a 30% discount on this price, the Council propose a cap £176,800 for 4-bedroom properties. As for 3 bed properties (which will be much more common as First Homes), the Policy Statement sets out how a Price Cap of ‘around £120,000’ would be applied.

Firstly, the Statement or the Evidence document does not fully set out the methodology of proposing a cap on 3-bedroom properties of £120,000. Secondly, this is “a price cap of around £120,000” (emphasis added). This does not provide a precise cap for developers or decision-

makers and without justification is arbitrary. A price cap of 'around £120,000' could be interpreted in many ways and this need to be specific and evidence-based. The PPG (Paragraph: 005 Reference ID: 70-005-20210524) does make it clear that local price caps can be set, however, should not be set arbitrarily and should only be used if evidence demonstrates a need for intermediate housing at particular price points. In this instance, the proposed cap for 3 bedrooms properties is not evidence-based or specific.

In addition to the above, it is not considered that the price caps proposed are at a reasonable and appropriate level. When looking at 3 bedroom dwellings, which will be more common than 4 bedroom dwellings as First Homes, a property sold at the proposed cap of £120,000 would have a market value £171,500 before the 30% discount has been applied.

When reviewing the ONS data for the lower quartile price paid (newly built dwellings) for semi-detached houses by ward (HPSSA dataset 39), it is clear that newly built dwellings are regularly sold above £171,500 across the County. In particular, for the year ending September 2021 (the year ending with sufficient representative data), there are numerous instances in wards where the lower quartile price paid for semi-detached (likely to be 3 bedrooms or lower) new build dwellings exceed £171,500. This occurred in 5 of the 13 wards with data available and includes:

- Lumley - £179,995
- Neville's Cross - £229,950
- Elvet and Gilesgate - £280,200
- North Lodge - £199,995
- Sedgefield - £195,995

From this analysis, it is clear that the price cap would mean many First Homes would be sold significantly below a 30% discount against the market value. Taking the Neville's Cross Ward as an example, for a property worth £229,950, it would need to be sold at c.48% below the market rate to be sold as a First Home. This would be a 57.2% discount in Elvet and Gilesgate which is above the maximum discount (50%) allowed by the PPG. This is not considered to be reasonable or necessary given this context. With this in mind, it is considered more appropriate to omit the proposed price cap and to just apply the 30% discount standard. This will ensure that all first Homes are genuinely discounted from the market rate, as sought by the Council (as stated in Paragraph 7.6).

As developers are now required to provide First Homes, this would mean developers would be required to extend the discount above 30% in some areas as demonstrated above if this Policy Statement is not amended. In the Council's evidence base, it is concluded that there "is no strong case for a larger discount than 30% because this would adversely impact upon viability and does not make a significantly higher number of households be able to afford First Homes." As the price cap would also lead to a larger discount than 30% it is also considered that it would adversely impact upon viability of sites and is unacceptable. The PPG (Paragraph: 008 Reference ID: 61-008-20190315) specifically states that SPDs "should not add unnecessarily to the financial burdens on development." The proposed Price Cap does this and is therefore contrary to national planning guidance.

Finally, Paragraph 7.9 sets out how "the evidence base recommends that the policy is applied flexibility to reflect prices in the market in the future, with the cap being relative to entry level market prices." The Policy Statement does not make it clear how the price cap will be flexibly applied to reflect changes in the housing market through the years. A robust and full methodology should be provided in this regard.

## Q7 DCC Response

Based on evidence of newbuild house prices in County Durham, a cap below £250,000 is justified. The evidence base makes use of lower quartile house prices in County Durham which, are considered to be the entry level price for home ownership. In County Durham, 70% of the lower quartile 4 plus bedroom property price is £176,500.

The Council has updated its plan wide assessment of viability to accommodate for the impact of additional policy or guidance requirements since the adoption of the County Durham Plan. In respect of First Homes, the viability assessment indicates that the cap should be raised to £140,000. Therefore First Homes are to be sold at a discount of 30% of the open market value of the property, up to a maximum level of £140,000 in lined with a viability informed cap.

## Question 8

### Do you have any other comments?

On behalf of our client, Miller Homes, we wish to submit the following representations in relation to the draft Housing Needs Supplementary Planning Document (SPD).

Miller Homes are a national housebuilder who are involved in the delivery of a number of strategic housing sites within County Durham. As such, Miller Homes are a key stakeholder in bringing forward new homes for Durham County and have an active interest in ensuring any supplementary planning guidance documents prepared by Durham County Council (the Council) are suitably robust, consistent with National Planning Policy, and that the guidance will not unduly hamper the delivery of new homes to meet arising needs. The comments below are submitted on this basis.

Miller Homes seek to provide representations on Questions 3 (Multi-Generational Homes) and 7 (First Homes Interim Policy Statement) set out in the draft SPD. The representations are addressed through each question in turn below.

#### Summary

We trust that these comments will assist in the preparation of, and updates to, the Housing Needs SPD going forward. As outlined at the beginning of the letter, as a critical partner in the delivery of new homes within Durham County, Miller Homes would welcome the opportunity for further constructive dialogue in relation to these documents moving forward and would be happy to meet with you to discuss the points raised in these representations in further detail.

## Comment

<b>Consultee</b>	Mr Milo Barnett (1310785)
<b>Email Address</b>	[REDACTED]
<b>Company / Organization</b>	Karbon Homes
<b>Address</b>	[REDACTED]
<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	Karbon Homes (Mr Milo Barnett - 1310785)
<b>Comment ID</b>	18
<b>Response Date</b>	4/11/23 1:11 PM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.6
<b>Question 7</b>	

### Do you have any comments on the First Homes Interim Policy Statement?

We have strong concerns regarding point 7.7 on introducing a price cap. We believe this would be harmful for development across County Durham and would make the building of affordable housing financially impossible in the more expensive areas of the county. The goal of building affordable housing is to make housing accessible to all regardless of area and this cap would unduly harm areas where land prices are higher than the average which leads to higher house prices in these areas. It would force development to be built in a more limited area of the county which will likely put a strain on local infrastructure if these areas are overdeveloped too quickly. We would strongly suggest that this cap is removed as it will harm affordable developments across County Durham.

### Q7 DCC Response

The Council has updated its plan wide assessment of viability to accommodate for the impact of additional policy or guidance requirements since the adoption of the County Durham Plan. In respect of First Homes, the viability assessment indicates that the cap should be raised to £140,000. Therefore First Homes are to be sold at a discount of 30% of the open market value of the property, up to a maximum level of £140,000 in lined with a viability informed cap.

## Comment

<b>Consultee</b>	Linnea Groot (1336438)
<b>Email Address</b>	[REDACTED]
<b>Company / Organization</b>	Natural England
<b>Address</b>	[REDACTED]
<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	Natural England ( Linnea Groot - 1336438)
<b>Comment ID</b>	19
<b>Response Date</b>	4/27/23 1:30 PM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.5
<b>Question 1</b>	

### **Do you agree with the proposed scope and content of the SPD? Please give reasons for your answers.**

While we welcome this opportunity to give our views, the topic this draft Supplementary Planning Document covers is unlikely to have major impacts on the natural environment. We therefore do not wish to provide specific comments, but advise you to consider the following issues: (refer to question 8)

### **Q1 DCC Response**

Comments noted.

### **Question 8**

#### **Do you have any other comments?**

##### **Occupancy figure**

In relation to the emerging Nutrient Mitigation Scheme for the Tees catchment we note the relevant authorities' use of the ORS report 'Reviewing the evidence on population growth resulting from provision of new homes in the Tees Catchment' - March 2023. We understand that the Council is minded to use an occupancy figure of 1.4 persons per new household based on the evidence in the ORS report. Natural England would draw the council's attention to the need for a consistent approach to the use of this occupancy figure across the authority area in relation to relevant land use planning.



### **Biodiversity enhancement**

This SPD could consider incorporating features which are beneficial to wildlife within development, in line with paragraphs 8, 72, 102, 118, 170, 171, 174 and 175 of the National Planning Policy Framework. You may wish to consider providing guidance on, for example, the level of bat roost or bird box provision within the built structure, or other measures to enhance biodiversity in the urban environment. An example of good practice includes the [Exeter Residential Design Guide SPD](#), which advises (amongst other matters) a ratio of one nest/roost box per residential unit.

### **Landscape enhancement**

The SPD may provide opportunities to enhance the character and local distinctiveness of the surrounding natural and built environment; use natural resources more sustainably; and bring benefits for the local community, for example through green infrastructure provision and access to and contact with nature. Landscape characterisation and townscape assessments, and associated sensitivity and capacity assessments provide tools for planners and developers to consider how new development might make a positive contribution to the character and functions of the landscape through sensitive siting and good design and avoid unacceptable impacts.

### **Protected species**

Natural England has produced **Standing Advice** to help local planning authorities assess the impact of particular developments on protected or priority species.

### **Strategic Environmental Assessment/Habitats Regulations Assessment**

A SPD requires a Strategic Environmental Assessment only in exceptional circumstances as set out in the Planning Practice Guidance [here](#). While SPDs are unlikely to give rise to likely significant effects on European Sites, they should be considered as a plan under the Habitats Regulations in the same way as any other plan or project. If your SPD requires a Strategic Environmental Assessment or Habitats Regulation Assessment, you are required to consult us at certain stages as set out in the Planning Practice Guidance.

## **Q8 DCC Response**

Comments noted.

## Comment

Consultee	Mr Richard Hornby (1300405)
Email Address	[REDACTED]
Company / Organization	Gilesgate Residents Association
Address	[REDACTED]
Event Name	Housing Needs Supplementary Planning Document
Comment by	Gilesgate Residents Association (Mr Richard Hornby - 1300405)
Comment ID	2
Response Date	4/10/23 6:05 PM
Status	Submitted
Submission Type	Web
Version	0.15
Question 1	

**Do you agree with the proposed scope and content of the SPD? Please give reasons for your answers.**

### Who we are:

Belmont & Gilesgate Neighbourhood Plan Partnership was established in February 2022 by Belmont Parish Council and Gilesgate Residents' Association. A working group, comprising representatives from both organisations is progressing the plan and the designated plan area was formally approved by Durham County Council in November 2022.

The working group, in addition to the founding bodies, involves up to twenty residents from the plan area. Six indicative themes have been identified namely,

- . Unallocated land for development
- . Housing
- . Features and Facilities including green spaces.
- . Sustainability
- . Retail and Leisure
- . University Development.

These are the subject of ongoing consultations with residents.

In addition to public meetings attended by upwards of 50 people and a newsletter circulated to all households, the working group meets with smaller more focused groups to discuss relevant issues. These have thus far involved the Baptist Church Coffee Morning; Belmont Working Men's Club and Pelaw View Luncheon Club. More are planned for the next few months.

The Neighbourhood Plan Partnership on behalf of its founding bodies and following discussion through the working group and with the wider public submits the following observations and recommendations on the four supplementary planning documents.

## Question 1

The proposed scope and content of the SPD is excellent and significant for planning in County Durham. It directly addresses major ambiguities and gaps within the County Durham Plan (CDP) (<https://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham>), which have had a significant impact on development in our area.

Sections 2-4 address developmental concerns regarding the "gateway" development adjacent to Sherburn Road (DM/20/03558/OUT and DM/22/01981/RM), while Section 5 addresses concerns raised during the planning committee stages of the application to replace the former Apollo Bingo Hall (DM/21/01611/FPA), which again lies in our area of action.

The SPD provides a much-improved description of the intent of the CDP and is an effective and workable document as it currently stands, although there is room for further improvement.

Overall, we agree with the proposed scope and content of the SPD and believe it will be a valuable tool in promoting sustainable development in County Durham.

### Q1 DCC Response

Comments and support noted.

### Question 2

#### Do you have any comments on the Accessible and Adaptable Home Statement and M4(2) Checklist?

We believe that the proposed checklist provides a significant increase in the clarity of the meaning of the M4(2) standard, as required by Policy 15 of the CDP. The checklist is sufficiently clear and complete to enable all interested parties to rapidly analyse the M4(2) suitability of house types, even with reduced technical knowledge, thereby increasing the transparency of the planning process.

We would additionally recommend that the checklist be reviewed each time the Statutory Guidance (Access to and use of buildings: Approved Document M (<https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>)) is updated or superseded, as this will prevent any unnecessary complications or contradictions during future planning applications.

For developments featuring multiple house types made to the M4(2) standard, we strongly believe that a checklist should be produced for each type in question to ensure the suitability of each house type can be demonstrated and confirmed.

We have also noted a slight contradiction between paragraphs 2.4 and 2.5 of the proposed SPD regarding the compulsory nature of the use of the checklist. To avoid doubt, we believe that the checklist should be made compulsory for all future developments to ensure that accessibility and adaptability requirements are met.

In conclusion, we strongly support the future use of this checklist, as required by the SPD, to promote accessible and adaptable homes in County Durham.

### Q2 DCC Response

Comments and support noted. The checklist will be reviewed when any changes to the Building Regulations Approved Documents are made.

Paragraph 2.4 states that the Accessible and Adaptable Homes Statement is compulsory, and at paragraph 2.5 it states that the accompanying checklist is not. Only the Accessible and Adaptable Homes Statement will be required for validation purposes, however detailed plans will be reviewed by the LPA to ensure compliance with M4(2). An additional paragraph to clarify this has been added and paragraph 2.7 now states "In addition to the self-certification checklist, the Council will at its discretion request detailed building regulation drawings prior to determination to verify that dwelling types are M4(2) compliant".

### Question 3

#### **Do you have any comments on the guidance on Multi-Generational Homes section of the SPD?**

The guidance on Multi-Generational Homes section of the SPD is important, as it reinforces our longstanding position on Policy 15 of the County Durham Plan. We fully support the sentiment of paragraph 3.9, which emphasizes that multi-generational homes should not be the dominant older persons' house type on a site and that the use of on-site clusters of bungalows should be promoted. (We feel that the location of bungalows should be fully integrated within the entire estate and not separated out, however should be close to services such as bus stops). We suggest that applicants should conduct an evidence research in the locality of the site to identify whether there is a demand for multi-generational homes before considering them for a site. (For clarity, we take locality to mean within the County Council Electoral Division, Parish Council and Residents Association area of action in which the development is either located, or those adjacent to it.) For instance, many residents in our area are fiercely independent, who will adapt their own homes rather than move. We believe that many would be horrified at the idea of living with their own kin, especially children and grandchildren.

We strongly endorse paragraph 3.21, which advocates for the completion of these properties with features to support the needs of older residents, whether bungalows, multi-generational homes, level-access flats, or other types of development. We believe that property owners should not need to retrofit these features within their homes and that they should be incorporated from the outset. Retrofitting, in our opinion, does not make the property suitable for older residents from new.

In some instances, applicants have tried to adapt their larger homes to fit a multi-generational brief. We believe that this constrains the design of these homes and that multi-generational properties should be designed specifically for this purpose. We fully support paragraphs 3.15 to 3.18 of the SPD, which essentially suggest the creation of a "level access flat" within a larger house, with an internal connection between the two. We believe that this design creates options for residents living in these properties by providing both private and common living spaces. It should be noted that we feel that it should be ensured that the "multi-generational" part of the house cannot be let to non-family members.

In conclusion, we appreciate the guidance provided in the Multi-Generational Homes section of the SPD and believe that it will contribute positively to the development of more accessible homes in our County.

### Q3 DCC Response

Support for the inclusion of further guidance on MGH noted. Policy 15 notes that the older persons provision should be situated in the most appropriate location within the site for older people, and policy 19 requires the type and mix of housing to take account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations. Comments in relation to location of older persons housing are noted. The SPD has been revised to add further clarity on this issue.

### Question 4

#### **Do you have any comments on the Local Area Housing Needs Assessments template?**

In this section, the definition of "local" is crucial, and it is essential to clarify the definition being applied in this SPD. We suggest defining "local" as follows:

- . The approved Neighbourhood Planning area that includes the site under

consideration.

- . The Parish Council area that includes the site.
- . The area of action of a Residents' Association that includes the site.
- . The Durham County Council Electoral Division that includes the site.

We recommend that the assessment of "local" should not extend beyond these specific boundaries.

Furthermore, we recommend replacing the word "should" with "must" in paragraphs 4.7 to 4.9 to strengthen the language used. The use of "should" could allow applicants to avoid the necessary scrutiny, and it should be avoided.

In addition, we believe that community engagement should be more robust. It must include contact with local Parish Councils and Residents' Associations, in addition to a public meeting and written consultations. We suggest that needs assessments should be directed by, rather than simply informed by these public consultations. These consultations should be the primary source for applicants to identify community needs.

In conclusion, we commend the high quality of this section as it stands, however implementing these changes will enhance the quality of this section in our opinion.

#### **Q4 DCC Response**

This is noted and the draft will be amended to reflect the inclusion of Parish/Town Councils where applicable for consultation.

Reference to the neighbourhood plan, where one exists, will be included.

#### **Question 5**

##### **Do you have any comments on the PBSA needs assessment template?**

Our response to this section of the SPD has been informed by our experiences with the proposed PBSA development at the former Apollo Bing Hall site. We believe that assessing future student accommodation needs in our city is crucial for its development, and therefore this document is crucial as well. While we commend the authors of this draft, we suggest that minor adjustments can further improve the proposal for actual use.

In paragraph 5.13, we suggest that applicants should present the number of bedrooms and students in the broader context of the city, including:

- . existing operational College accommodation, PBSAs, HMOs and private accommodation occupied by students.
- . College accommodation, PBSAs, HMOs and private accommodation occupied by students which is currently non-operational, including that which is closed for refurbishment, vacant, or otherwise not in use;
- and
- . College accommodation, PBSAs, HMOs with approved planning permission for which development has yet to take place.

It is only by examining the full context of the development of student accommodation within the city that quantitative need can be reliably analysed. We additionally stress that the applicant has the responsibility to undertake and carry out the analysis of quantitative need, and to provide evidence justifying their proposals in this context, however it would also be appropriate for the Council to provide an accurate annual dataset on which this analysis would be undertaken.

Regarding qualitative need, we believe that the document partly identifies a methodology for demonstrating this need, but a significant stage is missing. Once the applicant has identified the group of people with specific needs that are to be met by the proposed development, we believe that the design, form of accommodation, price band and amenities should be directed by engagement with that specific target group alongside representatives from Durham Students' Union. This could be in the form of a survey, meeting or other form of suitable engagement mechanism which provides an understanding of the specific requirements of the target group. The analysis should be clear about the

selection methodology for the students engaged, and how the group involved in the engagement is related to the target group. We again emphasize that the applicant, not the University or Student Union, must carry out the critical analysis for both quantitative and qualitative need.

We additionally feel that outdoor recreational space (green spaces) and environmental impacts (e.g., pollution) should be considered as part of any amenity analysis.

In conclusion, we appreciate the work already carried out in this section, but we suggest that minor adjustments can further improve the methodology for identifying needs.

## **Q5 DCC Response**

The Council understand the point regarding a quantitative evidence-based approach to the supply of PBSAs. However, as set out in the SPD, a number of qualitative matters also need to be considered when assessing PBSAs as well as the quantitative measures set out in the SPD through paragraphs 5.13 Quantitative Needs and 5.14 Qualitative Needs. Ensuring the accuracy of data would be difficult confirm.

We don't currently have a mechanism to accurately quantify the number of students living in private accommodation.

Regarding consultation, the SPD requirements say that the applicant must consult with the university. How they do this is up to the applicant.

Regarding consultation directly with students, independently of university involvement, it is not for the council to require a developer to do their own market research.

Comments are noted regarding the inclusion of external space as part of amenities, the draft will be amended to reflect the inclusion of this.

## **Question 6**

### **Do you have any comments on the Application of the Nationally Described Space Standard in C Class Uses section of the SPD?**

We believe that the policy within this document is needed, required, and should be strengthened to the maximum possible extent.

## **Q6 DCC Response**

Support noted.

## **Question 7**

### **Do you have any comments on the First Homes Interim Policy Statement?**

We find the first home policy statement interesting, but we question the methodology used to determine the value of a property that could be deemed affordable for residents. We believe that basing the analysis on house prices is ineffective in relation to affordability. Instead, we suggest that the cap should be based on the actual amount of disposable income within our community.

To produce a more viable analysis, we propose considering median earnings to determine the value of a first home. In County Durham, the current house price to earnings ratio is 4.7, the highest level it has been since 1997. To provide a genuine discount on this ratio, we suggest placing the cap at a value of 4.0x earnings, which is closer to the average value of the ratio for the past 10 years. (<https://www.ons.gov.uk/peoplepopulationandcommunity/housing/bulletins/housingafford>)

abilityinenglandandwales/2021#:~:text=In%20England%20in%202021%2C%20full,thei  
r%20workplace%2Dbased%20annual%20earnings.)

As first homes are commonly bought by people aged between 22 and 30, we suggest that the cap be related to this salary bracket. In County Durham, the median earnings for this group are £23,855 (<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/earningsandworkinhours/datasets/earningsandhoursworkedukregionbyagegroup>). Therefore, we propose that an affordable 3-bed starter home in our county should be valued at £95,420. This value remains less than 30% of current entry-level house prices, and we believe that setting a cap at this level would enable more first-time buyers to enter the housing market in our county.

While we acknowledge that this would be a challenge for some developers, we believe that they would be able to meet these costs for development with a cap at this level. This policy would provide a vital opportunity for young people within our area to get onto the property ladder.

## **Q7 DCC Response**

Based on evidence of newbuild house prices in County Durham, a cap below £250,000 is justified. The evidence base makes use of lower quartile house prices in County Durham which, are considered to be the entry level price for home ownership. In County Durham, 70% of the lower quartile 4 plus bedroom property price is £176,500.

The Council has updated its plan wide assessment of viability to accommodate for the impact of additional policy or guidance requirements since the adoption of the County Durham Plan. In respect of First Homes, the viability assessment indicates that the cap should be raised to £140,000. Therefore First Homes are to be sold at a discount of 30% of the open market value of the property, up to a maximum level of £140,000 in lined with a viability informed cap.

## Comment

<b>Agent</b>	Michelle Robinson (1324518)
<b>Email Address</b>	
<b>Address</b>	
<b>Consultee</b>	Bellway Homes (1277333)
<b>Company / Organization</b>	Bellway Homes Limited (Group Office)
<b>Address</b>	
<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	Bellway Homes Limited (Group Office) ( Bellway Homes - 1277333)
<b>Comment ID</b>	4
<b>Response Date</b>	4/11/23 9:25 AM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.10
<b>Question 2</b>	

### Do you have any comments on the Accessible and Adaptable Home Statement and M4(2) Checklist?

The Housing Needs SPD is in its first round of consultation and provides guidance on topics such as accessible homes; local housing needs; older persons housing, purpose-built student accommodation; C class developments; and first homes.

#### 3.1 Guidance on Dwellings of a Design and Type for Older People

Policy 15 also sets out a requirement for 66% of homes to be built to Building Regulations M4(2) (accessible and adaptable dwellings) standard and 10% older persons housing which will be of a design and type that will increase the housing options for older people. They should be built to M4(2) standard and therefore contribute towards the 66% standard. Appropriate housetypes are expected to include: level access flats, bungalows and housing products that meet the needs of multi-generational families.

Policy 19 deals with Type and Mix of residential developments across the County. The Policy requires “an appropriate mix of dwelling types and sizes, taking account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations....”.



The 10% older persons requirement can be achieved through housetypes including level access flats, bungalows and multi-generational homes. Bellway's experience through current planning applications, is that Council officers are trying to achieve 1/3 split across the three housetypes. In situations where multi generational homes are not being delivered, the Council is trying to use the policy to enforce a 50/50 split between bungalows and level access flats in order to achieve an appropriate mix of dwelling types. However there is no policy justification for this approach. It isn't even an approach which is being advocated through the County Durham Plan, Strategic Housing Market Assessment (2019) or within the draft SPD.

In fact, the draft Housing Need SPD reads at paragraph 3.6 and 3.7

"Both level access flats and bungalows are well established housing products. Paragraph 5.114 of the CDP sets out that at the moment the stock of bungalows and flats in the private sector across the county is much too small to meet the interest that has been expressed from older people, particularly as most flats have not been built with their needs in mind. In recent years, very few properties of this type have been built and therefore the proportion of bungalows and flats in the private sector housing stock is declining." " In recognition of this, the council would support proposals to deliver these house types as part of the 10% requirement of policy 15 given the need for such homes identified in the SHMA."

## **Q2 DCC Response**

The CDP and SPD both provide options for housing designed to meet the needs of older people, but the SPD also highlights that CDP policy 19 is applicable to older persons house types as it is to all other house types on site, which requires a suitable mix of house types, and takes account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations. The council will work with developers on a site by site basis to achieve an appropriate mix of house types as set out in the CDP and SPD.

## **Question 3**

### **Do you have any comments on the guidance on Multi-Generational Homes section of the SPD?**

Policy 19 deals with Type and Mix of residential developments across the County. The Policy requires "an appropriate mix of dwelling types and sizes, taking account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations....".

The 10% older persons requirement can be achieved through housetypes including level access flats, bungalows and multi-generational homes. Bellway's experience through current planning applications, is that Council officers are trying to achieve 1/3 split across the three housetypes. In situations where multi generational homes are not being delivered, the Council is trying to use the policy to enforce a 50/50 split between bungalows and level access flats in order to achieve an appropriate mix of dwelling types. However there is no policy justification for this approach. It isn't even an approach which is being advocated through the County Durham Plan, Strategic Housing Market Assessment (2019) or within the draft SPD.

In fact, the draft Housing Need SPD reads at paragraph 3.6 and 3.7

"Both level access flats and bungalows are well established housing products. Paragraph 5.114 of the CDP sets out that at the moment the stock of bungalows and flats in the private sector across the county is much too small to meet the interest that has been expressed from older people, particularly as most flats have not been built with their needs in mind. In recent years, very few properties of this type have been built and therefore the proportion of bungalows and flats in the private sector housing stock is declining." " In recognition of this, the council would support proposals to deliver these house types as part of the 10% requirement of policy 15 given the need for such homes identified in the SHMA."

Bellway do however welcome the additional information on multigenerational homes. Despite Bellway's broad support for this, it is important that flexibility is still given with regards to whether the

multigenerational house type needs to be constructed in such a way, or the importance lies in its ability to be converted.

Bellway sales advisors have suggested that it may be difficult to sell this type of product if built to the Multigenerational specification, rather than just being capable of conversion. In addition, there is the role of the customer to be considered. Bellway believe the customer has a right to decide what needs they have which should be met, when deciding on what a multigenerational home should look like. Bellway would suggest it is not for themselves or indeed any Council to dictate to local residents how multigenerational homes floorplans and layouts should be designed, and would urge the Council to echo these views

### **Q3 DCC Response**

The CDP and SPD both provide options for housing designed to meet the needs of older people, but the SPD also highlights that CDP policy 19 is applicable to older persons house types as it is to all other house types on site, which requires a suitable mix of house types, and takes account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations. The council will work with developers on a site by site basis to achieve an appropriate mix of house types as set out in the CDP and SPD.

The list of options of older persons housing within Policy 15 is not exhaustive, to provide flexibility should developers put forward alternative products for consideration, given the diverse range of housing needs which can come under the definition of older people. In relation to MGH, the draft SPD aimed to provide more detail and clarity on the characteristics of a MGH, while still providing a degree of flexibility. MGH should be increasing options for older people now, not simply be adaptable as that is just a M4(2) compliant house type, which is a separate requirement. While adaptable homes will provide housing options for older people in future, this is not effective in meeting the significant need identified in the Strategic Housing Market Assessment (SHMA). Therefore, if MGH are found to be difficult to sell, the CDP allows for other house types which meet the needs of older people.

## Comment

Consultee	Amy Ward (1256143)
Email Address	[REDACTED]
Company / Organization	Barratt Homes North east
Address	[REDACTED]
Event Name	Housing Needs Supplementary Planning Document
Comment by	Barratt Homes North east ( Amy Ward - 1256143)
Comment ID	5
Response Date	4/4/23 10:54 AM
Status	Submitted
Submission Type	Email
Version	0.12
Question 1	

### Do you agree with the proposed scope and content of the SPD? Please give reasons for your answers.

The Town and Country Planning (Local Planning) (England) Regulations 2012 are more nuanced: SPDs are allowed to contain policy, but it must be justified and must not conflict with the adopted development plan (Reg 8(3)). SPD policy cannot supersede development plan policy and is merely a material consideration. In determining the remits of a SPD the Council should consider William Davis Ltd & Ors v Charnwood Borough Council [2017]. Gilbart J quashed policies in a housing SPD. The Core Strategy contained strategic policies with high level targets for housing types to meet demographic needs, with a 'subject to viability' affordable housing target and a requirement that types, tenures and sizes of homes would be appropriate having regard to identified housing needs and character of the area. The SPD prescribed different percentages for all house sizes, and a 60-70% affordable housing requirement for some unit types.

The statements were quashed: they contained policies; and they clearly related to forms of development to be encouraged and imposed development management policies against which applications could be refused.

The judgement emphasises several points that LPAs should consider in developing SPDs. Those relevant to Durham include:

- . A prescriptive policy on appropriate housetypes to meet the 10% older person provision which could lead to refusal on the grounds that the proposed mix is unacceptable
  - . Viability impacts were material and adopting policies without consideration of these impacts is unlawful
  - . SPD cannot be used for making an alteration to plan policy to address new evidence
- The Council cannot introduce untested, unjustified and ineffective policy through SPDs.

We believe this SPD is overstepping what it can do. These issues should be dealt with through the Plan Making process. To that end we have a KC opinion on Policy 15 – if DCC wish to address its contents they must do so through the Plan.

## Q1 DCC Response

The council does not agree that this SPD makes an alteration to the adopted plan to address new evidence. Policy 15 of the CDP requires that: To meet the needs of older people and people with disabilities, on sites of 5 units or more, 66% of dwellings must be built to Building Regulations Requirement M4 (2) (accessible and adaptable dwellings) standard.

On sites of 10 units or more, we will require a minimum of 10% of the total number of dwellings on the site to be of a design and type that will increase the housing options of older people. These properties should be built to M4(2) standard and would contribute to meeting the 66% requirement set out above. They should be situated in the most appropriate location within the site for older people. Appropriate house types considered to meet this requirement include:

level access flats;

level access bungalows; or

housing products that can be shown to meet the specific needs of a multi generational family.

The Housing Needs SPD clarifies and details what constitutes a multi generational home, which was considered to be required given that they are a new product to the UK market and following recent planning applications which have been submitted since the adoption of the CDP which the council believe have misinterpreted the policy.

The SPD also highlights the CDP policy 19 and 31 are applicable to older persons house types as well as the general housing on site. This is in terms of taking account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations in considering the type and mix of houses, and amenity and adequate living space provided in accordance with policy 31.

Policy 15 was viability tested as set out in the supporting text at para 5.115 based on an assumption that the full 10% of the provision would be provided as bungalows and that they would meet the Building Regulation M4(2) (accessible and adaptable dwellings standard), however it is clear that multi generational homes were not tested due to a lack of evidence.

## Question 2

### Do you have any comments on the Accessible and Adaptable Home Statement and M4(2) Checklist?

Para 1.5 also states that the SPD will provide additional guidance on the M4(2). Guidance is not needed on M4(2). Whether a housetype is M4(2) compliant is not a consideration for the LPA. Compliance is instead for determination by Building Control. A planning condition requiring the housebuilder demonstrate M4(2) sign-off is appropriate. M4(2) was introduced by the Government to simplify the process, not complicate it

It would be interesting to understand what the Council are trying to achieve in 'increasing the housing options of older people'.

What constitutes an older person?

What is their need defined to be?

It is important for the Council to remember that the building regulations M4(2) and M4(3) were introduced by the Council to simplify the requirements and ensure that there wasn't multiple requests for different standards across the Country. The introduction of an in effect, M4(2) plus, by Durham County Council, does exactly this – it complicates the situation.

It is important to recognise that Building Regulation M4(2) P910 – 2 a, b states that this standard is to 'meet the needs of occupants with differing needs including some older or disabled people and b) allow adaptation over time'. In effect it is a product designed to increase the options for older people.

## Q2 DCC Response

The SPD provides guidance for applicants on what is required by M4(2) standards to assist in understanding the policy requirements. As this standard is applicable to all schemes of 5 or more houses, it is designed to help applicants who are not familiar with the requirements.

As Policy 15 of the CDP requires schemes of 5 or more houses that 66% of dwellings are M4(2) compliant, as well as that the 10% older persons housing is built to M4(2) standard, it is necessary for the LPA to be satisfied that this is being met before issuing an approval with a condition.

## Question 3

### Do you have any comments on the guidance on Multi-Generational Homes section of the SPD?

BDW like many developers have tried to engage with Durham County Council over what constitutes a Multi-Generational house (MGH).

BDW is not confident that the SPD achieves the objective. There is no clear checklist, contained within the document, for what is a MGH – indeed many of the points raised by DCC to BDW, during the application process, are not mentioned – natural lighting, size. We understand that DCC have alluded to such requirements being added to another draft of the SPD. This could have huge implications on the deliverability of the MGH product and it is imperative that the industry is consulted on any further drafts.

Guidance and clarity on how to comply with a policy requirement is paramount to the development industry, on any policy. Only with full clarity and understanding can the developer seek to comply with what the Council require to conclude policy compliance from the outset. To not provide that clarity simply leaves the Council and developers debating over elements of policy compliance; delaying the delivery of sites; prolonging the planning process; affecting the viability of sites.

We agree that greater guidance with the older person requirement is needed. Currently the requirement is very unclear with developers struggling to progress schemes unless they show 10% bungalows. The uncertainty and lack of clarification is delaying applications, causing unnecessary debate between the LAs and developers and delaying the delivery of homes in Durham. Furthermore to have a policy offering options, but seemingly force developers to simply do 10% bungalows, is a missed opportunity – providing a range has huge benefits in terms of housing mix and the creation of a truly sustainable community.

Para 1.5 of the SPD states that the 'SPD provides further guidance on what does and what does not constitute a MGH'.

We fully support the recognition in para 3.5 that 'policy 15 sets out a non-exhaustive list of appropriate house types which are considered to meet the 10% requirement'. This must be applied to decision making, with an open mind to proposals put forward by the applicant.

In term of housing products that can be shown to meet the specific needs of multi generational housing. We need to fully understand what the specific needs are that the Council are trying to satisfy what they need to see in the house to comply.

We believe that the purpose of a multi-generational home is to allow the older person to live independently, but with the support and companionship offered by a larger family home. Para 3.14 states that some part of the house must be solely for one or some members of the house, '...providing a degree of self-containment, with groups of rooms for intended users being grouped together to support privacy and independence'. It then goes on to say 'a proposed layout in which identified rooms for different generations were distributed across a property or even a floor would be unlikely to support semi-private living'. We appreciate that the MGH will need to include some elements of semi-private living space, but it is important to remember the importance of them having access to the rest of the house, for the support and companionship, which is the main aim of creating a MGH.

We understand that whilst the policy is to 'increase the options of older people' the Council is clear that they want to see the MGH as a suitable product from the outset. It is important to note that this is at odds with the ability of the house to increase the options of older people. The M4(2) standards are

clear on this and recognise that the key aspect is the adaptability of the home, to meet different needs...thereby increasing the product mix for those with accessibility issues now or in the future

To say that one disabled person or older person has the same needs that can be accommodated through one floorplan is a gross misunderstanding of different group's needs. The adaptability of a home is key to enable the resident to adapt it for their needs.

If the Council are to achieve compliance with Policy 15, alongside delivery of housing in the County they must issue a clear checklist (and examples) of what needs to be shown on a plan to achieve MGH. To not do this risks delivery of sites and pushing for 10% bungalows is simply a missed opportunity to expand the product mix in Durham.

### **Q3 DCC Response**

Comments in relation to a clear check list for MGH are noted. The draft SPD aimed to provide more detail and clarity on the characteristics of a MGH, while still providing a degree of flexibility. The SPD has been amended to include further detail as suggested to provide clarity and ensure a more efficient application process. The policy does not force bungalows, but where proposing a MGH it should be of a bespoke design and not a standard house type, a mix of suitable older persons housing is welcomed in accordance with policy 19. MGH should be increasing options for older people now, not simply be adaptable as that is just a M4(2) compliant house type, which is a separate requirement.

### **Question 6**

#### **Do you have any comments on the Application of the Nationally Described Space Standard in C Class Uses section of the SPD?**

BDW are fully on board with the introduction of NDSS, M4(2) and what they are trying to achieve. We appreciate that the Local Plan is adopted and that has secured the % of NDSS, M4(2) and the older person provision. We would however draw the Council's attention to the implications of these policy requirements on the viability of sites. Policy requirements are only increasing with 10% BNG, NN, Future Homes standards and if the Council wants to see housing coming forward in the County they must take a proactive approach to the determination of planning applications, considering what is really necessary to make the development acceptable, whilst still ensuring it is viable to deliver.

### **Q6 DCC Response**

NDSS establishes a minimum set of standards for ensuring adequate living space, adopted in the County Durham Plan and not subject to review. The Council are, however, appreciative of viability constraints and work with developers to ensure a balance is achieved with regards to delivery and sustainable forms of development - the supporting text to Policy 29 (paragraph 5.302) recognises this position.

### **Question 7**

#### **Do you have any comments on the First Homes Interim Policy Statement?**

The SPD is not 100% clear, but we believe Durham are suggesting a price gap of £120,000 for 3 bed First Homes and £176,500 for 4 bed First Homes

If the Council are to set a price cap,'... the First Homes Written Ministerial Statement of 24 May 2021 does give local authorities and neighbourhood planning groups the discretion to set lower price caps if they can demonstrate a need for this. Any local price caps should be determined through the plan-making process with regard to local income levels, related to local house prices and mortgage requirements.

Local price caps should not be set arbitrarily and should only be used if evidence demonstrates a need for intermediate housing at particular price points' (PPG, Paragraph: 005 Reference ID: 70-005-20210524).

We believe a price cap at such a low level could have a significant impact on the viability of schemes and affect delivery in Durham.

We would suggest that to ensure the Council do not simply add another layer to their planning requests, further affecting the viability of sites, that the Council do not adopt a price cap and instead apply a 30% discount to current market value at that time.

## **Q7 DCC Response**

The Council has updated its plan wide assessment of viability to accommodate for the impact of additional policy or guidance requirements since the adoption of the County Durham Plan. In respect of First Homes, the viability assessment indicates that the cap should be raised to £140,000. Therefore First Homes are to be sold at a discount of 30% of the open market value of the property, up to a maximum level of £140,000 in lined with a viability informed cap.

## Comment

<b>Consultee</b>	Planning Policy (1255815)
<b>Email Address</b>	[REDACTED]
<b>Company / Organization</b>	Sunderland Council
<b>Address</b>	Economy and Place - Planning and Regeneration Civic Centre Sunderland SR2 7DN
<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	Sunderland Council ( Planning Policy - 1255815)
<b>Comment ID</b>	6
<b>Response Date</b>	3/29/23 8:39 AM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.4
<b>Question 1</b>	

**Do you agree with the proposed scope and content of the SPD? Please give reasons for your answers.**

Sunderland City Council have no comments to make on the SPDs at this point in time.



## Comment

<b>Consultee</b>	Mr A Shanley (1255847)
<b>Email Address</b>	[REDACTED]
<b>Company / Organization</b>	City of Durham Parish Council
<b>Address</b>	[REDACTED]
<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	City of Durham Parish Council (Mr A Shanley - 1255847)
<b>Comment ID</b>	7
<b>Response Date</b>	4/11/23 9:45 AM
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.16
<b>Question 1</b>	

**Do you agree with the proposed scope and content of the SPD? Please give reasons for your answers.**

Yes, the Council agrees, and supports the useful Housing Need Template for Neighbourhood Plan areas described in paragraph 4.5

**Q1 DCC Response**

Support noted.

**Question 2**

**Do you have any comments on the Accessible and Adaptable Home Statement and M4(2) Checklist?**

The Parish Council supports section 2.4 and feels that the completion of such a checklist must be made mandatory and the applicant must demonstrate compliance with Policy 15 such that the provision of information is compulsory. In particular, the applicant must also answer in full questions 1-6, otherwise the application will be deemed invalid.

**Q2 DCC Response**

Comments and support noted.

Paragraph 2.4 states that the Accessible and Adaptable Homes Statement is compulsory, and at paragraph 2.5 it states that the accompanying checklist is not. Only the Accessible and Adaptable Homes Statement will be required for validation purposes, however detailed plans will be reviewed by the LPA to ensure compliance with M4(2). An additional paragraph to clarify this has been added and paragraph 2.7 now states "In addition to the self-certification checklist, the Council will at its discretion request detailed building regulation drawings prior to determination to verify that dwelling types are M4(2) compliant".

### **Question 3**

#### **Do you have any comments on the guidance on Multi-Generational Homes section of the SPD?**

In terms of multi-generational homes, the Parish Council supports the position adopted in section 3.9 of this SPD that, where demand is untested, it would be unlikely that multi-generational homes could form the dominant older persons house type on a site. Instead, they should be utilised as a minority product in order to supplement bungalows and/or level access flats for older people.

Although the Parish Council supports the approach of the County Council in its location delivery of affordable housing, for example by ensuring that these types of homes are scattered across the site of major new developments rather than being concentrated in one section of a site it believes that this approach would prove unsuitable for the delivery of homes for the elderly whose houses are better delivered together and within closer proximity to services, such as primary care services, bus services, etc

### **Q3 DCC Response**

Support for the inclusion of further guidance on MGH noted. Policy 15 notes that the older persons provision should be situated in the most appropriate location within the site for older people, and policy 19 requires the type and mix of housing to take account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations. Comments in relation to location of older persons housing are noted. The SPD has been revised to add further clarity on this issue. The list of options of older persons housing within Policy 15 is not exhaustive, to provide flexibility should developers put forward alternative products for consideration, given the diverse range of housing needs which can come under the definition of older people.

### **Question 4**

#### **Do you have any comments on the Local Area Housing Needs Assessments template?**

The Parish Council welcomes the approach in this SPD in the position taken that a local housing needs assessment must be informed by community engagement. However, whilst the SPD suggests what forms this consultation could take, for example by using a locally focused survey/leaflet, the Parish Council believes that this could be strengthened significantly by introducing a requirement for the developers to submit this consultation plan to the LPA for its analysis and approval.

The Parish Council believes that paragraph 4.3 is important for stating that exceptions must be justified on the basis of a pressing local need for affordable housing by using appropriate evidence including a local needs study

Furthermore, in identifying the geography in which local needs should be met, the Parish Council believes that the best option is to select either the parish area or the electoral division in which the application site is located. This is a better choice than the settlement or nearest settlement area proposed in Paragraph 4.7 of this document.

Finally, the Parish Council also believes that, because Neighbourhood Plans can allocate housing sites beyond those identified in the County Durham Plan, greater attention should be paid to these

Neighbourhood Plans when assessing local housing needs. This matter could be addressed by introducing an extra bullet point in paragraph 4.8.

#### **Q4 DCC Response**

This is noted and the draft will be amended to include a check with the council for the approach to be used. This will ensure that a robust assessment is undertaken.

Reference to the neighbourhood plan, where one exists will also be included.

#### **Question 5**

##### **Do you have any comments on the PBSA needs assessment template?**

The Parish Council believes that, in its present form, the County Durham Plan is failing to offer adequate policy guidelines for dealing with the provision of PBSAs in Durham City.

The Parish Council therefore supports the requirement that developers must first provide evidence confirming that the proposed development site is in an appropriate location for more PBSA development.

Secondly, developers must also demonstrate, as a mandatory requirement, that there is a quantitative need for additional PBSAs. This can only be satisfactorily based on the annual figures for housing need that the University, or other appropriate education suppliers, provide to the County Council. News articles and press quotes can offer no basis for any decision taking at the planning level in the way that has been used by some developers in recent times. Such tactics must be excluded from consideration

The developers should also provide detailed documentary confirmation that there is a qualitative need for additional PBSAs and this can only be satisfied by demonstrating consultation with the student body, for example through Durham Students Union.

In relation to qualitative need for new PBSAs, the SPD states that “whilst additional amenities are not mandatory, they may flow from other considerations. For example:

- Need for study facilities and/or access to computers.
- Leisure facilities – gym / cinema room
- Pastoral support – office space within the development
- Amenities associated with protected characteristics such as a prayer room”. The Parish Council believes that these on-site amenities must be made an essential provision for all new PBSAs, to which we would add to this list that there is a requirement for “appropriate outside space, for example for recreation” be added to this list.

#### **Q5 DCC Response**

The Council understand the point regarding a quantitative evidence-based approach to the supply of PBSAs. However, as set out in the SPD, a number of qualitative matters also need to be considered when assessing PBSAs as well as the quantitative measures set out in the SPD through paragraphs 5.13 Quantitative Needs and 5.14 Qualitative Needs. Ensuring the accuracy of data would be difficult confirm.

We don't currently have a mechanism to accurately quantify the number of students living in private accommodation.

Regarding consultation, the SPD requirements say that the applicant must consult with the university. How they do this is up to the applicant.

Regarding consultation directly with students, independently of university involvement, it is not for the council to require a developer to do their own market research.

#### **Question 6**

##### **Do you have any comments on the Application of the Nationally Described Space Standard in C Class Uses section of the SPD?**

The Parish Council welcomes section 6 and finds flowchart in paragraph 6.6 to be helpful

#### **Q6 DCC Response**

Support noted.

#### **Question 7**

##### **Do you have any comments on the First Homes Interim Policy Statement?**

The Parish Council notes that, in 2018, Opinion Research Services (ORS) was commissioned by Durham County Council to prepare a Strategic Housing Market Assessment to identify the total number, size, type and tenure of homes that will be needed in the future, as well as the housing needs of different groups, including affordable housing. This underpins The County Council's First Homes Assessment 2022, and the table below paragraph 7.16 offers an outline for applying the Government's First Homes requirement in the context of Policy 15.

However, the 2018 assessment was based on Figure 2: Percentage of Households by Tenure in Durham 1981-2011 (Source: UK Census of Population) and is therefore 12 years out of date. Even so, the graphs show trends that have clearly been accentuated in the last decade. Across the County, from 1981 to 2011 owner occupied housing increased from 47% to 61%, while social housing diminished from 48% to 23% (probably driven by the right-to-buy initiative), and private renting increased from 6% to 13%. The loss of social housing is of particular concern for it has long protected the welfare of those most vulnerable members of our society. However, in housing trends, Durham occupies a stand-alone situation. Figure 2 does not recognise the rapid expansion of the University in the period 2011 to 2022 and the impact that this has had on the rented and housing market. It is a matter of observation that rented student accommodation in the city centre has expanded rapidly and is now often converging on the 90% mark thereby losing the important artisan and affordable housing that formerly occupied with low to moderate income families. Indeed, the rented student market is now spreading unchecked and outwards into the recently developed estates, for example in Neville's Cross. Policy 16.2 would require significant readjustment if there is any desire to stem this outward flow. In such circumstances the Parish Council therefore believes that, because it cannot be implemented, the First Homes Interim Policy Statement has little relevance in Durham City.

#### **Q7 DCC Response**

Comments noted.

## Comment

<b>Consultee</b>	Mrs S Overton (1255833)
<b>Email Address</b>	belmontpc@btconnect.com
<b>Company / Organisation</b>	Belmont Parish Council
<b>Address</b>	Belmont Community Centre Sunderland Road Gilesgate Moor DH1 2LL
<b>Event Name</b>	Housing Needs Supplementary Planning Document
<b>Comment by</b>	Belmont Parish Council (Mrs S Overton - 1255833)
<b>Comment ID</b>	21
<b>Response Date</b>	11/04/23 10:53
<b>Status</b>	Submitted
<b>Submission Type</b>	Email
<b>Version</b>	0.20
<b>Question 1</b>	

### **Do you agree with the proposed scope and content of the SPD? Please give reasons for your answers.**

The proposed scope and content of the SPD is excellent and significant for planning in County Durham. It directly addresses major ambiguities and gaps within the County Durham Plan (CDP) [1], which have had a significant impact on development in our area.

[1] <https://www.durham.gov.uk/article/3266/Development-Plan-for-County-Durham>

Sections 2-4 address developmental concerns regarding the "gateway" development adjacent to Sherburn Road[1], while Section 5 addresses concerns raised during the planning committee stages of the application to replace the former Apollo Bingo Hall[2], which again lies in our area of action.

[1] DM/20/03558/OUT and DM/22/01981/RM

[2] DM/21/01611/FPA

The SPD provides a much-improved description of the intent of the CDP and is an effective and workable document as it currently stands, although there is room for further improvement.

Overall, we agree with the proposed scope and content of the SPD and believe it will be a valuable tool in promoting sustainable development in County Durham.

### **Q1 DCC Response**

Support noted.

## Question 2

### Do you have any comments on the Accessible and Adaptable Home Statement and M4(2) Checklist?

We believe that the proposed checklist provides a significant increase in the clarity of the meaning of the M4(2) standard, as required by Policy 15 of the CDP. The checklist is sufficiently clear and complete to enable all interested parties to rapidly analyse the M4(2) suitability of house types, even with reduced technical knowledge, thereby increasing the transparency of the planning process.

We would additionally recommend that the checklist be reviewed each time the Statutory Guidance (Access to and use of buildings: Approved Document M[1]) is updated or superseded, as this will prevent any unnecessary complications or contradictions during future planning applications.

[1] <https://www.gov.uk/government/publications/access-to-and-use-of-buildings-approved-document-m>

For developments featuring multiple house types made to the M4(2) standard, we strongly believe that a checklist should be produced for each type in question to ensure the suitability of each house type can be demonstrated and confirmed.

We have also noted a slight contradiction between paragraphs 2.4 and 2.5 of the proposed SPD regarding the compulsory nature of the use of the checklist. To avoid doubt, we believe that the checklist should be made compulsory for all future developments to ensure that accessibility and adaptability requirements are met.

In conclusion, we strongly support the future use of this checklist, as required by the SPD, to promote accessible and adaptable homes in County Durham.

## Q2 DCC Response

Comments and support noted. The checklist will be reviewed when any changes to the Building Regulations Approved Documents are made.

Paragraph 2.4 states that the Accessible and Adaptable Homes Statement is compulsory, and at paragraph 2.5 it states that the accompanying checklist is not. Only the Accessible and Adaptable Homes Statement will be required for validation purposes, however detailed plans will be reviewed by the LPA to ensure compliance with M4(2). An additional paragraph to clarify this has been added and paragraph 2.7 now states "In addition to the self-certification checklist, the Council will at its discretion request detailed building regulation drawings prior to determination to verify that dwelling types are M4(2) compliant".

## Question 3

### Do you have any comments on the guidance on Multi-Generational Homes section of the SPD?

The guidance on Multi-Generational Homes section of the SPD is important, as it reinforces our longstanding position on Policy 15 of the County Durham Plan. We fully support the sentiment of paragraph 3.9, which emphasizes that multi-generational homes should not be the dominant older persons' house type on a site and that the use of on-site clusters[1] of bungalows should be promoted. We suggest that applicants should conduct an evidence research in the locality[2] of the site to identify whether there is a demand for multi-generational homes before considering them for a site. For instance, many residents in our area are fiercely independent, who will adapt their own homes rather than move. We believe that many would be horrified at the idea of living with their own kin, especially children and grandchildren.

[1] We feel that the location of bungalows should be fully integrated within the entire estate and not separated out, however should be close to services such as bus stops.

[2] For clarity, we take this to mean within the County Council Electoral Division, Parish Council and Residents Association area of action in which the development is either located, or those adjacent to it.

We strongly endorse paragraph 3.21, which advocates for the completion of these properties with features to support the needs of older residents, whether bungalows, multi-generational homes, level-access flats, or other types of development. We believe that property owners should not need to retrofit these features within their homes and that they should be incorporated from the outset. Retrofitting, in our opinion, does not make the property suitable for older residents from new.

In some instances, applicants have tried to adapt their larger homes to fit a multi-generational brief. We believe that this constrains the design of these homes and that multi-generational properties should be designed specifically for this purpose. We fully support paragraphs 3.15 to 3.18 of the SPD, which essentially suggest the creation of a "level access flat" within a larger house, with an internal connection between the two. We believe that this design creates options for residents living in these properties by providing both private and common living spaces. It should be noted that we feel that it should be ensured that the "multi-generational" part of the house cannot be let to non-family members.

In conclusion, we appreciate the guidance provided in the Multi-Generational Homes section of the SPD and believe that it will contribute positively to the development of more accessible homes in our County.

### **Q3 DCC Response**

Support for the inclusion of further guidance on MGH noted. Policy 15 notes that the older persons provision should be situated in the most appropriate location within the site for older people, and policy 19 requires the type and mix of housing to take account of existing imbalances in the housing stock, site characteristics, viability, economic and market considerations.

Comments in relation to location of older persons housing are noted. The SPD has been revised to add further clarity on this issue.

In relation to MGH, the draft SPD aims to provide more detail and clarity on the characteristics of a MGH, while still providing a degree of flexibility. MGH should be increasing options for older people now, not simply be adaptable as that is just a M4(2) compliant house type, which is a separate requirement. While adaptable homes will provide housing options for older people in future, this is not effective in meeting the significant need identified in the Strategic Housing Market Assessment (SHMA).

### **Question 4**

#### **Do you have any comments on the Local Area Housing Needs Assessments template?**

In this section, the definition of "local" is crucial, and it is essential to clarify the definition being applied in this SPD. We suggest defining "local" as follows:

The approved Neighbourhood Planning area that includes the site under consideration.

The Parish Council area that includes the site.

The area of action of a Residents' Association that includes the site.

The Durham County Council Electoral Division that includes the site.

We recommend that the assessment of "local" should not extend beyond these specific boundaries.

Furthermore, we recommend replacing the word "should" with "must" in paragraphs 4.7 to 4.9 to strengthen the language used. The use of "should" could allow applicants to avoid the necessary scrutiny, and it should be avoided.

In addition, we believe that community engagement should be more robust. It must include contact with local Parish Councils and Residents' Associations, in addition to a public meeting and written consultations. We suggest that needs assessments should be directed by, rather than simply informed by these public consultations. These consultations should be the primary source for applicants to identify community needs.

In conclusion, we commend the high quality of this section as it stands, however implementing these changes will enhance the quality of this section in our opinion.

#### **Q4 DCC Response**

This is noted and the draft will be amended to reflect the inclusion of Parish/Town Councils where applicable for consultation.

Reference to the neighbourhood plan, where one exists, will be included.

#### **Question 5**

##### **Do you have any comments on the PBSA needs assessment template?**

Our response to this section of the SPD has been informed by our experiences with the proposed PBSA development at the former Apollo Bing Hall site. We believe that assessing future student accommodation needs in our city is crucial for its development, and therefore this document is crucial as well. While we commend the authors of this draft, we suggest that minor adjustments can further improve the proposal for actual use.

In paragraph 5.13, we suggest that applicants should present the number of bedrooms and students in the broader context of the city, including:

existing operational College accommodation, PBSAs, HMOs and private accommodation occupied by students.

College accommodation, PBSAs, HMOs and private accommodation occupied by students which is currently non-operational, including that which is closed for refurbishment, vacant, or otherwise not in use;

and

College accommodation, PBSAs, HMOs with approved planning permission for which development has yet to take place.

It is only by examining the full context of the development of student accommodation within the city that quantitative need can be reliably analysed. We additionally stress that the applicant has the responsibility to undertake and carry out the analysis of quantitative need, and to provide evidence justifying their proposals in this context, however it would also be appropriate for the Council to provide an accurate annual dataset on which this analysis would be undertaken.

Regarding qualitative need, we believe that the document partly identifies a methodology for demonstrating this need, but a significant stage is missing.

Once the applicant has identified the group of people with specific needs that are to be met by the proposed development, we believe that the design, form of accommodation, price band and amenities[1] should be directed by engagement with that specific target group alongside representatives from Durham Students' Union. This could be in the form of a survey, meeting or other form of suitable engagement mechanism which provides an understanding of the specific requirements of the target group. The analysis should be clear about the selection methodology for the students engaged, and how the group involved in the engagement is related to the target group. We again emphasize that the applicant, not the University or Student Union, must carry out the critical analysis for both quantitative and qualitative need.

In conclusion, we appreciate the work already carried out in this section, but we suggest that minor adjustments can further improve the methodology for identifying needs.

We additionally feel that outdoor recreational space (green spaces) and environmental impacts (e.g., pollution) should be considered as part of this amenity analysis.

#### **Q5 DCC Response**



The Council understand the point regarding a quantitative evidence-based approach to the supply of PBSAs. However, as set out in the SPD, a number of qualitative matters also need to be considered when assessing PBSAs as well as the quantitative measures set out in the SPD through paragraphs 5.13 Quantitative Needs and 5.14 Qualitative Needs. Ensuring the accuracy of data would be difficult to confirm.

We don't currently have a mechanism to accurately quantify the number of students living in private accommodation.

Regarding consultation, the SPD requirements say that the applicant must consult with the university. How they do this is up to the applicant.

Regarding consultation directly with students, independently of university involvement, it is not for the council to require a developer to do their own market research.

Comments are noted regarding the inclusion of external space as part of amenities, the draft will be amended to reflect the inclusion of this.

## **Question 6**

### **Do you have any comments on the Application of the Nationally Described Space Standard in C Class Uses section of the SPD?**

We believe that the policy within this document is needed, required, and should be strengthened to the maximum possible extent.

## **Q6 DCC Response**

Support noted.

## **Question 7**

### **Do you have any comments on the First Homes Interim Policy Statement?**

We find the first home policy statement interesting, but we question the methodology used to determine the value of a property that could be deemed affordable for residents. We believe that basing the analysis on house prices is ineffective in relation to affordability. Instead, we suggest that the cap should be based on the actual amount of disposable income within our community.

To produce a more viable analysis, we propose considering median earnings to determine the value of a first home. In County Durham, the current house price to earnings ratio is 4.7, the highest level it has been since 1997. To provide a genuine discount on this ratio, we suggest placing the cap at a value of 4.0x earnings, which is closer to the average value of the ratio for the past 10 years.[1]

As first homes are commonly bought by people aged between 22 and 30, we suggest that the cap be related to this salary bracket. In County Durham, the median earnings for this group are £23,855[2]. Therefore, we propose that an affordable 3-bed starter home in our county should be valued at £95,420. This value remains less than 30% of current entry-level house prices, and we believe that setting a cap at this level would enable more first-time buyers to enter the housing market in our county.

While we acknowledge that this would be a challenge for some developers, we believe that they would be able to meet these costs for development with a cap at this level. This policy would provide a vital opportunity for young people within our area to get onto the property ladder.

## **Q7 DCC Response**

Based on evidence of newbuild house prices in County Durham, a cap below £250,000 is justified. The evidence base makes use of lower quartile house prices in County Durham which, are considered to be the entry level price for home ownership. In County Durham, 70% of the lower quartile 4 plus bedroom property price is £176,500.

The Council has updated its plan wide assessment of viability to accommodate for the impact of additional policy or guidance requirements since the adoption of the County Durham Plan. In respect of First Homes, the viability assessment indicates that the cap should be raised to £140,000. Therefore First Homes are to be sold at a discount of 30% of the open market value of the property, up to a maximum level of £140,000 in lined with a viability informed cap.

## Comment

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Event Name	Housing Needs Supplementary Planning Document
Comment by	Avant Homes (North East) ( James Johnson - 1256142)
Comment ID	9
Response Date	4/11/23 8:33 AM
Status	Submitted
Submission Type	Email
Version	0.13
Question 1	

**Do you agree with the proposed scope and content of the SPD? Please give reasons for your answers.**

1.2 AHNE recognises the importance of the design of new homes and developments and is on a mission to become the housebuilder of choice in the North and County Durham by making aspirational homes attainable. Overall, AHNE supports the principle aim of the SPD provide information on how existing Local Plan housing needs policies will be interpreted and applied, thus seeking to assist planning officers, applicants, agents, Councillors and members of the public through the planning application process, ensuring that the process is fair and transparent and is applied consistently – all subject to AHNE’s response in section 2 being reflected and addressed in the final SPD. AHNE is committed in this respect to working together with the County Council and other stakeholder to help find the SPD to be ‘sound’ and acceptable for adoption in respect of being positively prepared, justified, effective and consistent with national policy.

1.3 It is important that the Housing Needs SPD should not place unnecessary or unjustified burdens on applicants It is important that it is balanced with other planning considerations at a time when Building Regulation requirements and build costs have risen significantly, other planning requirements have been mandated (nutrient neutrality mitigation, delivery of Biodiversity Net Gain (BNG), etc) and when there is housing market uncertainty.

2.1 Overall, AHNE supports the process and purpose of the County Durham SPD on Housing Needs and Interim Policy on First Homes December 2022, however, our key recommendation would be that the SPD should be used a point of reference to guide for proposed new developments, i.e. it should not restrict development that would be otherwise be supported by the Local Plan and National Policies from coming forward.

2.2 It is therefore important that the SPD is used as a guide rather than a set of requirements that should be explicitly met in order to provide sufficient flexibility for applicants to reflect the characteristics of individual sites and their location as well as technical and viability issues and ultimately the delivery of affordable homes, ecological and environmental gain and associated infrastructure.

2.3 The SPD should be consistent with the NPPF and not replicate or contradict existing adopted Local Plan policies or national planning policy in Chapters 5. Delivering a sufficient supply of homes and 12. Achieving well-designed places and 15. Conserving and enhancing the natural environment of the NPPF. Nor should the SPD replicate existing legislation that is already mandated via Building Regulations, with particular reference to the draft provisions to SPD Chapter 2,

## **Q1 DCC Response**

Comments noted.

## **Question 2**

### **Do you have any comments on the Accessible and Adaptable Home Statement and M4(2) Checklist?**

2.4 We note that section 3 of the draft SPD refers to guidance on dwellings of a design and type for older people. In particular the Council sets out its differentiation between the provision of Part M4(2) accessible and adaptable dwellings and housing products of a design and type to increase the housing options for older people in relation to Policy 15 of the adopted County Durham Plan.

Whilst the Council states that the two are distinct with one being to meet a standard and one being to deliver a design and type of home this appears to ignore the provisions of Part M of the Building Regulations. These state that Part M4(2) dwellings '... make reasonable provision for most people to access the dwelling and incorporates features that make it potentially suitable for a wide range of occupants, including older people...' (page 10, emphasis added). It continues to state that reasonable provision is made towards Part M4(2) where dwellings comply with a range of criteria including 'c. A wide range of people, including older and disabled people and some wheelchair users, are able to use the accommodation and its sanitary facilities.' AHNE considers that the Building Regulations clearly demonstrates that by delivering Part M4(2) compliant housing that this will inherently increase the housing options for older people.

3.4 Section 3 of the draft SPD differentiates between the provision of Part M4(2) accessible and adaptable dwellings and housing products of a design and type to increase the housing options for older people in relation to Policy 15 of the adopted County Durham Plan. However, this appears to ignore the provisions of Part M of the Building Regulations. AHNE considers that the Building Regulations clearly demonstrates that by delivering Part M4(2) compliant housing that this will inherently increase the housing options for older people.

## **Q2 DCC Response**

Policy 15 has 2 elements. The first part is that 66% of the units (schemes of 5 units or more) need to be accessible and adaptable to meet the needs of older people and people with disabilities (M4(2)). The second part of the Policy requires 10% of the units (schemes of 10 units or more) to be of a design

and type to increase the housing options of older people. This means it has to be built as a suitable product from the outset so it is available at the point of first occupation.

## Question 6

### **Do you have any comments on the Application of the Nationally Described Space Standard in C Class Uses section of the SPD?**

2.5 In respect of “6. Application of the Nationally Described Space Standard in C Class Uses”, AHNE acknowledges “For new build C3 dwellings houses the NDSS would be applied”. As this is intended to amplify Policy 29: Sustainable Design of the adopted Local Plan, the following wording from the supporting text of Policy 29 at paragraph 5.302 should be explicitly referenced as policy in the Housing Needs in Chapter 6 of the SPD (AHNE’s emphasis underlined): “All housing schemes will therefore be expected to apply the standards unless they can demonstrate to the council that they would render the scheme unviable”. This is to ensure consistency and for the avoidance of doubt in order to assist planning officers, applicants, agents, Councillors and members of the public through the planning application process, ensuring that the process is fair and transparent and is applied consistently. This will ensure that the NDSS requirements are rightly refined through the development management process and will be defined in more detail in scale and kind in the context of individual applications having regard to the characteristics of the site and its location as well as viability issues.

3.5 In respect of “6. Application of the Nationally Described Space Standard in C Class Uses”, AHNE suggests that further elaboration is required via specific wording relating to “All housing schemes will therefore be expected to apply the standards unless they can demonstrate to the council that they would render the scheme unviable”. This will ensure that the NDSS requirements are rightly refined through the development management process and will be defined in more detail in scale and kind in the context of individual applications having regard to the characteristics of the site and its location as well as viability issues

## Q6 DCC Response

The Council are appreciative of viability constraints and work with developers to ensure a balance is achieved with regards to delivery and sustainable forms of development - the supporting text to Policy 29 (para 5.302) recognises this position as noted in this representation. However this will be by exception and considered on a case by case basis in the context of an overwhelming evidence in support of minimum internal space standards. The Council do not therefore wish to expand further on this matter within the SPD, as the objective is merely to clarify where NDSS applies in relation to residential uses and change of use.

## Question 7

### **Do you have any comments on the First Homes Interim Policy Statement?**

2.6 In respect of First Homes, AHNE notes that the Council considers that a lower cap for First Homes after a discount than the national average should be applied in the County. It cites an evidence base of an Opinion Research Services, Durham County Council First Homes Assessment 2022 in footnote 7 but no details of this research are provided alongside the consultation on the SPD as a suite of material. Therefore, it is extremely hard to interrogate the validity or otherwise of the proposed caps of £176,500 for 4 bedroom and £120,000 for 3 bedroom First Homes.

2.7 There is a risk that in higher value areas of the County the proposed caps will represent a much lower cap than might be appropriate compared to the national cap and a standard 30% discount on open market value. We would therefore request that the Council make evidence base prepared by Opinion Research Services available for review and comment prior to adopting the Interim Policy Statement.

2.8 We note that paragraph 7.9 states that “The evidence base recommends that the policy is applied flexibility to reflect prices in the market in the future, with the cap being relative to entry level market prices.” However, greater detail of how this flexibility will be applied would be appreciated. Greater

clarity is needed on whether this would be reviewed at specific intervals or flexibility would be applied on a specific case by case basis where suitable evidence demonstrated divergence from the Interim Policy Statement.

2.9 First Homes should continue to be applied as a proportion of the existing affordable housing requirement across the Borough. In order to be effective and justified, in the event of a shortage in First Homes, the SPD should also acknowledge a requirement to consider a larger proportion of First Homes being sufficient very special circumstances to be considered as not inappropriate development in Green Belt locations, and in respect of rural exceptions, whereby it justifies the provision of enabling private family homes to deliver First Homes.

3.6 In respect of First Homes, AHNE would therefore request that the Council make evidence base prepared by Opinion Research Services available for review and comment prior to adopting the Interim Policy Statement. Otherwise, it is extremely hard to interrogate the validity of the proposed caps and there is a risk that in higher value areas of the County the proposed caps will represent a much lower cap than might be appropriate compared to the national cap and a standard 30% discount on open market value.

## **Q7 DCC Response**

The Council has updated its plan wide assessment of viability to accommodate for the impact of additional policy or guidance requirements since the adoption of the County Durham Plan. In respect of First Homes, the viability assessment indicates that the cap should be raised to £140,000. Therefore First Homes are to be sold at a discount of 30% of the open market value of the property, up to a maximum level of £140,000 in lined with a viability informed cap.

## **Question 8**

### **Do you have any other comments?**

#### 1.0 Introduction

1.1 Origin Planning Services have been instructed to make representations to the County Durham Supplementary Planning Document (SPD) on Housing Needs and Interim Policy on First Homes December 2022 on behalf of Avant Homes North East (AHNE). AHNE is a key investor, employer and provider of new family homes in County Durham, including affordable homes and associated infrastructure. AHNE has recently completed and progressed developments across the County, including at Chester-Le-Street (Vanbrugh Gate), Chilton (Peerfields), and West Rainton (Allenson View), and is committed to ambitious growth plans to invest further in the County. These growth ambitions are firmly grounded on having as much certainty as possible, including with the planning system in terms of what is likely to be acceptable in respect of design.

3.7 AHNE is committed in this respect to working together with the County Council and other stakeholder to help find the SPD to be 'sound' and acceptable for adoption in respect of being positively prepared, justified, effective and consistent with national policy.

3.8 AHNE reserves the right to fully object to the SPD prior to its adoption if it significantly altered from its current draft and AHNE also reserves the right to make further written representations appropriate amendments are not progressed by the Council

## **Q8 DCC Response**

Noted.