



Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

## **Affordable Housing Supplementary Planning Document**

## **Rural Needs Supplementary Planning Document**

Statement of Consultation Responses

February 2011

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# 1. Introduction

This statement has been prepared in order to meet the requirements of The Town & Country Planning Act 2004 and the Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008. Regulation 18 (4) requires that before a local authority adopts a supplementary planning document (SPD) all representations on the draft SPD must be considered. It also requires authorities to prepare a statement setting out a summary of the main issues raised in any representations received and how these have been addressed in the SPD that is submitted for adoption.

The consultation period for the draft Affordable Housing SPD and the Rural Needs SPD ran for a period of 6 weeks, commencing 11th October 2010 through to 8<sup>th</sup> November 2010, which was later extended to 22<sup>nd</sup> November 2010.

## 2. Consultation undertaken

This statement summarises the representations made over the period stated above and sets out how the Council has taken on board the comments made in the SPD proposed for adoption.

### **Statutory Consultation**

The statutory consultation period as required by The Town & Country Planning Act (2004) as amended in 2008 for the Affordable Housing SPD and Rural Needs SPD was held for 4 weeks, commencing 11<sup>th</sup> October 2010 through to 8<sup>th</sup> November 2010, which was extended to 22<sup>nd</sup> November following requested from Parish Council's who were unable to meet before the deadline for comments.

Consultation on the documents included letters to all statutory consultees, private organizations, relevant interest groups and members of the public who registered an interest (1275 letters sent). A copy of the letter can be found in Appendix 2 of this report.

The Affordable Housing SPD and Rural Needs SPD were approved for public consultation purposes by the Council's Planning Committee on 28<sup>th</sup> September 2010.

### *Press Notices*

Press notices were published in the Hinckley Times on 7<sup>th</sup> October 2010 and Leicester Mercury on 6<sup>th</sup> October 2010 to advertise the consultation and invite comments from the wider public. A copy of this notice can be seen in Appendix 3.

### *Availability*

Copies of the consultation SPD's and associated documents were made available on the Council's web site [www.hinckley-bosworth.gov.uk](http://www.hinckley-bosworth.gov.uk), and hard copies were delivered to central points of contact including Main Council Office Reception and all libraries and parish council offices across the Borough.

Furthermore, hard copies of the draft SPD's and associated documentation were sent various statutory consultees/interested parties and were issued to individuals if requested, free of charge.

### **3. Responses to Representations**

A total of 32 comments on the Affordable Housing SPD were received from respondents over the course of the consultation period the majority of which felt no need to offer any guidance and offered support for the draft document. Some changes were made to improve the clarity of the guidance, and amendments were made to comply with Government policy which had emerged since the draft document was written.

The Rural Needs SPD received a total of 26 comments over the course of the consultation period the majority of which welcomed the SPD. A general comment regarded information about Housing Needs Surveys and this has been taken into account when drafting the final document. Consultees also responded with helpful comments which allowed the sections on employment land and community initiatives to be expanded.

The public consultation on the SPD's accord with the provisions of the adopted Hinckley & Bosworth Statement of Community Involvement as demonstrated in Appendix 4, the Town & Country Planning Regulations and PPS12. A wide variety of organisations and individuals were informed of the public consultation and invited to make representations on their content.

All comments received on the draft SPDs have now been considered and amendments and revisions have been made where considered appropriate in preparation for the final document which will be submitted to Council for adoption in due course. Appendix 1 details the individual comments made, over the consultation period, and the action that has been taken.

#### **Summary of responses received**

The following identifies the main points which were highlighted through the consultation period, for the full responses and the council's response see Appendix 1.

For the Affordable Housing SPD:

- Paragraph 6.7 has been amended to clarify the Council's responsibility in negotiating reductions to section 106 agreements.

- Key Policy Principle AH6 has been changed to ensure it is compliant with Community Infrastructure Levy requirements.
- The section on Gypsies and Travellers has been removed from the supported housing section to acknowledge that only a minority of this community group will have support needs.
- Amendments made to reflect the particular issues on sites where HCA Grant is paid, including requirements for HCA build standards, and that HCA guidance may prevent the housing from being completely tenure blind.
- References to specific bodies have been qualified to allow for changes to guidance and procedures – so for example, the reference to the Tenant Services Authority has been amended as the Government is abolishing it, and the reference to the Three Dragons viability toolkit has been amended to allow for the use of a different toolkit in the future.

For the Rural Needs SPD:

- Comments indicated that the reference to Housing Needs Surveys contained in two different sections of the SPD was confusing. The document has therefore been amended so that the guidance relating to Housing Needs Surveys is contained in paragraph 3.15.
- The detailed guidance on commuted sums has been removed as it duplicates guidance in the Affordable Housing SPD.
- The section on Rural Exception Sites has been expanded to clarify that whilst they are an exception to policy constraints, due regard is still required to physical constraints and considerations such as the historic environment.
- The conditions of housing on Rural Exception Sites has been updated, as the restriction of a maximum of 80% ownership has been removed. However the property has to be sold back to the RSL to ensure it remains available as affordable housing in perpetuity.
- Key Policy Principle RN8 has added that small business units must still have regard to the impact on the local environment.
- The section of use of community facilities has been expanded to include the widening of use or the reuse of existing buildings for community purposes as a preferred approach.
- Two new local performance indicators have been added to monitor the number of Housing Needs Surveys carried out and the publication of the results.

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## ***LDF Document Comment and Response Report***

### ***Affordable Housing 2010***

***Document Part:***

***No:***

***Comment Type:*** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0151/4/001

***Customer Comment:***

The Supplementary Planning Documents currently under consultation are not expected to have a significant bearing on the operation of the Strategic Road Network. As such, the HA has no particular comments to make. Furthermore, I have received paperwork from the Planning Inspectorate regarding the AAP Inquiry, and will be relying on my previous written representations to set out the HA's position to the Inspector. □The HA is keen to maintain engagement with the Borough Council on this and other documents forming the Local Development Framework

***Council's Response:***

No response required.

LDF\_HBBC\_AH2010/CONSUL/CU0067/1/001

***Customer Comment:***

Whilst the CAA would not wish to comment on such plans, where officially safeguarded aerodromes lie within the Council's area of jurisdiction we recommend that the Council considers the need of such aerodrome(s) within your development plan and consult with the aerodrome operator(s)/licensee(s) directly

***Council's Response:***

No response required

***Total Comments of type Comment : 2***

***Total Comments for this Document Section: 2***

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***Document Part:***

***No:*** GENERAL

***Comment Type:*** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0300/6/001

***Customer Comment:***

Having reviewed your document, I confirm that we have no specific comments to make on the document at this stage

***Council's Response:***

No response required.

LDF\_HBBC\_AH2010/CONSUL/CU0180/1/001

***Customer Comment:***

Thank you for consulting us on your draft Affordable Housing Supplementary Planning Document. We do not have any comments to make on this document.

***Council's Response:***

No response required.

***Customer Comment:***

Thank you for consulting us on the above planning documents, received with your covering letter dated 7 October 2010, to which we have no representations to make.

***Council's Response:***

No response required.

***Customer Comment:***

Dear Representative, I am a county councillor for a rural area of Hinckley and Bosworth Borough Council, and a supporter of the provision of affordable housing, the proposed strategy has some limitations that I would like to comment on with respect to the Market Bosworth Division. The Division comprises 13 Parish Councils, viz., Barlestone, Nailstone, and Osbaston, Market Bosworth, Cadeby, Carlton, and Shackerstone, Stoke Golding, Higham on the Hill, and Sutton Cheney, Witherley, Sheepy and Tywcross. Although described as rural, these parishes have widely differing facilities in terms of employment prospects, public transport, and facilities such as medical, library, educational, and social provision. My first point of concern over the proposals is the very general way they are presented, whereas a specific understanding of the needs and opportunities of each settlement is required, i.e., where are the employment opportunities in Congerstone, Twycross, Nailstone, etc.? How have public transport opportunities declined since the Core Document was determined, etc.? Public transport facilities has to be a fundamental consideration over the provision of affordable housing, otherwise rural people spend excessive amounts to travel, or remain village bound. The latter is particularly negative for the elderly and young, as they are dependent on others to provide travel for them if public transport does not exist. For the record, a number of the settlements identified in the core strategy do not have late afternoon, evening or Sunday public transport available. By definition, if you can only afford Homebuy, Intermediate Tenure, Low Cost Market Housing, or Registered Social Landlord property, you are not high on the income scale, and are therefore likely to find travelling onerous without adequate public transport facilities, and these do not exist in a number of the Parishes I represent. Time and time again, constituents complain about the inadequacy of rural facilities, the cost of getting there, and the loss of opportunity for young children and the elderly caused by living in a sparsely populated hamlet or small village. These are germane facts, and to have a policy that applies to, e.g., Congerstone or Twycross that is identical to Witherley or Higham on the Hill just does not make sense. In short I do not support a blanket policy that will be applied irrespective of parish circumstances along the parameters outlined above.

***Council's Response:***

No response required as the response does not relate to the document.

**Customer Comment:**

I write as the MD of a small/medium sized local development company whose principle area of operation is Leicestershire and Warwickshire. We have completed several well received development projects within the Borough over the past decade. These include Manor View Sibson (5 units), Kingfisher Way Sheepy Parva (5 units), San Giovanni restaurant formerly The Kingfisher, Norton Juxta Twycross (3 units), The Cedars at Barwell (24 units) and currently Orton Close Carlton (12 units). We have always sought to foster a constructive and progressive relationship with the Local Authority and we hope to play a small but significant role in the development of quality sites in the future, with special reference to the more rural villages. In light of the recent committee decision to resist officers recommendations for development on land owned by the Flude family adjacent to Hinckley Golf Club. Our observations and comments may be more relevant once there is more clarity on the issue of housing allocations and provision for the borough. No doubt several major developers will be challenging the councillor's stance in the near future. This process will obviously lead to great expense for all parties who choose to engage in this litigious exercise. In the current climate of fiscal prudence our company will remain as an observer and try to promote our land bank via policy in the light of the inevitable appeals that will be contested. In general terms we see the emerging issues can be categorised into three basic areas: Land supply, Planning and Local Enterprise Partnerships. Land Supply In these difficult times there is some limited land availability in rural locations, but affordable units are going to struggle to find funding as government quangos are closed down and funding cut by up to 60%. As banks begin to force liquidations numerous unfinished sites and flat projects in urban areas will come to the market and may well form part of future social housing stock. In the rural areas we are hoping to promote special exemption sites linking a number of open market homes as enabling development to fund the social housing need. We hope to form our own RSL as "Springbourne Rural Homes" to build six units on a site at Sheepy Magna with fourteen open market homes on an adjacent site. Local Enterprise Partnerships Obviously the emerging Local Enterprise Partnership (LEPs) will have a bearing on the appetite in communities for various types of development. The government is looking to drive up a bottom up revolution with the LEP having more opportunity to react to local diversity. The entire new Localism agenda may place the balance of power increasingly into the hands of parish councillors. This will promote some rural developments and stifle others. At Springbourne we would hope to work with specific parishes to address local needs to build sustainable communities. In Sheepy Magna this would take the form of six rural social homes, but we are also aware of the need to rebuild the changing rooms on the community playing fields which were damaged beyond repair in a fire some years ago. Planning With the demise of Regional Spatial Strategies and housing targets, the commonly held view is that planning authorities will tend to react a lot more sympathetically to local pressure groups than they would have. If the overall goal is to give communities a stake in improving their facilities (the essence of localism) we will need to establish a climate where the community does not see planning and development as something that is imposing upon them. It will be far better that a community can recognise the wider benefits of collaboration with developers to achieve the desired local improvements. Essentially all stakeholders need to work in collaboration with transparency to realise the benefits that can accrue from the right development in the rural environment. At Springbourne we will continue to work with the local authority and parish councillors to provide relevant solutions to community needs in constructive section 106 agreements. We hope to embrace the potential new era of Localism and feel that smaller local companies such as our own will be well placed to work with our local community.

**Council's Response:**

No response required as this response does not relate to the document.

**Customer Comment:**

The Theatres Trust is The National Advisory Public Body for Theatres. The Theatres Trust Act 1976 states that 'The Theatres Trust exists to promote the better protection of theatres. It currently delivers statutory planning advice on theatre buildings and theatre use through the Town and Country Planning (General Development Procedure)(England) Order 2010 (DMPO), Articles 16 and 17, Schedule 5, para.(w) that requires the Trust to be consulted by local authorities on planning applications which include 'development involving any land on which there is a theatre.' Due to the specific nature of the Trust's remit we are concerned with the protection and promotion of theatres and as these consultations are not directly relevant to the Trust's work, we have no comment to make but look forward to being consulted on further LDF documents and the planning application for improvement works for the Concordia Theatre.

**Council's Response:**

No response required.

**Customer Comment:**

On this occasion the Trust has no particular comments that it wishes to submit, nonetheless we are grateful to have been notified and confirm that we do wish to remain on the Council's consultation database.

**Council's Response:**

No response required.



LDF\_HBBC\_AH2010/CONSUL/CU0319/3/001

***Customer Comment:***

You recently sent a letter to our Director, Suzanne Boardman offering her the chance to comment on two documents, the Affordable Housing Supplementary Planning Document and the Rural Needs Supplementary Planning Document.□□  
□□Unfortunately, Mrs Boardman has not been able to comment as her schedule has simply not allowed the time for her to review these documents fully. She sends her apologies. However, if there is something specific you would like Mrs Boardman or Twycross to comment on please do come back to us.□□ □□

***Council's Response:***

No response required.

LDF\_HBBC\_AH2010/CONSUL/CU0267/5/001

***Customer Comment:***

Thank you for sending through to me the 'LDF Consultation - Affordable Housing Supplementary Planning Document and Rural Needs Supplementary Planning Document' and giving Severn Trent Water the opportunity to engage in the process. However, Severn Trent Water have no comment to make on this matter.□

***Council's Response:***

No response required.

LDF\_HBBC\_AH2010/CONSUL/CU0647/3/001

***Customer Comment:***

Thank you for your letter dated 7th October 2010 notifying the Authority of the Hinckley□ Bosworth Borough Council above consultations and inviting comments. Nottinghamshire County Council welcomes the opportunity to comment and have read the documents with interest.□□The County Council does not have any comments to make on these documents. I would be grateful if you would keep us informed on the progress of the Core Strategy.

***Council's Response:***

No response required.

LDF\_HBBC\_AH2010/CONSUL/CU0801/2/001

***Customer Comment:***

***Council's Response:***

LDF\_HBBC\_AH2010/CONSUL/CU0868/5/001

***Customer Comment:***

Regulations dating back to 2006 are quoted. Will current economic policies have affected any of these provisions□□□In the Affordable Housing Document the plan would be for mixed development and of course, this happens in time on existing estates as owner occupied houses are put up to let. Are there any recent examples where newly-built developments with desirable mix of housing have been successfully established□

***Council's Response:***

The document will be revised to reflect any changes to government policy which have been issues since the drafting of this document.□□The success of new developments is evidenced firstly by whether properties on the open market are sold within a reasonable period, and secondly whether there are healthy waiting lists for social rented housing. In this sense, the only concerns have been where developments have been dominated by two bed roomed flats, and therefore mixed developments are now concentrating on developing family housing rather than apartments.□

***Total Comments of type    Comment    : 12***

***Comment Type:***    Objection

**Customer Comment:**

Whilst we recognise that the Affordable Housing SPD is intended to expand upon the policies set out in the adopted Core Strategy, notably policies 15, 16 and 17, we consider that the SPD should be withdrawn before it is adopted. □□Over the past 12 months there have been a number of fundamental changes which are impacting on the viability of housing schemes including the delivery of affordable housing. These include:□•□Increases in build costs and decreases in house valuations and therefore house selling prices;□•□Reductions in government grants to make up shortfalls in the build costs of affordable homes and the amount which Housing Associations are able to pay house builders (which is calculated by the capitalised value of the social rents which tenants pay) – my client Cawrey Homes Ltd has recently been offered around £75k by a Housing Association for a two bedroomed house costing over £100k to build – under current market conditions subsidies at this level are not affordable by the developer;□•□Lack of willingness of banks to lend to those wishing to purchase a shared ownership home – such people are seen as high risk (sub prime).□□Against this background a fundamental rethink is required to enable HBBC and other authorities to meet its affordable housing targets – the developer is not a ‘Milch Kueh’ (milk cow!). Opportunities to seek funding may come from organisations such as the Guinness Trust and insurance companies – and also via government cash incentives to encourage local authorities to support the delivery of more houses – the Housing Strategy and Enabling Officer should be tasked with identifying funding partners and linking them with housing developers – it will be far more productive for this person to spend his/her time doing this than continuing with the futile task of negotiating with developers/house builders on the implementation of this flawed SPD, and the flawed and out dated policies which underpin it.□□Unless this SPD is withdrawn and policy targets set down in the Core Strategy removed, then it is likely that fewer houses will continue to be built in the future. This will further undermine a rather fragile housing market and further limit opportunities for young people to get on the housing ladder like their parents.□□If and when HBBC is ready to issue guidance notes to developers and house builders on the provision of affordable housing it should avoid much of the detail contained in the SPD which is far too prescriptive.□

**Council's Response:**

It is not intended to withdraw this SPD as it is important to provide clarity and guidance on the Council's approach to affordable housing provision. However it is agreed that changes have taken place since the drafting of this document that need to be incorporated within the SPD. These changes do not affect the overall direction of the SPD but will ensure that policies are up to date.□□The level of detail incorporated into the SPD reflect discussions which regularly take place between developers and the Council and are therefore felt to reflect an appropriate level of detail to be incorporated into the document.

**Customer Comment:**

I refer to the Affordable Housing SPD which has been issued as a consultation draft. Since the draft document was published the Government has announced that it is to make major changes to affordable housing provision in the wake of a massive reduction in the funding which will be available from the HCA; including flexibility for RSL's to increase rental levels between social and market rent which will have a major effect on the current definitions of affordable housing. These changes will have significant implications for future considerations of affordable tenure, type and mix. Until such time as the details of these changes become known I consider that it is premature for the Council to be adopting SPD as guidance which is likely to have little relevance to negotiations under the new definitions which will now come into play.□

**Council's Response:**

The document will be amended to reflect changes in national policy that have emerged since the SPD was drafted. However it is felt that this does not negate the need to produce an Affordable Housing SPD as guidance to developers. The decision on whether and when to adopt affordable rents will need to be set out in a separate policy document as indicated in the Government consultation document “Local Decisions: a fairer future for social housing”. The new approach to HCA Grant does not affect the SPD since the starting point for all section 106 sites has always been on nil grant assumptions, although the section will now be strengthened to reflect the guidance that grant will not be given to affordable housing on 106 sites.

**Customer Comment:**

General Comments□Throughout the documents there is reference to the ‘national’ policies of ‘central Government’. The Local Development Framework was introduced by the previous Government and does not necessarily reflect the views of the Coalition Government. Introduction of new initiatives such as the Local Housing Trust and the Coalition Government's proposed ‘Right to Build’ policy, appear to conflict with the LDF and this should be resolved. All of the planning documents that refer to the views of the previous Government should specify that they are the views of the previous Government; to do otherwise would be misrepresentative.□

**Council's Response:**

The document will be updated to ensure it accurately reflects current national guidance which has emerged since the drafting of the document.

**Total Comments of type *Objection* : 3**

**Total Comments for this Document Section: 15**

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**Document Part:**

**No:** KPP AH 6 □ AH7

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/04533/2/003

**Customer Comment:**

In terms of Key Policy Principles AH6: Approach to Viability and AH7: Commuted Sums, the Borough Council's 2009 Strategic Housing Land Availability Assessment (SHLAA) identifies Sutton Cheney as a settlement which has high market interest. □□ Therefore, commuted sums are seen as an effective way to provide some level of developer's contribution, particularly for locations where it is unsuitable to provide affordable housing on-site for viability reasons. □□ Notwithstanding this, developers contributions should be seen as a complete package, and include consideration to any S106 payments. □□ Although our client is in agreement that the emphasis for delivering affordable housing should be: □□ "High quality housing that contributes to the creation and maintenance of sustainable rural communities in market towns and villages". □□ It must be recognised that such developments cost significant amounts of money, and in a global recession, in a period of austerity, it is unreasonable to expect the developer to absorb higher standards, additional requests for information as well as higher levels of contributions. It is therefore felt that a balanced and pragmatic approach is required from the Council, particularly in such difficult financial times. □□

**Council's Response:**

Comments are noted and agreed as relevant, and in practice form part of the site by site negotiations with developers.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** KPP AH1

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0029/1/003

**Customer Comment:**

It is not clear why the definitions in Key Policy Principle AH1: Tenure Type and Mix do not reflect the definitions as set out in PPS3, particularly given they are quoted in the glossary of the draft SPD. The draft SPD should be amended accordingly.

**Council's Response:**

KPP1 is not giving a definition : this, is as stated by Bloors, set out in PPS3. The KPP is to clarify the Councils approach to the different tenure types.

**Total Comments of type Comment : 1**

**Comment Type:** Objection

LDF\_HBBC\_AH2010/CONSUL/CU0835/4/003

**Customer Comment:**

Key Policy Principle AH1: Tenure Type and Mix □ It is considered the target for at least 75% socially-rented housing is too high and the Council should aim as stated in PPS3 to provide a sufficient supply of intermediate affordable housing to help address the need for further socially-rented housing and free up existing social-rented homes.

**Council's Response:**

The target of 75% of properties to be socially rented is in conformity with the evidence of the SHMA and the proportion set out in the Core Strategy.

**Total Comments of type *Objection* : 1**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** KPP AH1 □ AH2

**Comment Type:** Objection

LDF\_HBBC\_AH2010/CONSUL/04533/2/001

**Customer Comment:**

Within the Affordable Housing Supplementary Planning Document (SPD), the Council realises the importance of allowing housing development to respond to 'any known need in a specific sub-market within the Borough'; and this is greatly supported by our client. □□ In the current economic climate, it is essential that the vitality and viability of development sites is considered, and this approach from the Council is welcomed. Furthermore, an 'open book approach' is encouraged, but we would also encourage the Council to be aware of the ever mounting costs of development, as such, costs need to be monitored and reduced where possible. □□ In terms of Key Policy Principles AH1: Tenure Type and Mix and AH2: Local Need, it is our clients' view that the type of tenure should be assessed on a site-by-site basis, based upon the particular housing need circumstances locally.

**Council's Response:**

AH1 and AH2 – the preamble to the actual policy makes it clear that negotiations can take place on a site by site basis. However the KPPs themselves are set out to give developers a starting point for the Council's expectations with regard to development in the Borough.

**Total Comments of type *Objection* : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** KPP AH4

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/04533/2/002

**Customer Comment:**

In terms of Key Policy Principles AH4: Section 106 our client does not object to the broad principal of a local lettings policy for the first occupants, but would suggest that this arrangement cannot stay in place in perpetuity.

**Council's Response:**

AH4 makes no reference to local lettings being in perpetuity and in practice there is a cascade mechanism within the section 106 to allow for lettings to take place over a wider area if no local applicants exist.

**Total Comments of type *Comment* : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** KPP AH6

**Comment Type:** Objection

**Customer Comment:**

I refer to the consultation on the Hinckley and Bosworth Borough Council Affordable Housing SPD (AHSPD) and raise an objection to AHSPD proposed Key Policy Principle AH6 - Approach to Affordable Housing. The grounds of the objection are:-

□□The Affordable Housing SPD is based on Policy 15 – Affordable Housing of the Hinckley and Bosworth Borough Council Core Strategy. However Key Policy Principle AH6 – Approach to Affordable Housing, states □□‘Developers must submit a financial assessment using the Three Dragons toolkit where sites may not be viable with the full level of section 106 contributions. The starting point for negotiations on changes to contributions for affordable housing is to vary the mix type and tenure rather than the quantity of affordable housing supplied and any changes must be in proportion to changes made in other section 106 contributions’. □□This introduces a new policy approach to viability in respect of affordable housing and other section 106 contributions. This is without the benefit of being independently assessed and National Planning Policy Statement PPS12 Local Spatial Planning states in paragraph 6.1 □□“planning authority may prepare Supplementary Planning Documents to provide greater detail on the policies in its DPDs. SPDs should not be prepared with the aim of avoiding the need for examination of policy which should be examined.”□□The implication of the wording of policy AH6 is that other contributions would be reduced proportionally where there are viability issues and where development is not viable with a full level of contributions. □□This proposed policy approach puts the viability of the development and the affordable housing as the first and primary considerations before and in front of the need for and the justification of those other contributions which under the Community Infrastructure Levy Regulation tests would be a) necessary to make the development acceptable in planning terms, b) directly related to the development and c) fairly and reasonably related in scale and kind to the development. □□□Such a ‘blanket’ policy approach to reducing or changing contributions proportionally across the board is questionable and not necessarily justified in every case, particularly where infrastructure contributions are necessary to make a development acceptable in planning terms, for example, highways works or sustainable transport measures. In such cases it is difficult to see how an across the board approach to changing or reducing s106 contributions proportionally would provide for and fully mitigate the impacts of a new development. The policy is considered to be too crude to address specific cases and would therefore need to be refined to address those specific circumstances as described above. It is therefore considered to be contrary to the Community Infrastructure Levy Regulations 2010. □□In addition, Planning Policy Statement PPS1- Delivering Sustainable Development - paragraph 23 (viii) states planning authorities should “ensure that infrastructure and services are provided to support new and existing economic development and housing” and Objective 6 of the Hinckley & Bosworth Borough Council Adopted Core Strategy sets out to ensure that development contributes to the necessary infrastructure required by new developments as does the Hinckley and Bosworth Borough Council saved Local Plan Policy IMP1. □□Proposed Policy AH6 appears to run contrary to meeting the provision of necessary infrastructure arising directly as a consequence of new residential development and by attempting to use a uniform approach to proportion changes to contributions rather than an approach which takes each case on its merits, the policy could have significant consequences for the provision of the required infrastructure and services to support new housing development in the Borough. □□It is therefore requested that the proposed new policy AH6 headed key policy principle as set out in the Affordable Housing SPD be amended to cover the points raised and at least by the deletion of part of the last sentence which states “and changes must be in proportion to changes made in other section 106 contributions”. □□(I note the policy refers to the Three Dragons toolkit. What happens to the policy if a change of viability toolkit/model is used? Can other viability toolkits be used? What if a new toolkit was provided? Presumably the wording of the policy would have to be amended each time a new toolkit was used to take account of the change?) □

**Council's Response:**

Policy AH6 will be amended to delete the last part of the sentence in the policy " and changes must be in proportion to changes made in other section 106 contributions" , as suggested. Reference to the Three Dragons toolkit will also make reference to any equivalent toolkit to acknowledge this may not be the toolkit used in future.

**Total Comments of type *Objection* : 1**

**Total Comments for this Document Section: 1**

**Document Part:**

**No:** KPP AH7

**Comment Type:** Objection

***Customer Comment:***

These comments are provided in respect of the Consultation Version Affordable Housing Supplementary Planning Document proposed Key Policy AH7: Commuted Sums. This submission is made on behalf of our client, Ainscough Strategic Land. It is noted that draft policy AH7 states that only in 'exceptional circumstances' will off site provision or commuted sums in lieu of affordable housing be considered acceptable. We object to the draft policy on the basis that it is too prescriptive in requiring exceptional circumstances to be demonstrated. This is because there may be circumstances on individual sites which mean a commuted sum or off site provision is justified and is capable of delivering a desirable planning outcome. By way of an example, consideration is currently being given by the Council as to whether the Barwell Sustainable Urban Extension may be capable of providing off site benefits in respect of affordable housing provision. This could be achieved by offsetting a proportion of the on site affordable housing requirement by redirecting affordable housing investment to the existing Barwell urban area, to the benefit of the existing community. On this basis we consider that a policy amendment would be appropriate to give increased flexibility. For example the policy could make direct reference to the potential for the Sustainable Urban Extensions to provide for off site affordable housing benefits (in addition to some on site provision). It is our view that in the manner which it is currently drafted, Key Policy Principle AH7 would represent a barrier to the wider delivery of affordable housing benefits associated with the delivery of SUE's. We suggest that the policy could be redrafted as follows: The Council's over-riding priority is to have affordable homes provided on-site as the easiest way of ensuring mixed and balanced communities from the outset. On certain sites, such as the Barwell and Earl Shilton SUE's, it may be appropriate for affordable housing provision to be made off site or for a developer to make a contribution in lieu of on site provision. This will be at the Council's discretion and will require an assessment of the individual circumstances on a case by case basis. Where the Council decides to accept commuted sum, they will be calculated using the formal set out below. We believe this would strike the right balance, by maintaining the policy priority for on site provision but not adopting a prohibitive stance to off site provision/commuted sums, should this be appropriate.

***Council's Response:***

AH7 sets the acceptance of commuted sums as an exception due to the evidence given of the levels of need in the Borough set out in the SHMA. The strong preference is therefore for the housing to be delivered in a timely manner on qualifying sites. Any policies specifically relating to the SUEs will be set out in the AAPs relating to those developments.

***Total Comments of type Objection : 1***

***Total Comments for this Document Section: 1***

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***Document Part:***

***No:*** PARAGRAPH 2.3

***Comment Type:*** Comment

***Customer Comment:***

We write on behalf of Taylor Wimpey UK Limited in respect of the above document. As one of the Country's leading housebuilders, Taylor Wimpey are supportive of the provision of affordable housing on new developments and as such welcome the guidance provided in the Supplementary Planning Document (SPD). In principle, we support the aims of the SPD in providing up-to-date information and further supporting guidance for developers, agents, landowners and the public on affordable housing requirements. In particular, we welcome the early review of the SPD in light of the revocation of the East Midlands Regional Plan in June 2010. There are however some areas where we consider that further clarification and/or amendments are required. Core Strategy Policies The SPD provides conflicting advice on which Core Strategy policies the Affordable Housing SPD is to provide additional guidance and further detail to. Paragraph 2.3, page 3 identifies that the SPD will provide additional guidance to four policies; Policies 15, 16, 17 and 18. Paragraph 3.12 however, states that the SPD will provide supplementary guidance only to Policies 15 and 16, with a separate SPD providing additional guidance to support the content of Policy 17 (and makes no reference to Policy 18). We therefore recommend that both of these paragraphs are amended accordingly for consistency purposes.

***Council's Response:***

Para 2.3 and 3.12 will be amended to remove inconsistencies.

***Total Comments of type Comment : 1***

***Total Comments for this Document Section: 1***

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**Document Part:**

**No:** PARAGRAPH 3.11

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0182/11/001

**Customer Comment:**

Refers to Policies 15, 16, 17 and 18 but 3.11 only refers to Policies 15 to 17

**Council's Response:**

Policy 18 to be added to 3.11

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 3.3

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/03941/1/001

**Customer Comment:**

Paragraph 3.3 refers to PPS1 "Delivering Sustainable Development" – I would like to see reference made to promoting safer communities. PPS1 paragraph 27, page 11 General Approach states and I quote "In preparing development plans, planning authorities should seek to: (iii) Promote communities which are inclusive, healthy, safe and crime free..."

**Council's Response:**

3.3 Document will be amended to refer to PPS1's aim for communities which are "inclusive, healthy, safe and crime free".

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 3.6

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/03941/1/002

**Customer Comment:**

Paragraph 3.6 refers to PPS 3 "Housing". I would like to see reference made under the bullet points to referring to the promotion of safer places. PPS3, paragraph 14, page 8 Achieving high quality housing states and I quote "Local planning authorities should develop a shared vision with their local communities of the type(s) of residential environments they wish to see and develop design policies that set out the quality of development that will be expected for the local area, aimed at: Creating places, streets and spaces which meet the needs of people, are visually attractive, safe".

**Council's Response:**

A bullet point will be added to refer to paragraph 14 of PPS3.

**Customer Comment:**

Bullet point 8: The document should clarify what 'pro-active' means in practice

**Council's Response:**

This is a précis of the information contained in PPS3. The Government does not give any further clarification on what a pro active approach may be.

**Total Comments of type Comment : 2**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** PARAGRAPH 4.18

**Comment Type:** Comment

**Customer Comment:**

Para 4.18 states that 'when consideration is being given to a Rural Exception Site, it will be in response to an identified need within the Parish. The most effective way of evidencing this need is to carry out a parish level Housing Needs Survey, in partnership with the Rural Housing Enabler'. Other than state that a parish level HNS should be carried out, the Rural Need SPD fails to provide any guidance, on who is responsible for initiating the local Housing Needs Survey and thus allowing consideration to be given to a Rural Exception Site. This is essential, as without it, the Council's ability to deliver affordable housing targets (i.e. Policy 15) may be compromised by the failure to expedite the first part of the delivery process. To clarify, is a Housing Needs Survey initiated: a. Only after a positive response from a Parish Council to agree that it wishes to undertake a local HNS? b. Only when the Borough Council or RHE say they wish to carry out a survey in consultation with the local community, possibly when they are made aware that a landowner has a site which may be available for development? c. Only when a landowner/partnership developer undertakes their own independent survey following consultation with the local community, Borough Council or RHE? We understand that the Council's present practice is to rely on the Parish Council for their approval (a). Which begs the question, what happens if the Parish Council decides that it doesn't wish to find out what local needs exist in its Parish for some reason? This raises a larger issue about how far the PC is representative of the local community and whether broader consultation should be carried out as well, bearing in mind the government's forthcoming Localism Bill and the desire to ensure that NIMBYISM does not block the provision of affordable housing. The Government Response to the Taylor Review of Rural Economy and Affordable Housing (25 March 2009) supports a pro-active approach. 'PPS 3 makes it clear that local planning authorities are expected to be active housing enablers..... "Doing nothing" is not initially an option (Para 50.)' Recommendation 14 of the same report speaks of 'proactive engagement with the local community .....to meet identified local needs, supported by clear criteria set out in the LDF'. We would expect to see some guidance on who is responsible for initiating Parish-level Housing Needs Surveys in the revisions to the SPD.

**Council's Response:**

As stated, a Housing Needs Survey will be carried out on a rolling programme. Once the programme has been devised, it will be circulated to Parish Councils for their comments, then published on the Council's website, so that residents will know when their survey is due. It is anticipated that all Parish Councils will be interested in participating in the survey. Results of the survey will not automatically result in the identification of a Rural Exception site as it does currently, as the survey is to build up a picture of need for affordable and market housing and therefore will inform section 106 agreements. However if there is a need for affordable housing community support for a site will be sought, preferably with the Parish Council's support, but this is not essential. The community itself, meanwhile, may be able to initiate its own site through the Right to Build legislation.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 5.3

**Comment Type:** Comment



LDF\_HBBC\_AH2010/CONSUL/CU0182/11/002

**Customer Comment:**

Meaning of SHMA " notes an optimum shape for dweliing types..." unclear.

**Council's Response:**

Reword: 'gives a mix of housing to best meet the needs of housing in the Borough'

LDF\_HBBC\_AH2010/CONSUL/CU0206/10/002

**Customer Comment:**

Bullet point 1: States that 76% of all new housing would need to be affordable to meet the findings in the Strategic Housing Market Assessment. Does this mean that the targets of 20% and 40% for affordable housing in urban and rural areas respectively could be greatly increased? It is essential to clarify the minimum / maximum figure of planned affordable housing. Bullet point 3: The document should clarify whether the requirement for an extra 250 affordable dwellings a year in rural areas is a minimum / maximum figure.

**Council's Response:**

5.3 and 5.4 these figures are the figures that would need to be supplied if the Council wished to meet the calculated need. Bullet point 3 will be deleted as it refers to need over the whole SHMA area, so the figure quoted in 5.4 will stand as it relates only to Hinckley and Bosworth.

**Total Comments of type Comment : 2**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** PARAGRAPH 5.4

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0206/10/003

**Customer Comment:**

States that to meet housing need in rural areas the Council would need to supply 40 – 50 new dwellings per year. This conflicts with 5.3, bullet point 3, above.

**Council's Response:**

Bullet point 3 in paragraph 5.3 will be deleted as it refers to need over the whole SHMA area, so the figure quoted in 5.4 will stand as it relates only to Hinckley and Bosworth.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 5.8

**Comment Type:** Objection

***Customer Comment:***

Following a Housing Needs Survey in 2006, the PC identified a suitable rural exception site with landowners willing to sell and who supported the affordable housing proposal. The project was incepted by a housing association in December 2008. Progress has been frustratingly slow, and the project is now likely to be further delayed or mothballed by funding cuts. At present it appears unlikely that there will be any work on site before the end of 2011. □□ □□The Housing Needs Survey in 2006 was followed by a public open event in 2007 which was attended by a number of eligible young couples who had not responded to the survey because they thought that nothing would happen. Their details were incorporated into the survey, and led to revised targets. There were expectations that this project would go ahead, yet these couples have seen no progress on the ground, and may well have 3-year old children by now. The PC has been criticised for the lack of progress, and the landowners are frustrated because they were expecting to sell their land in 2008.□□ □□The Housing Needs Survey on its own did not reach the target population, and the associated events raised false expectations. Events so far have confirmed the cynical attitude of the young people in 2007 that nothing directly useful to them would come out of the Housing Needs Survey. A repeat survey would not be supported by local people because of the lack of progress. □□ □□On the basis of this experience, the PC would not recommend repeating Housing Needs Surveys at an interval of less than ten years, and would not recommend a rolling programme at all unless there was a realistic chance of funding and implementation on a much shorter timescale than at present. The PC considers that the delays inherent in the existing system are unacceptable and undermine public confidence.□□

***Council's Response:***

It is difficult to find an exact timescale appropriate to repeating Housing Needs Surveys. However the intention in future is that the surveys will help inform any negotiations on section 106 sites as well as Rural Exception Sites, which is why they will include questions regarding access to entry level owner occupation. For this reason the time frame suggested is considered to be the most appropriate.

LDF\_HBBC\_AH2010/CONSUL/CU0190/2/001

***Customer Comment:***

Para 5.8. The Committee questions the usefulness of repeated surveys because there is so little affordable housing in the borough that those in need have given up hope, do not answer surveys and are hard to reach. The results of such surveys are likely to be meaningless.

***Council's Response:***

At present there is no evidence of need in some of the rural settlements and therefore it is felt that it is important to start to collect such evidence. It is acknowledged there are problems with Housing Needs Surveys in obtaining satisfactory response rates and in reaching the relevant people, but it is still important to try to build up a picture of need, however limited, where currently none exists.

***Total Comments of type    Objection    : 2***

***Comment Type:***    Support

LDF\_HBBC\_AH2010/CONSUL/15399/1/003

***Customer Comment:***

On a more positive note, we warmly welcome the commitment in paragraph 5.8 to build up a picture of the level of housing need in rural areas in carrying out a Housing Needs Survey in every parish. However, we can see no reason why this should not be updated annually□

***Council's Response:***

It is difficult to decide on the suitable timeframes for updating Housing Needs Surveys. The surveys are quite labour intensive so an annual update is probably not feasible: furthermore, new development in rural areas tends to be relatively infrequent in settlements and therefore an annual update would not reflect the pace of new development in rural areas.

**Customer Comment:**

Para 5.8 of the Affordable Housing SPD states that in order 'to build up a picture of the level of housing need in rural areas, every parish in the Borough will have a Housing Needs Survey carried out and updated every 5 years to ensure that rural developments are tailored to the needs of the community.' □□We strongly support this initiative especially since many Parishes (Stapleton, Peckleton and Kirkby Mallory for example) have yet to undertake a Housing Needs Survey either as individual Parishes or collectively as a group and this fact alone will limit the prospect of delivering any affordable housing there. There are however likely to be resource implications of relying solely upon the Rural Housing Enablers (RHE) to undertake all this work without support, bearing in mind our experience that such surveys take time to prepare and consult upon before they are initiated. □□A further point is that because housing needs surveys are critical (as a first step) in achieving rural housing targets, progress towards achieving them should form part of the Council's Performance Monitoring (see below). □□Unfortunately there is inconsistency between the advice contained in the two SPD's. Para 3.14 of the Rural Needs SPD appears to introduce caveats to the objective of a 5 yearly HNS when it states that 'local Housing Needs Surveys will be carried out in all parishes in the Borough, on a rolling programme. Where possible, they will be linked to the production of a Parish Plan'. □□How is a rolling programme to be determined? A rolling programme is objectionable because it would be subject to political pressures and might well result in exacerbating the 'sustainability trap' referred to in para 2.3 whereby Parish-level Housing Needs Surveys are only undertaken in areas that are already considered 'sustainable' on other than housing grounds, i.e. in Rural Centres or Rural Villages rather than Rural Hamlets. It is essential to ensure that all Rural Hamlets have Parish-level housing needs surveys. The requirement that local housing needs surveys are contingent on the production of a Parish Plan will needlessly delay the process of identifying local needs further.□

**Council's Response:**

Agreed that capacity of Rural Housing Enabler to carry out surveys needs to be explored.□The rolling programme is to ensure that every settlement has a housing needs survey carried out, not just those settlements considered to be sustainable, as the Council wishes to build up a picture of needs across the Borough. Where possible any survey will be linked to a Parish Plan but this is not a pre requisite to the survey being carried out.□

**Total Comments of type Support : 2**

**Total Comments for this Document Section: 4**

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**Document Part:**

**No:** PARAGRAPH 6.1

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0206/10/005

**Customer Comment:**

There should be a role for Parish Councils in any negotiations.

**Council's Response:**

Parish Councils are already consultees for any planning applications in their area.

LDF\_HBBC\_AH2010/CONSUL/CU0182/11/003

**Customer Comment:**

First sentence should say 'when submitting a planning application'

**Council's Response:**

The word 'planning' to be added to the sentence.

**Total Comments of type Comment : 2**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** PARAGRAPH 6.12

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0053/10/003

**Customer Comment:**

Could the following statement please be added at this point: Where the scheme is within the area of a Parish, the Council will consult with the local Parish Council on the proposed terms of the s106 agreement and any restrictions on availability.□

**Council's Response:**

A section will be added to reflect the localism agenda. Section 106 agreements in rural areas all include a restriction that properties should be allocated in the first instance to people with a connection to the parish in which the development is sited.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 6.13

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0206/10/009

**Customer Comment:**

Parish Councils should be involved in negotiations.

**Council's Response:**

Parish Councils are already consultees for any planning applications in their area.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 6.15

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/03941/1/004

**Customer Comment:**

I would like to see some mention here of safe and secure development.

**Council's Response:**

Addition to the SPD will be made to reference "Secured by Design" and "Safer Places" in paragraph 6.15 and to require to developers to have regard to promoting developments which are safe and secure.

***Customer Comment:***

We do not have any substantive comments, but suggest that in the section on design and layout, page 14, the role that the reuse of buildings can make to the affordable housing stock, particularly in rural areas, as well as the importance of good design could be recognised. Our guidance on affordable housing and the historic environment, which could be cited in the SPD, can be downloaded using the following link: <http://www.helm.org.uk/server/show/nav.20835>

***Council's Response:***

Reference to the reuse of buildings and English Heritage guidance on AH and the historic environment will be added to the document. An annexe to the SPD will be added to give web links to useful documents from external organisations.

***Total Comments of type Comment : 2***

***Total Comments for this Document Section: 2***

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***Document Part:***

***No:*** PARAGRAPH 6.16

***Comment Type:*** Comment

LDF\_HBBC\_AH2010/CONSUL/03941/1/005

***Customer Comment:***

I would like to see mention of Secured by Design documentation and Safer Places documentation here within these paragraphs. This is extremely important to our service, protecting our communities and for the Local Authority to show that they have done all that is possible to combat crime through the process. Secured by Design carries the full support of the Homes and Communities Agency (HCA), which now incorporates what was the 'Housing Corporation'. The Housing Corporation's Design and Quality Strategy and Standards documents relate directly to Secured by Design and the 2008-2011 National Affordable Housing Programme, to which these documents relate, still exist as an HCA legacy. We would like to see reference to achieving Secured by Design Parts 1 and 2 within all new Affordable Housing Schemes submitted to Hinckley and Bosworth Borough Council.

***Council's Response:***

Rather than detail the documents in this section an annexe will be added to the document to give web links to these, and other relevant external documents.

***Total Comments of type Comment : 1***

***Total Comments for this Document Section: 1***

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***Document Part:***

***No:*** PARAGRAPH 6.18

***Comment Type:*** Comment

**Customer Comment:**

In terms of design issues, it would be helpful to recognise that tenure blindness can only be achieved to a certain extent as, for example, affordable homes will not be built with garages, and may include features not found on market dwellings, such as Secured by Design standard doors and windows. In addition, we consider that what comprises a 'small cluster' is open to interpretation; again it would be helpful to be clear what the Council consider a 'small cluster' to be. In our view, the size of a cluster should be proportionate to the size of the development. Finally, the SPD appears to introduce a requirement for all affordable housing to meet the standards set by the HCA for grant funded development, regardless of whether grant funding is obtained or not. The costs of these additional design requirements were not included in the evidence base (Three Dragons Affordable Housing Viability Assessment - AHVA) supporting the Council's Core Strategy affordable housing policies. These costs are significant and may have altered the findings of the authors of the AHVA. We consider that introducing this requirement via an SPD is not compliant with PPS12. It should therefore be deleted.

**Council's Response:**

Design and layout - Comments accepted. The document will be amended to state that as far as possible the design should be tenure blind. Small cluster - agreed that small cluster should be proportionate to size of development and may in any case be different when looking at cluster of houses and clusters of apartments. Document will be clarified by adding that clusters will usually not be more than 6 dwellings but may be varied in the case of large developments or apartment blocks. Meeting HCA standards - this section will be revised in light of the clarification that HCA Grant will not be available on section 106 sites.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 6.2

**Comment Type:** Objection

LDF\_HBBC\_AH2010/CONSUL/CU0053/10/002

**Customer Comment:**

The PC believes that these numbers refer back to Policy 16 of the Core Strategy and in turn to a government policy on housing density which has now been rescinded. The PC is concerned that these policies may now be open to challenge.

**Council's Response:**

The densities reflect those set out in the Core Strategy, Policy 16. However there is flexibility within policy 16 for negotiation on densities depending on site characteristics.

LDF\_HBBC\_AH2010/CONSUL/CU0103/8/001

**Customer Comment:**

Further to my email below. Please find a few comments from emda which i hope will prove helpful in the development of your Affordable Housing SPD. We welcome the preparation of guidance on this important issue as we recognise that the provision of affordable housing should continue to be a priority activity. On Page 11 – the thresholds table (6.2) under 'rural areas' indicates that in rural areas affordable housing will be required on a site including 4 or more dwellings. The table in paragraph 6.5 states that in rural areas the provision of affordable housing on site will be 40% (and where the calculation is not an exact number, the amount will be rounded up). The issue with this is that for any development with a minimum of 4 dwellings, there will have to be a provision of 50% affordable housing, not 40%. We think this figure should be raised to 5.

**Council's Response:**

This target complies with that set out in the Core Strategy and therefore will not be changed. However, there is flexibility within the document for developers to provide evidence that their site would not be viable at the higher percentage.

**Total Comments of type Objection : 2**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** PARAGRAPH 6.3

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0029/1/001

**Customer Comment:**

Paragraph 6.3 of the draft SPD sets out that the delivery of affordable housing is expected to be provided proportionately across each phase of development. The Council should recognise that this may not be possible in all circumstances. Certain large projects may have significant up front infrastructure costs that may make the provision of target levels of affordable housing unaffordable on early phases of development. We believe therefore the SPD should make it clear that the Council will take a more flexible approach to the delivery of affordable housing on certain projects, particularly those that are essential to the delivery of the Council's Vision and Spatial Objectives as articulated in the Core Strategy.

**Council's Response:**

It is believed that the SPD is clear that site by site negotiation is accepted.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 6.4

**Comment Type:** Objection

LDF\_HBBC\_AH2010/CONSUL/CU0716/6/001

**Customer Comment:**

Stoke Golding is deemed as a key rural area. The document targets the need for affordable housing at 40% of all new housing development of more than 4 dwellings or sites of 0.13 ha or more in rural areas. This compares with 20% on sites of more than 0.5 ha in more urban areas. I believe density at 40% has no local evidence to support this figure and will not be sustainable by developers and will result in estates of high density, poor quality housing not in keeping with the villages environment. Whilst I recognise the need for affordable housing and or housing for renting, the village has a number of properties that are rented through the private market place. I believe a target of 10 to 15% of new developments being affordable housing is more keeping with local need. All planning policies are in flux and the governments recent announcement of reduction funding for social housing will have direct effect on the future of the framework and until the changes are more clear the consultation should be held back.

**Council's Response:**

The 40% target is set with reference to the Three Dragons economic viability assessment and is contained within the adopted Core Strategy. It has therefore been subject to an Examination in Public. Whilst the target may be ambitious for some of the rural markets it should be achievable in most. The figure relates to the quantity of affordable housing on site and not to the density of the dwellings, which although the requirement has now been removed from PPS3, still forms part of policy 16 of the Core Strategy as guidance to developers.

**Total Comments of type Objection : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 6.5

**Comment Type:** Objection

**Customer Comment:**

The 40% figure for rural areas is too high and unjustified. Affordable housing is most needed where the work is. i.e. in urban areas.

**Council's Response:**

This figure is set out in the Core Strategy and agreed after being subject to an examination in public.

**Total Comments of type Objection : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 6.7

**Comment Type:** Comment

**Customer Comment:**

Paragraph 6.7 – I note that we have been mentioned to discuss any reductions in S106 agreements and this should remain within the document to ensure that we are consulted.

**Council's Response:**

No further response required.

**Customer Comment:**

Issues surround affordability in the more expensive rural locations.

**Council's Response:**

This comment is acknowledged and is reflected in negotiations with developers.

**Customer Comment:**

Targets □ We support the use of a target percentage for affordable housing and support a 20% target for the urban area (including Hinckley, Barwell, Earl Shilton and Burbage). We welcome the acknowledgement that not all sites will be eligible for the provision of affordable housing. Due to a number of reasons including location, need and financial constraints it would not be feasible to require a 40% affordable housing on all sites. □ The Council assumes that the cost of meeting affordable housing will have been reflected in the land value for housing sites (paragraph 6.7). However, given that some sites will have been purchased, or option agreements put in place, prior to the publication of this document we consider that this assumption should not be applied too rigidly.

**Council's Response:**

It is acknowledged that circumstances around the development of individual sites vary. It is believed the document is flexible enough to respond to conditions on specific sites.

**Total Comments of type Comment : 3**

**Comment Type:** Objection



**Customer Comment:**

Paragraph 6.7 of the of the draft SPD outlines in part the Council's approach to negotiating reductions in planning obligations in cases where development viability is an issue. Our principle concern is that the approach set out is effectively a new policy that should be subject to public examination given its significance, potential implications and the number of interested parties affected, in line with national policy set out at paragraph 6.1 of PPS12. Paragraph 6.7 states firstly that developers are expected to negotiate reductions in contributions with the relevant service providers and secondly that reductions in contributions should be made pro-rata. With regard to the first point, paragraph BIO of Circular 05/2005 makes it clear that the onus is on local authorities and other public sector agencies to decide what the balance of contributions made by developers should be. Whilst all parties have a role to play, we believe that, as decision maker and as the body responsible for looking after the needs of its residents, the local planning authority should take the lead role in such negotiations. With regard to the second point, this is a matter that should be discussed and agreed by the Council and the relevant public sector bodies, rather than unilaterally imposed by the Council via this SPD. Officers will be aware that this issue was the subject of much debate at the recent public inquiry relating to the Company's proposed development at Groby. Whilst the Inspector's findings in relation to these matters will inform discussions on other schemes going forward, we consider that S78 appeals are an inappropriate forum to debate these matters. The Council and affiliated public sector agencies need to decide together where their collective priorities lie in order to minimise the potential for another dispute in the future. If this cannot be done outside of a formal process, the issue can only be resolved in a fair and open matter through independent examination of a Development Plan Document setting the approach out. Attempting to deal with any disputes arising from this matter on an ad-hoc basis during S78 appeals will only result in costs and delays affecting all parties involved.

**Council's Response:**

Agreed- the document will be amended to clarify that the local authority will take lead responsibility in any such negotiations.

LDF\_HBBC\_AH2010/CONSUL/15399/1/005

**Customer Comment:**

It is the extent of the Council's "expectations" as set out in Section 6 that are at the root of my unease over the new site threshold of four dwellings. For example, paragraph 6.7 states that: " Any reductions to Section 106 contributions need to be negotiated by developers with the lead organisations involved e.g. the district, county council, PCT and the Police". That seems to me to be an unduly onerous commitment to impose on a small developer who is seeking to provide no more than 4 new dwellings.

**Council's Response:**

This is a standard procedure of the Development Control process which is applied to all sites.

**Total Comments of type Objection : 2**

**Total Comments for this Document Section: 5**

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**Document Part:**

**No:** PARAGRAPH 6.8

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0206/10/008

**Customer Comment:**

It should be clarified as referring to 'local' people. Market Bosworth Parish Council believes that if 100 houses are to be built in Market Bosworth, as per the adopted Core Strategy, and if 40% of them are to be 'affordable housing', then those 40% should be for 'local' needs as per Policy 17 Rural Needs. Policies 15 and 17 should not be mutually exclusive.

**Council's Response:**

This document relates to the supply of affordable housing across the Borough, and therefore any clarification on local connections is reflected in the Rural Needs SPD as relevant to rural sites.

**Total Comments of type Comment : 1**

**Comment Type:** Objection

***Customer Comment:***

Paragraph 6.8 states that it is important to provide a mix of affordable housing tenures. Table in Paragraph 6.12 contradicts this by not being prescriptive enough in encouraging the right mix i.e. giving priority to social rent above intermediate tenure.  
□□

***Council's Response:***

Paras 6.8 and 6.12 don't contradict each other as 6.8 is about people who cannot buy on the open market and 6.12 sets out the starting point for the proportions of affordable housing tenures.

***Total Comments of type    Objection    : 1***

***Total Comments for this Document Section: 2***

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***Document Part:***

***No:***                    PARAGRAPH 6.9

***Comment Type:***    Comment

LDF\_HBBC\_AH2010/CONSUL/CU0182/11/004

***Customer Comment:***

Not clear that considering applications on their own merits is very informative. Clear criteria should be given to enable informed decisions to be made.

***Council's Response:***

Wording to be changed to clarify that options will be considered on a site by site basis.

***Total Comments of type    Comment    : 1***

***Total Comments for this Document Section: 1***

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***Document Part:***

***No:***                    PARAGRAPH 7.10

***Comment Type:***    Objection

LDF\_HBBC\_AH2010/CONSUL/CU0835/4/004

***Customer Comment:***

Paragraph 7.10□We agree that there are circumstances in which the full affordable housing provision cannot be met. However, whilst we appreciate that a full financial appraisal would be required to justify this, we do not consider that the verification of the appraisal by an independent agent chosen by the Council should be at the developer's expense. It is the Council's role as Local Planning Authority to assess the information provided to them as part of the planning application. If there are insufficient skills in house to assess the validity of the submitted appraisals then it is the Council's role as LPA to fund the skills gap.

***Council's Response:***

To be reworded to clarify in what circumstances developers would be expected to pay for specialist advice.

***Total Comments of type    Objection    : 1***

***Total Comments for this Document Section: 1***

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**Document Part:**

**No:** PARAGRAPH 7.17

**Comment Type:** Objection

LDF\_HBBC\_AH2010/CONSUL/CU0029/1/008

**Customer Comment:**

Using affordable housing sums from a specific site for unrelated regeneration initiatives are unlikely to be compliant with the Community Infrastructure Levy Regulations 2010.

**Council's Response:**

The wording of this paragraph has been amended to clarify that the use of commuted sums for regeneration projects must contribute to the creation of mixed communities within Hinckley and Bosworth. This conforms with the requirement of PPS3 and as such is therefore CIL compliant.

**Total Comments of type Objection : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 7.2

**Comment Type:** Objection

LDF\_HBBC\_AH2010/CONSUL/CU0029/1/005

**Customer Comment:**

Paragraph 7.2 suggests that nomination rights to affordable housing will be dealt with in agreements between the Council and RSLs separate from the S106 agreement that provides for its delivery. This is unacceptable to the Company — we require nominations procedures to be part of any S106 agreement that we enter into for certainty and control purposes.

**Council's Response:**

Nomination agreements are not normally part of a section 106 agreement but negotiated separately between the Council and individual RSLs and set out in a nominations agreement. — this may change with the introduction of Choice Based Lettings where many RSLs will have shared lists with the Council.

**Total Comments of type Objection : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 7.22

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0206/10/011

**Customer Comment:**

The figure of 26 Gypsy / Traveller sites should be reduced by the number of sites that have been unofficially established, such as at the "Good Friday" site.

**Council's Response:**

A sentence will be added to clarify that any new provision will take into account any provision made since the Survey was completed. However, the Good Friday site did not supply any affordable pitches.

***Customer Comment:***

I am pleased to see a reference to Gypsy and Traveller provision in this document and welcome that consideration has been given to the delivery of new sites. However Gypsy and Traveller provision should not be included under Supported Housing as it is not to meet the needs of a group who "need assistance to be able to live independently". Gypsy and Traveller provision should be included under a separate heading to avoid confusion and potential offence. In addition, including Gypsy and Traveller sites with Supported Housing provision is confusing as it is not clear if all references to Supported Housing are also references to Gypsy and Traveller provision. For example, where section 106 agreements are concerned; in relation to the standards of construction (e.g. energy efficiency); and distribution of sites in new development. In the case of Gypsy and Traveller pitch provision, there are also other methods of affordable pitch delivery which could be considered. The organisation Friends, Families and Travellers have suggested investigating the following mechanisms for delivering affordable sites and pitches, and which we agree should be considered:

- Sites funded from planning obligations, developer contributions or public funding sources, developed on a self-build basis by the site residents.
- Land ownership could be vested in a housing association or another body with the residents paying ground rent on long leases or using a rent to buy arrangement with the ultimate aim of ownership.
- Land developed and managed by housing association, council or other RSL with residents as tenants in perpetuity.
- Shared ownership schemes paralleling those in operation in housing schemes

***Council's Response:***

Agreed that the section on Gypsies and Travellers will follow the section on supported housing and not be included in it. An addition to the new section on Gypsies and Travellers will be made to mention the mechanisms recommended by FFT.

***Total Comments of type Comment : 2***

***Total Comments for this Document Section: 2***

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***Document Part:***

***No:*** PARAGRAPH 7.25

***Comment Type:*** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0687/1/004

***Customer Comment:***

Para 7 deals with monitoring of the effectiveness of the SPD. In the light of the importance being attached in both SPD's to Housing Needs Surveys, it would be useful to have an addition to the list of local indicators on the following lines:

- The number and Parish location of Housing Needs Surveys carried out and updated annually to ensure that rural developments are tailored to the needs of the community.

***Council's Response:***

Agreed that the production of Housing Needs Surveys will be added to local indicators and progress will be published on the Council's website.

***Total Comments of type Comment : 1***

***Total Comments for this Document Section: 1***

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***Document Part:***

***No:*** PARAGRAPH 7.5

***Comment Type:*** Comment

**Customer Comment:**

Paragraph 7.5 will need to be amended to account for the fact that the Tenant Services Authority is to be abolished.

**Council's Response:**

Agreed . Document will be revised now it is confirmed that the TSA is being abolished.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 7.6

**Comment Type:** Comment

**Customer Comment:**

Questions remain over the economic viability of the provision of affordable housing in Market Bosworth where land prices are high.

**Council's Response:**

This may be true but is not appropriate for addition to this document.

**Total Comments of type Comment : 1**

**Comment Type:** Objection

**Customer Comment:**

We do not consider it appropriate for a developer to have to fund an additional viability appraisal if it has submitted the required evidence which has been inputted through the Council's toolkit — there should be no dispute having gone through this process. Our comments with regard to the Council's proposed approach to negotiating reductions in affordable housing and S106 contributions are set out above.

**Council's Response:**

This paragraph to be amended to clarify that developers will not be expected to pay for a viability assessment but may need to pay for specialist analysis of information submitted.

**Customer Comment:**

The scale of affordable housing that can viably be provided on any site will fall to be determined by a detailed development appraisal. All sites will vary in this regard. This is acknowledged in the SPD in terms of the reference to viability appraisals (para 7.6 et seq). However, no evidence is advanced to justify the site size threshold of 15 dwellings or more and sites of 0.5 ha or more in urban areas and sites of 4 dwellings or more and 0.13 ha or more in rural areas. Viability is, in art, a reflection of economies of scale and the above thresholds are supported by no evidence to support the implication that sites in rural areas are considerably cheaper to develop than sites in rural areas. It is considered that the adoption of such low thresholds in rural areas is unrealistic and will not secure the increased scale of provision required to meet rural housing needs.

**Council's Response:**

The targets were set with reference to the Three Dragons Economic Viability Assessment. Evidence for these is not given in this document as they as they were set out in the Core Strategy and as such subject to an examination in public which accepted the targets.

**Total Comments of type Objection : 2**

**Total Comments for this Document Section: 3**

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**Document Part:**

**No:** SECTION 2

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/15399/1/001

**Customer Comment:**

Sections 2 and 3 of the SPD are very helpful; though I think that, since Core Strategy Policies 15,16 and 17 have already been decided as part of the higher level document, they should have been set out in full in paragraph 3.11. These three policies set the context and foundation for the rest of the Document so I consider the current draft of 3.11 to be inadequate.

**Council's Response:**

Policies 15,16 and 17 of the Core Strategy are summarised here. The full versions can be found in the Core Strategy. No further reference will be added to avoid duplication as the explanation/ justification is set out in the Core Strategy and has been subject to Examination in Public.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** SECTION 4

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/15399/1/002

**Customer Comment:**

Section 4 is an excellent summary of the Local Strategy; and the first four paragraphs of section 5 give a good summary of the evidence base. I find paragraph 5.5 to be deficient in comparison, however. The drastic reduction in the site threshold from 25 to 4 in rural areas is neither explained nor justified in any detail. My personal view is that the thresholds for sites in Rural Areas should be 6 dwelling or more, or sites of 0.2 ha or more. I have a similar reservation about paragraph 6.5 where the onsite target for the provision of affordable housing in all sites in rural areas is 40%; whereas I would consider 33% to be more appropriate. I recognise these decisions have been made; but suggest that a little more explanation/ justification would not come amiss.

**Council's Response:**

The site thresholds are set out in the Core Strategy and were subject to Examination in Public. To avoid duplication, it is not appropriate to add anything further in this SPD regarding the setting of the targets. The rural target prior to this document was 6 dwellings and not 25 and therefore was not a great a differential as suggested.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** SECTION 7

**Comment Type:** Comment

LDF\_HBBC\_AH2010/CONSUL/CU0182/11/005

***Customer Comment:***

Given the parallel publication of the Rural Needs SPD, it should be made clear whether this SPD and this section in particular covers the whole Borough or just the non- rural parts.

***Council's Response:***

A paragraph will be added at the beginning of the document to make it clear that this document applies to all areas of the Borough.

***Total Comments of type Comment : 1***

***Comment Type:*** Objection

LDF\_HBBC\_AH2010/CONSUL/15399/1/006

***Customer Comment:***

Following my earlier comment on Paragraph 6.7 and Section 106 contributions, I similarly find some of the detailed expectations set out in section 7 of the draft SPD to be unduly onerous for a small developer seeking to provide 4 dwellings. I am referring in particular to the detailed negotiations that could flow from the rigid application of Key Policy Principles AH\$, AH5, AH6 and AH7.

***Council's Response:***

Section 7 of the SPD is meant to provide as much clarity and guidance for developers as possible. Any developer, large or small, is welcome to approach the Council where there are particular issues with a specific development and those issues can be evidenced.

***Total Comments of type Objection : 1***

***Total Comments for this Document Section: 2***

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# ***LDF Document Comment and Response Report***

## ***Rural Needs***

### ***Document Part:***

***No:***

### ***Comment Type:***

LDF\_HBBC\_RNSPD/CONSUL/CU0800/3/001

### ***Customer Comment:***

It is not clear how the above SPD relates to Gypsy and Traveller site provision. Given that many Gypsy and Traveller sites come forward as exception sites in rural locations it would be useful to have a clear explanation as new pitch provision is considered in the Affordable Housing SPD consultation document.

### ***Council's Response:***

The Council has no experience of Gypsy and Traveller sites coming forward as exception sites. However the document will be amended to acknowledge this possibility and to treat affordable Gypsy and Traveller sites on an exception site in the same way as all other affordable housing exception sites.

LDF\_HBBC\_RNSPD/CONSUL/CU0310/13/001

### ***Customer Comment:***

Thank you for your letter of 7 October consulting The Theatres Trust on two supplementary planning documents for Affordable Housing and Rural Needs. □□ □□ The Theatres Trust is The National Advisory Public Body for Theatres. The Theatres Trust Act 1976 states that 'The Theatres Trust exists to promote the better protection of theatres. It currently delivers statutory planning advice on theatre buildings and theatre use through the Town & Country Planning (General Development Procedure) (England) Order 2010 (DMPO), Articles 16 & 17, Schedule 5, para.(w) that requires the Trust to be consulted by local authorities on planning applications which include 'development involving any land on which there is a theatre.' □□ □□ Due to the specific nature of the Trust's remit we are concerned with the protection and promotion of theatres and as these consultations are not directly relevant to the Trust's work, we have no comment to make but look forward to being consulted on further LDF documents and the planning application for improvement works to the Concordia Theatre. □□

### ***Council's Response:***

No response required.

***Total Comments of type : 0***

***Total Comments for this Document Section: 2***

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### ***Document Part:***

***No:*** GENERAL

***Comment Type:*** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0190/3/001

### ***Customer Comment:***

it is not clear how changes in national planning legislation will affect these documents. Do the minimum housing density requirements of policy 16 of the Core Strategy still apply □

### ***Council's Response:***

The densities reflect those set out in the Core Strategy, Policy 16, which are still relevant policy. However there is flexibility within policy 16 for negotiation on densities depending on site characteristics.



LDF\_HBBC\_RNSPD/CONSUL/CU0151/5/001

***Customer Comment:***

The Supplementary Planning Documents currently under consultation are not expected to have a significant bearing on the operation of the Strategic Road Network. As such the HA has no particular comments to make. Furthermore, I have received paperwork from the Planning Inspectorate regarding the AAP Inquiry, and will be relying on my previous written representations to set out the HA's position to the Inspector.

***Council's Response:***

No response required.

LDF\_HBBC\_RNSPD/CONSUL/CU0053/11/001

***Customer Comment:***

1. Carlton Parish Council (the PC) strongly supports this document, the analysis within it of current problems in the rural housing market, and the policies which seek to address them.    2. The PC is concerned that changes in national planning legislation may undermine the LDF and this SPD, and leave parts of them open to challenge. In particular, do the minimum net density requirements of Policy 16 of the Core Strategy still apply?

***Council's Response:***

The document will be revised to reflect any changes in policy which have occurred since the SPD was drafted. The Core Strategy minimum net densities are current adopted policy and still apply.

LDF\_HBBC\_RNSPD/CONSUL/CU0300/7/001

***Customer Comment:***

Thank you for consulting the Coal Authority on the above.   Having reviewed your document, I confirm that we have no specific comments to make on the document at this stage.

***Council's Response:***

No response required

LDF\_HBBC\_RNSPD/CONSUL/CU0691/1/018

***Customer Comment:***

We understand that rural broadband is a critical issue with rural parts of Hinckley and Bosworth. Consideration should be given to either include a policy which will support connectivity improvements or ensure that reference is made within an early section. The Rural Needs SPD needs to fit within a wider framework of support for rural communities. As I understand LDFs have a requirement to consider infrastructure improvements as part of spatial planning policy. In addition, a wider consideration of rural needs will inform the Borough's planning decisions.

***Council's Response:***

Comments noted. Broadband reference will not be added as it is not a planning issue.

LDF\_HBBC\_RNSPD/CONSUL/CU0306/10/001

***Customer Comment:***

On this occasion the Trust has no particular comments that it wishes to submit, nonetheless we are grateful to have been notified and confirm that we do wish to remain on the Council's consultation database.

***Council's Response:***

No response required.

LDF\_HBBC\_RNSPD/CONSUL/CU0067/2/001

***Customer Comment:***

Thank you for sending through to me the LDF consultation - Affordable Housing SPD and Rural Needs SPD and giving Severn Trent Water the opportunity to engage in the process. However, Severn Trent Water have no comment to make on this matter.

***Council's Response:***

No response required.

LDF\_HBBC\_RNSPD/CONSUL/CU0449/2/004

***Customer Comment:***

I am pleased to see that the Rural Housing Enabler is a key partner in carry out Housing Needs Surveys and facilitating development progress. I hope that this means that H&BBC will continue to be a valued financial contributor to the LRRHE post. □ □□

***Council's Response:***

Comments noted.

LDF\_HBBC\_RNSPD/CONSUL/CU0319/4/001

***Customer Comment:***

You recently sent a letter to our Director, Suzanne Boardman offering her the chance to comment on two documents, the Affordable Housing Supplementary Planning Document and the Rural Needs Supplementary Planning Document.□□□  
□□Unfortunately, Mrs Boardman has not been able to comment as her schedule has simply not allowed the time for her to review these documents fully. She sends her apologies. However, if there is something specific you would like Mrs Boardman or Twycross to comment on please do come back to us.□□ □□

***Council's Response:***

No response required.

LDF\_HBBC\_RNSPD/CONSUL/CU0467/4/001

***Customer Comment:***

It is considered the policy framework set out in the Rural Needs SPD fails to address the issue of rural housing provision in a sufficiently robust manner. Given the broader economic considerations bearing on residential development at present and for the foreseeable future, the threshold for 40% affordable housing provision to be provided on sites of 4 or more dwellings or sites of 0.13 ha in rural areas is considered unrealistic and in practice unattainable. At a time of significant economic and financial constraint, it is considered that to reduce thresholds to these levels is futile and threatens to perpetuate the position acknowledged in the SPD where no affordable housing has been provided in rural areas over the last 10 years via section 106.□□In order to overcome this constraint a more pragmatic approach needs to be adopted, which seeks to promote the provision of affordable housing in rural areas in tandem with open market housing but on a basis where each application is considered on its own merits, having regard to viability considerations that are clearly and transparently demonstrated via the submission of development appraisals.

***Council's Response:***

Whilst this is something that has been suggested in The Localism Bill, it has not yet been adopted, therefore it is not appropriate to make alterations to the SPD at this time.

LDF\_HBBC\_RNSPD/CONSUL/CU0111/14/002

***Customer Comment:***

As in the case of the Affordable Housing SPD, our affordable housing guidance is□relevant and also our guidance on the conversion of traditional farm buildings:□<http://www.helm.org.uk/server/show/nav.19599>

***Council's Response:***

Links to the relevant documents will be in an annexe at the end of the SPD.

LDF\_HBBC\_RNSPD/CONSUL/CU0449/1/004

***Customer Comment:***

I am pleased to see that the Rural Housing Enabler is a key partner in carry out Housing Needs Surveys and facilitating development progress. I hope that this means that H&BBC will continue to be a valued financial contributor to the LRRHE post. □ □□Once again, LRHA fully support the SPD. In these changing times the approach to assessing and delivering affordable rural housing is ever changing but hopefully this document will help to have a positive impact.□□

***Council's Response:***

Duly noted.

LDF\_HBBC\_RNSPD/CONSUL/CU0116/8/001

***Customer Comment:***

Thank you for consulting us on the above planning documents, received with your covering letter dated 7 October 2010, to which we have no representations to make.

***Council's Response:***

No response required.

LDF\_HBBC\_RNSPD/CONSUL/CU0647/4/001

***Customer Comment:***

Thank you for your letter dated 7 October 2010 notifying the Authority of the Hinckley & Bosworth Borough Council above consultations and inviting comments. Nottinghamshire County Council welcomes the opportunity to comment and have read the documents with interest. The County Council does not have any comments to make on these documents. I would be grateful if you would keep us informed on the progress of the Core Strategy.

***Council's Response:***

No response required.

LDF\_HBBC\_RNSPD/CONSUL/CU0868/6/001

***Customer Comment:***

In the Rural Needs document various restrictions of ownership are envisaged so that local people are not forced out. (One newspaper this week called the present situation in rural areas "apartheid") Would such proposed restrictions survive an individual legal challenge on the basis of discrimination?

***Council's Response:***

The use of local connection policies have to be carefully balanced to ensure that they do not unnecessarily discriminate against sections of the community. However the use of a local connections policy for rural sites is accepted by government guidance and therefore should survive any legal challenge.

**Customer Comment:**

I write as MD of a small/medium sized local development company whose principle area of operation is Leicestershire and Warwickshire. We have completed several well received development projects within the Borough over the past decade. These include Manor View Sibson (5 units), San Giovanni restaurant formerly the Kingfisher, Norton Juxta Twycross (3 units), The Cedars at Barwell (24 units) and currently Orton Close Carlton (12 units). We have always sought to foster a constructive and progressive relationship with the local authority and we hope to play a small but significant role in the development of quality sites in the future, with special reference to the more rural villages. In light of the recent committee decision to resist officers recommendations for development on land owned by the Flude family adjacent to Hinckley Golf Club. Our observations and comments may be more relevant once there is more clarity on the issue of housing allocations and provision for the Borough. No doubt several major developers will be challenging the councillor's stance in the near future. This process will obviously lead to great expense for all parties who choose to engage in this litigious exercise. In the current climate of fiscal prudence our company will remain as an observer and try to promote our land bank via policy in light of the inevitable appeals that will be contested. In general terms we see the emerging issues can be categorised into three basic areas: Land Supply In these difficult times there is some limited land availability in rural locations, but affordable units are going to struggle to find funding as government quangos are closed down and funding cut by up to 60%. As banks begin to force liquidations numerous unfinished sites and flat projects in urban areas will come to the market and may well form part of the future social housing stock. In the rural areas we are hoping to promote special exemption sites linking a number of open market homes as enabling development to fund the social housing need. We hope to form our own RSL as "Springbourne Rural Homes" to build 6 units on a site at Sheepy Magna with fourteen open market homes on an adjacent site. Local Enterprise Partnerships. Obviously the emerging Local Enterprise Partnerships (LEPs) will have a bearing on the appetite in communities for various types of development. The government is looking to drive a bottom up revolution with the LEP having more opportunity to react to local diversity. The entire new Localism agenda may place the balance of power increasingly into the hands of parish councillors. This will promote some rural developments and stifle others. At Springbourne we would hope to work with specific parishes to address local needs to build sustainable communities. In Sheepy Magna this would take the form of six rural social homes, but we are also aware of the need to rebuild the changing rooms on the community playing fields which were damaged beyond repair in a fire some years ago. Planning With the demise of Regional Spatial Strategies and housing targets, the commonly held view is that planning authorities will tend to react a lot more sympathetically to local pressure groups than they would have. If the overall goal is to give communities a stake in improving their facilities (the essence of localism) we will need to establish a climate where the community does not see planning and development as something that is imposed upon them. It will be far better that a community can recognise the wider benefits of collaboration with developers to achieve the desired local improvements. Essentially all stakeholders need to work in collaboration with transparency to realise the benefits that can accrue from the right development in the rural environment. At Springbourne we will continue to work with the local community and parish councillors to provide relevant solutions to community needs in constructive 106 agreements. We hope to embrace the potential new era of localism and feel that smaller local companies such as our own will be well placed to work with our local community.

**Council's Response:**

No comment required - not relevant to the document.

**Total Comments of type Comment : 16**

**Comment Type:** Objection

LDF\_HBBC\_RNSPD/CONSUL/CU0056/13/001

**Customer Comment:**

Our representations on this SPD are much the same as those for the Affordable Housing SPD. We consider that it should be withdrawn for the same reasons as explained above with regards to our comments on the Rural Needs SPD. In the current climate there is little likelihood of rural affordable homes being built on rural exception sites. A fundamental question still needs to be addressed - how is HBBC to meet its huge shortfall in rural affordable housing discussed at the public examination into the Core Strategy, estimated at 50+per annum. This SPD is not the answer, or even part of it.

**Council's Response:**

It is not intended to withdraw this SPD as it is important to provide clarity and guidance on the Council's approach to meeting the needs in rural areas. It is agreed that changes have taken place since the drafting of this document that need to be incorporated within the SPD. These changes do not affect the overall direction of the SPD but will ensure that policies are up to date.

**Total Comments of type Objection : 1**

**Comment Type:** Support

**Customer Comment:**

That said, we see great merit in your new approach to Rural Exception Sites. Such sites, supported by local choice, will almost certainly become more prevalent with the emerging Localism Agenda. Accordingly, we support the thinking behind Key Policy Principles RN3 - RN11. Finally, we welcome the commitment (in section 7) to annual monitoring of the impact and effects of the policies set out in this important Supplementary Planning Document on Rural Needs.

**Council's Response:**

Duly noted.

**Total Comments of type Support : 1**

**Total Comments for this Document Section: 18**

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**Document Part:**

**No:** GLOSSARY

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0691/1/017

**Customer Comment:**

We suggest including the term "commuted sums". Local Development Document should be amended to Framework. Should any legislation pertaining to Local Housing Trusts be referred to

**Council's Response:**

Changes made as suggested.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** KPP RN1

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0449/1/001

**Customer Comment:**

The local connection criteria usually includes a section for those who are in full time employment in the Parish. This is something you may wish to consider including

**Council's Response:**

Policy includes people who have permanent employment in the parish.

**Total Comments of type Comment : 1**

**Comment Type:** Objection

**Customer Comment:**

Our client supports many of the principles contained within the Rural Needs Supplementary Planning Document, particularly in relation to the aims of the SPD, which seek to avoid the 'sustainability trap', provide mixed rural communities, and provide support the rural economy and existing services. In terms of promoting housing development in rural areas, the contrast in the strategic interpretations of "rural sustainable development" arises with regard to the problem of meeting rural housing needs. On the one hand, there is conclusive evidence of a severe shortage of affordable housing in rural communities which is not only creating hardship and social injustice, but also undermines the Governments' aim of creating mixed communities of income and occupation; and to meet the needs of key workers such as teachers, health workers and others to live close to their work. On the other hand planning policies are generally very restrictive in rural areas in order to protect the countryside, reduced car journeys to urban centres and concentrate new housing near urban services. New housing schemes tend to be limited to small exception sites for "affordable housing" on the edge of villages which usually involve complex and time consuming procedures. Mixed market and affordable housing developments tend to be limited to larger villages and market towns, for the same reason. The result is that many thousands of small villages risk being condemned to virtual stagnation, affluent but aging ghettos, far from the sustainable, mixed communities which the Government seeks to foster. In our view there is a conflict between the needs to meet the social and economic requirements and sustainability of rural communities through the provision of affordable housing, as expressed by PPS3; and the general planning policy of concentrating development in urban areas in order to minimise travel carbon emissions; both approaches are claiming justification on sustainability grounds. Our view is that we support urban regeneration and the benefits which well planned towns and cities can provide in terms of employment, entertainment, culture and services etc but that rural communities have much to offer to for example potential for good community life and attractive environment. Moreover, we can test the notion that urban areas are more sustainable than rural. On the contrary, research indicates that many urban locations do not score well on many sustainability counts, for example commuting from edge of town estates, and that both rural and urban communities need to address the question of how they can become more sustainable rather than writing off many smaller villages.

/3 In terms of Key Policy Principles RN1: Local Connection, providing the affordable housing to 'local people in perpetuity' could adversely limit the labour market and prevent sustainable growth within the local area, although it is acknowledged that allowances are made to market the properties to people connected to the Borough within 3 months, this is felt to be a particularly onerous and unachievable in the current property market.

**Council's Response:**

It is felt that this policy would support the labour market as it would allow the low waged working in rural areas to live close to their employment. This also reduces commuting from towns to rural areas and helps promote sustainable communities by improving the mix of housing in rural areas rather than becoming commuter villages for the wealthy.

**Total Comments of type *Objection* : 1**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** KPP RN10

**Comment Type:** Support

LDF\_HBBC\_RNSPD/CONSUL/04533/3/004

**Customer Comment:**

Policy RN10 seeks to support small 'home based' businesses, which is also supported by our client; particularly in relation to the conversion or extension of existing buildings.

**Council's Response:**

Duly noted.

**Total Comments of type *Support* : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** KPP RN2

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0182/13/004

**Customer Comment:**

RESs "will be on land that would not normally be allowed for housing developments". The policy should be clearer on the types of constraint that may allow a RES, where normal housing would not be permitted; sites not normally allowed due to policy constraints, rather than physical constraints (e.g. flooding and highways issues).

**Council's Response:**

Agreed - the section will be amended to clarify that the sites relate to policy restraints rather than physical restraints - for example sites outside the settlement boundary but on a flood plain.

LDF\_HBBC\_RNSPD/CONSUL/CU0111/14/001

**Customer Comment:**

It is important that even where rural exception sites are proposed, they should take account of the provisions of PPS 5 and any Conservation Area Appraisals/ Management Plans, Village Design Statements or Parish Plans.

**Council's Response:**

This section will be clarified to show any Rural Exception Site will be in sympathy with PPS5 and any local policies and plans.

LDF\_HBBC\_RNSPD/CONSUL/CU0467/4/002

**Customer Comment:**

In order to have any realistic prospect of delivering the scale of affordable housing provision required, planning applications on non-allocated sites on land outside of village boundaries but contiguous with them should be received positively, provided that affordable housing is included as part of the overall development proposed. This approach would mirror that contained in KPP RN2, save that it would not be limited to sites providing exclusively for affordable housing and by definition would not comprise land on which housing development would not normally be permitted. The open market housing would therefore act as the enabling or delivery mechanism for the rural needs housing. The SPD should therefore be amended by the introduction of a new key policy principle relating to non-allocated sites to be read in conjunction with those key policy principles related to rural exception sites. The latter would provide that residential development would be permitted on sites within or adjoining existing settlements where such schemes provide for the provision of affordable housing to meet local needs. The scale of local needs housing required will be determined by local housing needs surveys and other relevant data and will be delivered in association with open market housing of a scale sufficient to ensure the delivery of the scale of rural needs housing required having regard to considerations of economic and commercial viability.

**Council's Response:**

This is outside the scope of this document as sites for development are considered in the Site Allocations Development Plan Document.

LDF\_HBBC\_RNSPD/CONSUL/14036/1/001

**Customer Comment:**

As the sites would not normally be considered suitable for development, NE may wish to be assured that natural assets will be adequately protected. In particular, policies in the core strategy, protecting nature conservation should be given significant weight and nature conservation interests (especially local designations) should not be overridden because of the need for affordable housing. NE would urge the Council to work proactively in partnership with Parish Councils to ensure selected sites avoid harm to biodiversity and where possible enhance wildlife habitats. Where exceptionally mitigation is required to off set any harm to environmental interests then this should lead to an overall gain in biodiversity. NE would be happy to provide advice on exceptions sites on an informal basis.

**Council's Response:**

Protection to existing natural assets is set out in the Core Strategy.

**Total Comments of type Comment : 4**

**Comment Type:** Objection

***Customer Comment:***

In terms of Key Policy Principles RN2: Rural Exception Sites and RN3: Restrictions on Rural Exception Site, the provision of Rural Exceptional Sites for Housing are supported by our client, however we feel that the definition of rural exception sites would limit potential sites coming forward, and therefore limit the level of affordable housing provision. It is specifically felt that marketing the sites for local people in perpetuity is unachievable and unrealistic in this context. Notwithstanding this, the provision of a Housing Needs Survey would be supported and provide developers with an idea of the level of demand without the need for expensive research to be duplicated. □□ In relation to local choice market housing, it is considered that a housing needs survey will provide an insight in to the needs of the local people; it will then be possible to deliver these requirements to the local area. □□

***Council's Response:***

This policy should not adversely affect the amount of affordable housing coming forward as it would be in addition to, not instead of, dwellings coming forward under section 106 agreements.

***Total Comments of type Objection : 1***

***Total Comments for this Document Section: 5***

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***Document Part:***

***No:*** KPP RN9

***Comment Type:*** Comment

LDF\_HBBC\_RNSPD/CONSUL/14036/1/002

***Customer Comment:***

NE would generally support the principle of providing local employment and services. We note that policy encourages the reuse of existing buildings and would comment that such rural buildings may well have protected species present and development proposals are likely to require protected species surveys as supporting evidence. □ NE supports the inclusion of multifunctional Green Infrastructure for recreation and access purposes as well as biodiversity enhancements. We advise that NE Accessible Natural Greenspace Standards (ANGst) are applied to new housing development. □

***Council's Response:***

Consideration of any planning application relating to alteration of existing buildings will require consideration of any protected species.

***Total Comments of type Comment : 1***

***Comment Type:*** Support

LDF\_HBBC\_RNSPD/CONSUL/04533/3/003

***Customer Comment:***

Key Policy Principle RN9 'Small Business Units' is seen as a positive policy to both encourage economic growth as well as making effective use of land and redundant buildings, which our client supports.

***Council's Response:***

Duly noted.

***Total Comments of type Support : 1***

***Total Comments for this Document Section: 2***

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***Document Part:***

***No:*** PARAGRAPH 2.2



**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0691/1/002

**Customer Comment:**

It is unclear how the policies contained within the Rural Needs SPD directly relate to each of the Core Strategy policies included in 2.2. For example, will the RES policy be relevant to Policy 7: Key Rural Centres?

**Council's Response:**

References to the Core Strategy policies are those relating to the SPD as a whole. Not all policies will relate to all parts of the SPD.

LDF\_HBBC\_RNSPD/CONSUL/CU0053/11/002

**Customer Comment:**

The PC considers that this list should include Policy 16, as this underpins the requirements set out in Policy 15 and paras 4.10-4.15.

**Council's Response:**

Policy 16 to be included.

**Total Comments of type Comment : 2**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** PARAGRAPH 2.5

**Comment Type:** Support

LDF\_HBBC\_RNSPD/CONSUL/15399/2/001

**Customer Comment:**

We fully support the SPD's aim as set out in paragraph 2.3 and warmly welcome the statement set out in paragraph 2.5 that "There will be few villages where no development at all will be permitted, but it is important to ensure any development will be proportionate to the size of the settlement and will meet a clearly identified local need." As you say, the overarching vision of sustainable development was set out succinctly in 2005 in PPS1 as: "Development that meets the needs of the present without compromising the ability of future generations to meet their own needs."

**Council's Response:**

Duly noted.

**Total Comments of type Support : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 3.13

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0206/11/001

**Customer Comment:**

The variance between 40 – 50 units is 25%. This is too vague.

**Council's Response:**

Unable to change this as it is the evidence supplied in the Strategic Housing Market Assessment.

*Total Comments of type Comment : 1*

*Total Comments for this Document Section: 1*

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**Document Part:**

**No:** PARAGRAPH 3.14

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0687/2/001

**Customer Comment:**

Unfortunately there is inconsistency between the advice contained in the two SPD's. Para 3.14 of the Rural Needs SPD appears to introduce caveats to the objective of a 5 yearly HNS when it states that 'local Housing Needs Surveys will be carried out in all parishes in the Borough, on a rolling programme. Where possible, they will be linked to the production of a Parish Plan'. □□How is a rolling programme to be determined? A rolling programme is objectionable because it would be subject to political pressures and might well result in exacerbating the 'sustainability trap' referred to in para 2.3 whereby Parish-level Housing Needs Surveys are only undertaken in areas that are already considered 'sustainable' on other than housing grounds, i.e. in Rural Centres or Rural Villages rather than Rural Hamlets. It is essential to ensure that all Rural Hamlets have Parish-level housing needs surveys. The requirement that local housing needs surveys are contingent on the production of a Parish Plan will needlessly delay the process of identifying local needs further. □

**Council's Response:**

The rolling programme is to ensure that every settlement has a housing needs survey carried out, not just those settlements considered to be sustainable, as the Council wishes to build up a picture of needs across the Borough. Where possible any survey will be linked to a Parish Plan but this is not a pre requisite to the survey being carried out. □As stated, a Housing Needs Survey will be carried out on a rolling programme. Once the programme has been devised, it will be circulated to Parish Councils for their comments, then published on the Council's website, so that residents will know when their survey is due. It is anticipated that all Parish Councils will be interested in participating in the survey. Results of the survey will not automatically result in the identification of a Rural Exception site as it does currently, as the survey is to build up a picture of need for affordable and market housing and therefore will inform section 106 agreements. However if there is a need for affordable housing community support for a site will be sought, preferably with the Parish Council's support. The community itself, meanwhile, may be able to initiate its own site through the Right to Build legislation. □

LDF\_HBBC\_RNSPD/CONSUL/CU0206/11/002

**Customer Comment:**

It is stated that Housing Needs Surveys will be carried out in all parishes on a rolling □□programme. These should have been carried out before the targets were set because □□they may reveal a different picture. □□It is important that Local Housing Needs surveys for housing in Market Bosworth should primarily reflect the views of Market Bosworth residents i.e. generic surveys are not relevant across the whole of the Borough. If a survey is carried out, it is essential that the findings are accurate and that an appropriate response is formed. Market Bosworth Parish Council believes that 100 houses projected for Market Bosworth is excessive, especially when considering that in 2007 it was stated that to maintain the existing population level the number of dwellings required would actually be -44. (LDF Core Strategy Preferred Options (September 2007), Appendix 3, Rural Housing Figures) □

**Council's Response:**

Housing Need Surveys will be done by parish or settlement in order to best reflect the needs of that community. Housing Needs Surveys are currently being carried out but on a more ad hoc basis, and the decision to survey all settlements is a reflection of the need to gather more information to better inform future policy.

***Customer Comment:***

The proposal to undertake a HNS within all parishes is a significant commitment. It would be worth considering how these will be prioritised based on anticipated ability to deliver and need. This is especially important in view that a HNS has a limited shelf life. The Council should give careful consideration to how it will resource this commitment. We welcome the premise that HNSs are more effective if undertaken following a parish or community-led plan. The Council should work closely with the Rural Community Council, who help support communities develop such plans. The trust of Parish Councils through the process is essential. They need to be an active, informed and valued partner. Effort should be made to use Members more effectively to support proposed schemes. District and County members should work closely to help articulate the need and help broker solutions.

***Council's Response:***

Resourcing of this commitment is still under consideration by the Council. However it is felt important to carry out these surveys concentrating first on settlements where no information on need exists (for example, where there is currently no Council housing stock and therefore no waiting list information).

***Total Comments of type Comment : 3***

***Comment Type:*** Support

***Customer Comment:***

The use of the parish plan process to identify the need for affordable housing is welcomed. The use of the Rural Housing Enabler is also welcomed, but financial support is required to ensure the role is retained.

***Council's Response:***

Duly noted.

***Customer Comment:***

As we said in our response to the draft Affordable Housing SPD (dated 26 October) we are very pleased indeed to see your commitment to carrying out local Housing Needs Surveys in all parishes in the Borough. We see this as a very significant step forward, especially if - as suggested in paragraph 3.14 of this draft SPD - these become linked to the production of parish plans wherever possible. Such Plans would undoubtedly enhance the chances of delivering the intent behind Key Policy Principles RN1 and RN2.

***Council's Response:***

Duly noted.

***Total Comments of type Support : 2***

***Total Comments for this Document Section: 5***

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***Document Part:***

***No:*** PARAGRAPH 3.5

***Comment Type:*** Comment

***Customer Comment:***

Mention should be made of the significance of dispersed countryside recreation activities such as walking, cycling and fishing. The PC suspects that these attract as many visitors as more formal (and easily monitored) visitor sites. □

***Council's Response:***

Agreed. A sentence will be included to indicate the importance of such activities.

**Customer Comment:**

The list does not include informal recreation activities in the open countryside which attract significant numbers of visitors.

**Council's Response:**

Reference to informal open space to be added.

**Total Comments of type Comment : 2**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** PARAGRAPH 3.7

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0053/11/004

**Customer Comment:**

It would be useful to list or mention those proposals most relevant to this SPD.□

**Council's Response:**

Consideration will be given to the relevance of the Matthew Taylor report given the proposed Government Localism Bill.

LDF\_HBBC\_RNSPD/CONSUL/CU0691/1/003

**Customer Comment:**

The status of the consultation document released under the last government to consider how landowners could be encouraged to come forward with development sites is uncertain. Recent announcements have focussed on supporting farmers to provide affordable rural housing through the conversion of redundant farm buildings. I assume that legislation would be required to make such provision. Reference is made to the Rural Masterplanning Fund. It should be noted that no Leicestershire authorities secured funding.

**Council's Response:**

This paragraph is to be revised as much of the content has been superseded by new Government policy. A section will also be added to outline policy which has been formulated since the document has been drafted.

**Total Comments of type Comment : 2**

**Comment Type:** Support

LDF\_HBBC\_RNSPD/CONSUL/CU0691/1/001

**Customer Comment:**

We welcome the addition of the Rural Needs SPD to the suite of LDF documents to help ensure sustainable rural communities within Hinckley and Bosworth.□□Within paragraph 3.7 reference is made to Matthew Taylor's important Living, Working Countryside report. We welcome Hinckley and Bosworth's positive response to this document. The Council's understanding of the issues presented and the efforts made to incorporate the principles within the LDF. We suggest that this should be shared with other district councils in Leicester.□□We also welcome references to the important role of the Rural Housing Enabler in bringing forward affordable housing schemes within rural areas through the Rural Exception Site policy. We assume, therefore, that as part of the SPD there is an ongoing commitment from the Borough Council to provide financial support to this role. Consideration should be given to identify how the Enabler could help bring forward affordable schemes through other means in addition to the RES policy.

**Council's Response:**

The Council is currently discussing how provision of rural housing can be increased. This includes discussion on the role of the Rural Housing Enabler.

**Total Comments of type Support : 1**

**Total Comments for this Document Section: 3**

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**Document Part:**

**No:** PARAGRAPH 4.13

**Comment Type:** Objection

LDF\_HBBC\_RNSPD/CONSUL/15399/2/003

**Customer Comment:**

We fully recognise the three opportunities for the provision of affordable housing in rural areas (set out in paragraph 4.9); but continue to have reservations about the new targets and thresholds (set out in paragraph 4.13) namely: "on sites of 4 dwellings or more, or of 0.13 hectares and above, 40% of the dwellings should be for affordable housing." As I said in our response to your consultation letter on affordable housing, I think the figures should instead be 6 dwellings; 0.02 hectares; and 33%. Without repeating the detail set out in our letter of 26 October, I find some of the detailed expectations of your Council to be unduly onerous for a small developer seeking to provide 4 dwellings.

**Council's Response:**

The thresholds and targets were set out in the Core Strategy and have been subjected to an Examination in Public. However, developers have the chance to negotiate on a site by site basis where there are viability issues.

LDF\_HBBC\_RNSPD/CONSUL/CU0206/11/005

**Customer Comment:**

The 40% figure for rural areas is too high and unjustified. Affordable housing is most needed where the work is. i.e. in urban areas.

**Council's Response:**

The figure was justified in the Economic Viability Study and subject to testing at the Core Strategy examination in public.

**Total Comments of type *Objection* : 2**

**Comment Type:** Support

LDF\_HBBC\_RNSPD/CONSUL/CU0182/13/002

**Customer Comment:**

The lower thresholds are welcomed. However, it should be made clear whether they would be applied irrespective of any need, or lack of need identified through the Housing Needs Survey.

**Council's Response:**

The lower thresholds will be applied on all sites. Where there is evidence of need in a rural area via a Housing Needs Survey for the settlement / parish, a local connection policy will be applied to the site. If the provision of affordable housing is greater than the anticipated local need, then no local connections policy will be applied and the dwellings can be used to meet the needs of the wider Borough.

**Total Comments of type *Support* : 1**

**Total Comments for this Document Section: 3**

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**Document Part:**

**No:** PARAGRAPH 4.15

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0053/11/005

**Customer Comment:**

It is suggested that there should be a commitment to consult the relevant local Parish Councils on the terms of any availability agreements. □

**Council's Response:**

The Parish Councils will be made aware of any local connections policies as they have an important part to play in raising local awareness and identifying local people who may be suitable for any such developments.

LDF\_HBBC\_RNSPD/CONSUL/CU0691/1/008

**Customer Comment:**

This is the only paragraph which identifies the sequential approach for allocating housing under the Local Connection policy. This paragraph outlines the procedure in respect of affordable rural housing delivered through planning gain. The procedure to allocate RES housing should also be outlined. In order to assuage the concerns of local residents the open marketing of properties Borough-wide needs to be emphasised as a last resort.

**Council's Response:**

The local connection policy remains the same for rural housing whether by section 106 or exception site. A sentence will be added to confirm that opening allocations to a wider connection to the Borough will be the last option for allocating properties.

**Total Comments of type Comment : 2**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** PARAGRAPH 4.17

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0449/2/002

**Customer Comment:**

Refers to the fact that Exception Sites "should be within, or adjacent to, the settlement boundary". I think this should read "should be OUTSIDE, or adjacent to..." □

**Council's Response:**

PPS3 does not explicitly state that the Rural Exception Site should be outside the settlement boundary. It refers to sites which would not normally get planning permission for housing which includes, but is not restricted to, sites outside the settlement boundary.

LDF\_HBBC\_RNSPD/CONSUL/CU0449/1/002

**Customer Comment:**

Refers to the fact that Exception Sites "should be within, or adjacent to, the settlement boundary". I think this should read "should be OUTSIDE, or adjacent to..." □

**Council's Response:**

PPS3 does not explicitly state that the Rural Exception Site should be outside the settlement boundary. It refers to sites which would not normally get planning permission for housing which includes, but is not restricted to, sites outside the settlement boundary.

**Total Comments of type Comment : 2**

**Comment Type:** Objection

**Customer Comment:**

The PC does not support the indicative upper limit of 10 dwellings, given the caveats about the size and character of the settlement and the need for affordable homes.□

**Council's Response:**

The upper limit mentioned will remain at 10 units but a caveat will be added that the site would not “normally” be expected to exceed this figure. It is believed the paragraph has enough flexibility to allow a site above 10 dwellings if circumstances warrant.

**Total Comments of type Objection : 1**

**Total Comments for this Document Section: 3**

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**Document Part:**

**No:** PARAGRAPH 4.18

**Comment Type:** Comment

**Customer Comment:**

The detailed description of a Housing Needs Survey may be better located in the general introduction under 3.14, where it should also be made clear that such surveys inform all affordable housing provision, not just Rural Exception Sites.

**Council's Response:**

Agreed – the detail of Housing Needs Surveys will be moved to paragraph 3.14, and this paragraph will mention Housing Needs Surveys in relation to Rural Exception sites.

**Customer Comment:**

The Council's use of the Rural Exceptions Policy is contingent upon an identified need in the Parish and an Exceptions Site will not be considered without a local HNS. □□Para 4.18 states that 'when consideration is being given to a Rural Exception Site, it will be in response to an identified need within the Parish. The most effective way of evidencing this need is to carry out a□parish level Housing Needs Survey, in partnership with the Rural□Housing Enabler'. Other than state that a parish level HNS should be carried out, the Rural Need SPD fails to provide any guidance, on who is responsible for initiating the local Housing Needs Survey and thus allowing consideration to be given to a Rural Exception Site. This is essential, as without it, the Council's ability to deliver affordable housing targets (i.e. Policy 15) may be compromised by the failure to expedite the first part of the delivery process. To clarify, is a Housing Needs Survey initiated:□□a.□Only after a positive response from a Parish Council □ to agree that it wishes to undertake a local HNS?□□b.□Only when the Borough Council or RHE say they wish to carry out□a survey in consultation with the local community, possibly when they are made aware that a landowner has a site which may be available for development?□□c.□Only when a landowner/partnership developer undertakes their own independent survey following consultation with the local community, Borough Council or RHE?□□We understand that the Council's present practice is to rely on the Parish Council for their approval (a). Which begs the question, what happens if the Parish Council decides that it doesn't wish to find out what local needs exist in its' Parish for some reason? This raises a larger issue about how far the PC is representative of the local community and whether broader consultation should be carried out as well, bearing in mind the government's forthcoming Localism Bill and the desire to ensure that NIMBYISM does not block the provision of affordable housing.□□The Government Response to the Taylor Review of Rural Economy and Affordable Housing (25 March 2009) supports a pro-active approach. □□ 'PPS 3 makes it clear that local planning authorities are expected to be active housing enablers..... "Doing nothing" is not initially an option (Para 50.)'□Recommendation 14 of the same report speaks of 'proactive engagement with the local community .....to meet identified local needs, supported by clear criteria set out in the LDF'.□□We would expect to see some guidance on who is responsible for initiating Parish-level Housing Needs Surveys in the revisions to the SPD.□

**Council's Response:**

Most of this paragraph will be moved to form part of paragraph 3.14, which makes it clear that HNS will be carried out on a rolling programme, initiated by the Council. It is anticipated that Parish Councils will be keen to get involved in Housing Need Surveys, but their participation is not essential. Paragraph 3.14 will then outline the Housing Needs Survey process in general, whilst paragraph 4.18 will then outline how Housing Needs Surveys relate to Rural Exception sites.

**Total Comments of type Comment : 2**

**Comment Type:** Objection

LDF\_HBBC\_RNSPD/CONSUL/CU0053/11/007

**Customer Comment:**

The PC suggests that this wording is too restrictive, given the varied size of civil parishes and the distribution of settlements within them. It may be appropriate for a Housing Needs Survey to be carried out in two or more neighbouring parishes, or in a group of settlements situated in several parishes. □

**Council's Response:**

A sentence will be added to make it clear that a survey can cover one or more parishes if a joint exercise is agreed between neighbouring parishes.

**Total Comments of type Objection : 1**

**Total Comments for this Document Section: 3**

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**Document Part:**

**No:** PARAGRAPH 4.19

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0449/1/003

**Customer Comment:**

New legislation allows for shared owners to staircase up to 100% of a property on an Exception Site (to help with mortgage availability). The property will remain affordable in perpetuity as the property must be bought back by an RSL and must be resold in line with the S106. □

**Council's Response:**

The wording of this paragraph will be amended to include leaseholders who staircase to 100% ownership needing to offer the property back to the RSL for resale.

LDF\_HBBC\_RNSPD/CONSUL/CU0691/1/009

**Customer Comment:**

We support the RES policy within RN2. Comment should be made on how the Council will "actively promote" provision.

**Council's Response:**

Noted. The Council are considering ways to promote Rural Affordable Housing above that which is currently promoted in partnership with the Rural Housing Enabler.

LDF\_HBBC\_RNSPD/CONSUL/CU0053/11/008

**Customer Comment:**

The PC considers that a statement along the lines of the first part of para 4.15, including a commitment to consult with the local Parish Council, is necessary under the Rural Exception Sites heading □

**Council's Response:**

The restrictions here are those set out in PPS3 and Delivering Affordable Housing, therefore there is nothing in this section which can be subject to consultation with Parish Councils



**Customer Comment:**

New legislation allows for shared owners to staircase up to 100% of a property on an Exception Site (to help with mortgage availability). The property will remain affordable in perpetuity as the property must be bought back by an RSL and must be resold in line with the S106. □

**Council's Response:**

The wording of this paragraph will be amended to include leaseholders who staircase to 100% ownership needing to offer the property back to the RSL for resale.

**Total Comments of type Comment : 4**

**Total Comments for this Document Section: 4**

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**Document Part:**

**No:** PARAGRAPH 4.2

**Comment Type:** Comment

**Customer Comment:**

It would be advisable to include references/sources for the evidence presented.

**Council's Response:**

Reference to the Strategic Housing Market Assessment (SHMA) to be added as most of the issues cited in this paragraph are derived from work on the SHMA.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 4.20

**Comment Type:** Comment

**Customer Comment:**

We encourage the Council to explore all opportunities to deliver affordable rural housing, including the designation of sites exclusively for affordable housing in addition to RES schemes. The Council should explore how the Enabler can help to bring these schemes forward.

**Council's Response:**

The Rural Housing Enabler is fully informed and in agreement on promoting these sites as well as exception sites.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 4.21

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0182/13/005

***Customer Comment:***

Could amplify that designation of sites would be through the Site Allocation DPD.

***Council's Response:***

This is not considered necessary for this SPD.

***Total Comments of type Comment : 1***

***Total Comments for this Document Section: 1***

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***Document Part:***

***No:*** PARAGRAPH 4.22

***Comment Type:*** Support

LDF\_HBBC\_RNSPD/CONSUL/CU0053/11/009

***Customer Comment:***

4.22-4.23, 4.26 The PC strongly supports these proposals. □ □

***Council's Response:***

Duly noted.

***Total Comments of type Support : 1***

***Total Comments for this Document Section: 1***

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***Document Part:***

***No:*** PARAGRAPH 4.23

***Comment Type:*** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0691/1/011

***Customer Comment:***

Further consideration should be given to how the Council could support community schemes through Local Housing Trusts/ Communities Right to Build. There will be specific duties required of local planning authorities, including the management of local referenda. It is also unclear whether the council will actively support this approach to the delivery of affordable rural housing or whether it would solely be in response to parish councils or communities who identify this as a preferred approach. This need to be clearly reflected in RN4. Reference should also be made to any statutory legislation which will facilitate the creation of Local Housing Trusts. See also 4.20 regarding exploring opportunities to enlist the support of the Enabler.

***Council's Response:***

It is anticipated that the Council will support such approaches when initiated by the local community or a local interest group. Given the difficulties currently encountered with delivering affordable housing in rural areas, the Council does not have the capacity to initiate any projects relating to Community Land Trusts or Local Housing Trusts but would provide as much support as possible if communities wish to pursue such options.

**Customer Comment:**

Any houses built under the Local Housing Trust initiative should reduce the number of houses required by the LDF.

**Council's Response:**

Any houses developed under any initiative will contribute to the overall housing target.

**Total Comments of type Comment : 2**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** PARAGRAPH 4.24

**Comment Type:** Comment

**Customer Comment:**

The section on commuted sums would be more logically placed after the section on Planning Gain. The calculation in Policy RN5 is difficult to understand, and would benefit from a worked example.

**Council's Response:**

To be moved to follow 4.10

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 4.25

**Comment Type:** Comment

**Customer Comment:**

Market Housing – issues of affordability remain in the more expensive rural villages

**Council's Response:**

Agreed.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 4.26

**Comment Type:** Comment

***Customer Comment:***

We agree that Housing Need Surveys should capture information about affordable and open market housing in rural areas. We would assume that under policy RN6 necessary funding support will be secured from a developer where they provide entry level housing on the back of demand identified in the HNS.

***Council's Response:***

Funding for entry level market housing is not available therefore the SPD will not include this point.

***Total Comments of type Comment : 1***

***Total Comments for this Document Section: 1***

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***Document Part:***

***No:*** PARAGRAPH 4.28

***Comment Type:*** Support

***Customer Comment:***

We welcome the opportunity for non-traditional housing options to be considered. This flexibility should allow maximum opportunity for solutions which meet local need to come forward. These options should, of course, still be considered by the community as part of the planning process. Typo within the paragraph -encouraging should be encourage.

***Council's Response:***

Duly noted.

***Total Comments of type Support : 1***

***Total Comments for this Document Section: 1***

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***Document Part:***

***No:*** PARAGRAPH 4.3

***Comment Type:*** Support

***Customer Comment:***

The Parish Council welcomes this point. It should also form part of Planning Policy 15, Affordable Housing

***Council's Response:***

The Core Strategy has now been adopted so Policy 15 cannot be changed, but the SPD adds more detail to the policy.

***Total Comments of type Support : 1***

***Total Comments for this Document Section: 1***

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***Document Part:***

***No:*** PARAGRAPH 4.4

***Comment Type:*** Comment

**Customer Comment:**

The local connection criteria usually includes a section for those who are in full time employment in the Parish. This is something you may wish to consider including

**Council's Response:**

The section does include a reference to people with permanent employment in the Parish.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 4.6

**Comment Type:** Comment

**Customer Comment:**

Including reference to the total number of permissions since 2000 will provide added weight to premise that high thresholds have prevented the delivery of affordable housing through s106 agreements within small rural communities.

**Council's Response:**

Total number of permissions will be added to the document.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 4.8

**Comment Type:** Comment

**Customer Comment:**

Clarity should be provided as to whether the 480 figure is a minimum or a maximum.

**Council's Response:**

This figure will be clarified as a minimum.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 4.9

**Comment Type:** Comment

**Customer Comment:**

Reference should be made to other delivery vehicles which could help bring forward affordable rural housing , including CLTs and LHTs. In addition, in view of the reduced level of grant support available to support affordable schemes consideration should be given to opportunities for cross-subsidy. It is believed by some in the sector that this is the only solution in the current climate.

**Council's Response:**

Agreed. This paragraph will need to make reference to Right to Build in any case, so reference will be made to 4 initiatives, the fourth being community initiatives such as Community Land Trusts, Local Housing Trusts and Right to Build.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 5.1

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0053/11/010

**Customer Comment:**

While supporting these proposals, the PC is concerned that the amenities of neighbouring residential properties should be protected. The most serious local problems occur when successful small businesses expand beyond the reasonable capacity of the site. The PC suggests that appropriate conditions limiting the physical extent of business development would be helpful in preventing businesses expanding to the absolute physical limits of a site. □ □ □ □

**Council's Response:**

This section will have a sentence added to make clear that regard would be had to the context of any expansion in regard to any established development control regulations.

**Total Comments of type Comment : 1**

**Total Comments for this Document Section: 1**

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**Document Part:**

**No:** PARAGRAPH 5.3

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0182/13/007

**Customer Comment:**

The reference to "sustainable rural locations" in RN9 seems to contradict the aim set out in Para 2.3 that there is no "sustainability trap".

**Council's Response:**

Agreed. Remove reference to "sustainable".

LDF\_HBBC\_RNSPD/CONSUL/CU0206/11/008

**Customer Comment:**

Experience shows that provision of small business units in rural areas is not necessarily successful. Business units remain empty on Persimmon's Waterside Mede development in Market Bosworth after several years.

**Council's Response:**

Duly noted.

**Total Comments of type Comment : 2**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** PARAGRAPH 6.1

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0691/1/015

**Customer Comment:**

INSPIRE Leicestershire is a fund which supports the rural economy and it is not suitable for community facilities. The LRPs Vibrant Villages would be appropriate but almost all funds have now been committed. Whilst reference to INSPIRE should be removed from this paragraph we consider that the Council could support the provision of community/retail facilities. This should involve working with the LRP, RCC, Plunkett Foundation and Pub is the Hub to identify potential solutions - including those that are community-led. Consideration could also be given to define a "community facility". Support for village halls etc should not be considered as the sole community facility requiring support. The SPD needs to go further to consider how community space could be provided through other venues and buildings - e.g. back rooms with public houses. More broadly the provision of community space is not the sole contributory factor to help ensure sustainable rural communities. the Council should support a range of measures, not just planning related, that help to ensure future sustainability.

**Council's Response:**

This section will have more information added on reuse of existing buildings and widening the use of facilities in the community, taking advice contained within this response.

LDF\_HBBC\_RNSPD/CONSUL/CU0182/13/008

**Customer Comment:**

When considering community facilities there should be a greater emphasis to look at existing provision rather than new build solutions.

**Council's Response:**

Agreed. Reference to be added to outline that use of existing provision would be preferred solution.

**Total Comments of type Comment : 2**

**Total Comments for this Document Section: 2**

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**Document Part:**

**No:** PARAGRAPH 7

**Comment Type:** Comment

LDF\_HBBC\_RNSPD/CONSUL/CU0687/2/003

**Customer Comment:**

Para 7 deals with monitoring of the effectiveness of the SPD. In the light of the importance being attached in both SPD's to Housing Needs Surveys, it would be useful to have an addition to the list of local indicators on the following lines: The number and Parish location of Housing Needs Surveys carried out and updated annually to ensure that rural developments are tailored to the needs of the community.

**Council's Response:**

The production of HNS will be added to the monitoring sections, and the surveys completed and the rolling programme will be added to the Council's website for public viewing.

LDF\_HBBC\_RNSPD/CONSUL/CU0691/1/016

***Customer Comment:***

We consider that the monitoring proposed to be vague. In order to monitor the effectiveness of the policies consideration should be given to setting targets. In addition not all policies contained within the SPD have an identified indicator.

***Council's Response:***

Monitoring and targets will be revised to reflect changes to Government requirements, but are consistent within the Council's SPD documents.

***Total Comments of type    Comment    : 2***

***Comment Type:***    Objection

LDF\_HBBC\_RNSPD/CONSUL/CU0182/13/009

***Customer Comment:***

Concern that the monitoring framework is not clear and that the impact of the SPD monitored effectively.

***Council's Response:***

The monitoring is set out in conformity with monitoring in the Borough's Supplementary Planning Documents.

***Total Comments of type    Objection    : 1***

***Total Comments for this Document Section:    3***

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***Document Part:***

***No:***                    PARAGRAPHS 5.1 - 5

***Comment Type:***    Support

LDF\_HBBC\_RNSPD/CONSUL/CU0190/3/003

***Customer Comment:***

The Committee supports these proposals, but is concerned that residential amenity should be protected and businesses should not be allowed to expand to the point where they have a detrimental effect on neighbours.

***Council's Response:***

Sentence to be added to clarify that any decision will take into account impact on neighbours.

***Total Comments of type    Support    : 1***

***Total Comments for this Document Section:    1***

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***Document Part:***

***No:***                    PARAGRAPHS 5.3 - 5

***Comment Type:***    Comment



***Customer Comment:***

Specific support for the local economy through policies on small business units, homeworking and live/work units is welcomed. We are concerned that, as a statutory consultee, LCC Highways comments regarding any potential traffic increase in rural areas often overrides the positive economic impact that development may have. These policies, therefore, are significantly important. Policy RN9 currently provides provision to permit development which meets local need. Consideration should be given to understand how the council could promote the provision of small business units especially in rural areas which have housing allocated within the Core Strategy. The Leicestershire Rural Partnership's INSPIRE Leicestershire programme could provide grants to private businesses/ individuals to support new provision (www.oakleaves.org.uk/inspire) We welcome the flexibility applied to policy RN10 to allow provision in support of live/work accommodation (i.e. workshops) and the needs of home-working businesses (e.g. those operated out a room in the residence which may need permission to expand.) A more detailed understanding of Leicestershire's rural economy is contained within the Leicester and Leicestershire Economic Assessment.

***Council's Response:***

Reference to be made to the INSPIRE Leicestershire programme and a reference to the Economic Assessment for further information.

***Total Comments of type Comment : 1***

***Total Comments for this Document Section: 1***

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**Steve Atkinson** MA(Oxon) MBA FioD FRSA  
*Chief Executive*

**Please Ask For:** Policy & Regeneration  
**Direct Dial/Ext:** 01455 238141

**Email:** [ldf@hinckley-bosworth.gov.uk](mailto:ldf@hinckley-bosworth.gov.uk)  
**Our Ref:** 1024/EMRPCNG2010  
**Date:** XXXXX



**Hinckley & Bosworth  
Borough Council**

*A Borough to be proud of*

Dear Sir/Madam

**LOCAL DEVELOPMENT FRAMEWORK PUBLIC CONSULTATION – AFFORDABLE HOUSING SUPPLEMENTARY PLANNING DOCUMENT AND RURAL NEEDS SUPPLEMENTARY PLANNING DOCUMENT.**

We are consulting on two documents known as the Affordable Housing Supplementary Planning Document (SPD) and the Rural Needs Supplementary Planning Document between Monday, 11 October 2010 and Monday, 8 November 2010.

**What is the Affordable Housing Supplementary Planning Document?**

The Affordable Housing SPD expands on Core Strategy Policy 15: Affordable Housing, offering further guidance on the requirements of affordable housing which may be necessary as part of relevant planning applications. It includes guidance for negotiating affordable housing, including thresholds, tenure, housing mix and design and the conditions for acceptance of commuted sums; and the delivery of affordable housing through section 106 legal agreements.

**What is the Rural Needs Supplementary Planning Document?**

The Rural Needs SPD sets out the approach to housing in rural areas, both market and affordable; including guidance on the use of Rural Exception Sites and the designation of sites for specific house types. It considers economic development in rural areas including support for small business units and live / work units. Finally, support for the provision of community facilities by / for the rural community is established.

**How can I get involved?**

The consultation drafts of the Affordable Housing SPD and Rural Needs SPD are available to view at Barwell, Burbage, Desford, Earl Shilton, Groby, Hinckley, Market Bosworth, Markfield and Ratby Libraries, Parish Council Offices and Hinckley and Bosworth Borough Council Offices or on our website [www.hinckley-bosworth.gov.uk](http://www.hinckley-bosworth.gov.uk). Additional copies of the document are also available on CD on request.

The consultation takes place from Monday 11 October 2010 to 5pm Monday 8 November 2010. All comments must be received during this consultation period by one of the methods stated below. Any representations received after 5pm on Monday 8 November 2010 will not be considered.

You can make your comments known via a number of options set out below:

**Email:** [ldf@hinckley-bosworth.gov.uk](mailto:ldf@hinckley-bosworth.gov.uk)

**Post:** Policy & Regeneration Team, Hinckley & Bosworth Borough Council, Council Offices, Argents Mead, Hinckley. LE10 1BZ.

**Please note:** All representations must relate to the content of the Affordable Housing SPD or the Rural Needs SPD to be considered applicable. **Comments which you may have on or regarding other documents which are being developed by the Borough Council must be made during their allotted consultation periods.** Please also note that your comments and any identifying information in your response will not remain confidential. We reserve the right to discount any comments which are offensive and/or racially discriminatory and will only take account of concerns regarding planning matters.

### **What happens next?**

At the end of the consultation period officers will consider all responses received and then work towards revising the document before it can be formally adopted by the Council.

If you require any further information please do not hesitate to contact:

Policy & Regeneration, Council Offices, Argents Mead, Hinckley, LE10 1BZ.

Email: [ldf@hinckley-bosworth.gov.uk](mailto:ldf@hinckley-bosworth.gov.uk); or telephone 01455 238141.

Yours faithfully

Valerie Bunting  
Housing Strategy and Enabling Officer.



## **Supplementary Planning Documents** **ADVERT OF CONSULTATION**

Hinckley and Bosworth Borough Council are consulting on three Supplementary Planning Documents between 11th October 2010 – 8th November 2010.

These documents are:

- Affordable Housing;
- Ratby Village Design Statement; and
- Rural Needs

This advert of consultation is required by Town and Country Planning (Local Development) (England) Regulations 2004 (Regulation 17) and the Town and Country (Local Development) (England) (Amendment) Regulations 2008.

<b>Title of Document:</b>	Affordable Housing Supplementary Planning Document (SPD)
<b>Subject Matter:</b>	The Affordable Housing SPD expands on Core Strategy Policy 15: Affordable Housing, offering further guidance on the requirements of affordable housing which may be necessary as part of relevant planning applications.
<b>Geographical coverage:</b>	The Affordable Housing SPD is applicable to applications across the borough.
<b>Title of Document:</b>	Ratby Village Design Statement Supplementary Planning Document (SPD)
<b>Subject Matter:</b>	The Ratby Village Design Statement SPD sets out the principles, design features and quality standards that should be adopted by those wishing to build, modify or extend property in the settlement of Ratby.
<b>Geographical coverage:</b>	The Ratby Village Design Statement SPD relates to the settlement of Ratby only.
<b>Title of Document:</b>	Rural Needs Supplementary Planning Document (SPD)
<b>Subject Matter:</b>	The Rural Needs SPD expands on Core Strategy Policy 17: Rural Needs. It sets out the approach to the provision of housing and economic development in rural areas and establishes support for the provision of community facilities.
<b>Geographical coverage:</b>	The Rural Needs SPD may apply to any rural settlement throughout the borough.
<b>Availability of Documents:</b>	Copies of these documents can be viewed, free of charge, at the Council Offices between the hours of 9am – 5pm, Monday to Thursday and between 9am – 4.30pm on Fridays. Alternatively, copies can be viewed or downloaded from the Hinckley & Bosworth Borough Council website <a href="http://www.hinckley-bosworth.gov.uk">www.hinckley-bosworth.gov.uk</a> or can be sent to you in CD format directly on request by contacting the Policy & Regeneration team on 01455 238141.
<b>Accompanying Documents Published:</b>	The following libraries will also hold copies which are available for inspection free of charge: Barwell, Burbage, Desford, Earl Shilton, Groby, Hinckley, Market Bosworth, Markfield and Ratby. An electronic version of the document has been issued to Atherstone and Coalville libraries.  Alongside the consultation draft of these Supplementary Planning Documents, the following documents have been published and are also available at the above locations: <ul style="list-style-type: none"> <li>• SPD Matters</li> <li>• Statement of Fact</li> </ul>

T R I B A L

File name: 341922 LM 6.10

Version: 2

Size: 190x100

Artworker: Jake

AH/AM: Fiona

ARTWORK SIGN-OFF

Artworker Studio Manager AH/AM

## **APPENDIX 4 – Statement of Conformity with the Statement of Community Involvement (SCI):**

Supplementary Planning Documents (SPD) are material considerations that are intended to carry weight in the determination of planning applications. SPD are not subject to independent examination and do not form part of the statutory development plan. However, they are subjected to rigorous procedures of community involvement.

Under the Planning and Compulsory Purchased Act 2004, Local Planning Authorities are required to prepare Statements of Community Involvement (SCI). Once prepared the Statement of Community Involvement sets out the authority's policy for involving the community in the preparation and revision of local development documents (including SPD's) and planning applications.

Clauses 25 and 26 for development plan documents, and clause 17 for Supplementary Planning Documents of The Town and Country Planning Local Development (England) 2004 Regulations, and (Amendment) 2008, set minimum requirements for community involvement, with which local planning authorities must comply.

When preparing Local Development Documents Local Planning Authorities are required to consult in accordance with their Statement of Community Involvement, where applicable, or the minimum requirements of the Regulations where there is no adopted statement.

Hinckley & Bosworth Borough Council has adopted a Statement of Community Involvement (November 2006) therefore it has consulted on this SPD inline with the SCI requirements (see below).

### **Preparation of SPD's:**

#### Evidence Gathering

The collection of evidence before consulting the community is important so that people can form views that are based on accurate information.

#### Consultation

Drafts of the Supplementary Planning Documents will be prepared and published for a minimum of four-weeks consultation and people are invited to make comments on the document. Regulation 17 of The Town and Country Planning (Local Development) (England) 2004 and the Town and Country Planning (Local Development (England) (Amendment) Regulations 2008 is relevant to this stage. A consultation statement is published at this time and sets out key information which may be of interest to consultees.

In addition, when consulting on the Affordable Housing SPD and the Rural Needs SPD the Borough Council will conform to the following:

- All documents and associated matters will be available for consultation at Hinckley & Bosworth Borough Council Offices and at libraries throughout the Borough.
- Notification of the consultation will be sent to all interested/relevant parties.
- Information, documents and forms for commenting on will be available on the Council's website.
- Where appropriate posters will advertise the consultation, and any exhibitions and events.
- Where appropriate a press release/launch will be published/held.
- Local advertisement, notice of consultations and how to view and comment on them.
- Questionnaire or forms will be made available with the document for respondents to make their comments on.
- Email – A general email address will be available for enquiries and responses to consultations.
- Meetings – public meetings, meetings with specific stakeholder groups or one to one meetings will be held as and when requested where appropriate.

#### Adoption

The responses to the document are considered by the Borough Council and changes made to reflect these comments. The Supplementary Planning Documents will then formally be brought into effect, and the Council can use the guidance to inform decision on planning applications.