

ENVIRONMENTAL AND DEVELOPMENT SERVICES COMMITTEE (SPECIAL)

4th September 2007

PRESENT:-

Conservative Group

Councillor Bladen (Chairman), Councillor Ford (Vice-Chairman) and Councillors Mrs. Hood, Lemmon, Mrs. Patten, Timms and Mrs. Wheeler (substitute for Councillor Watson).

Labour Group

Councillors Mrs. Lane, Richards, Southerd, Taylor and Tilley.

In Attendance

Councillor Murray (Conservative Group) and Councillor Mrs. Brown (Independent Member).

APOLOGY

An apology for absence from the Meeting was received for Councillor Watson (Conservative Group).

MATTER DELEGATED TO COMMITTEE

EDS/19. **AFFORDABLE HOUSING ISSUES – CONJOINED PLANNING INQUIRY**

A report was submitted to inform Members of the outcome of the deliberations of the Housing and Community Services Committee held immediately prior to this Meeting. The Democratic Services Officer was asked to report the decisions made at that Meeting. The Committee's agreement was sought to the percentage of affordable housing to be used in negotiations with regard to sites in the Derby fringe of the District. The Deputy Chief Executive explained that once the District Council had agreed its policy, this would be submitted to the Conjoined Planning Inquiry. There would be counter-arguments from the appellants involved. These would be discussed at the Inquiry and would lead to the Inspector making recommendations to the Secretary of State.

It was reported that negotiations regarding Section 106 Agreements should be based upon firm evidence to support the issue in question. In order to provide an appropriate evidence base relating to the provision of affordable housing, the Council engaged B. Line Housing Information to produce a Housing Market Analysis and Needs Assessment. Five major housing sites in the north of the District were currently the subject of a conjoined planning inquiry. Prior to its conclusion, the Inspector required, amongst other things, that Section 106 contributions be discussed and agreed between the parties. With regard to the proportion of affordable housing that should be negotiated for the sites, the Council had until now relied upon the 33% identified in the draft Regional Spatial Strategy. That document expected local authorities to undertake more detailed studies of local housing market areas.

In order to progress matters at the Public Inquiry, the initial information and conclusions from the Housing Market Analysis and Needs Assessment for the north of the District had been made available. The findings of the document had been discussed at the earlier Housing and Community Services Committee and a percentage figure was determined that would be appropriate to seek for such sites. The appellants and the Inspector had received a copy of the document and it was likely that some, if not all of the appellants might challenge the methodology used. The procedure for this would be via the submission of proofs of evidence, rebuttal and examination at the Inquiry. Testing of the document at the Inquiry would be valuable, because it would ensure that the Council would ultimately have a robust basis upon which to negotiate the affordable needs elements of other sites and ultimately policy within the Core Strategy of the Local Development Framework.

Councillor Southerd referred to the 40% figure that had been approved by the Housing and Community Services Committee and he was concerned over the potential for this to be negotiated downwards. He suggested that a higher initial percentage figure should have been set, to ensure a desirable level of affordable housing was achieved. The Deputy Chief Executive clarified that the percentage figure recommended by the Housing and Community Services Committee applied only to those sites involved in the Conjoined Planning Inquiry. He confirmed the process that would be undertaken at the Inquiry. Councillor Southerd replied that to ensure a more robust position, it might have been better to increase the percentage figure at the outset. The Deputy Chief Executive reminded Members of the respective Terms of Reference of both Policy Committees. Given the impact of this issue on both the Housing Strategy and the Development Plan, there was a requirement for this matter to be determined ultimately at a Special Council Meeting.

Councillor Taylor noted the clarification, but was not comfortable with the percentage of affordable housing put forward. Given the information submitted, the knowledge of local Members and the migration into South Derbyshire, he considered that 40% was not acceptable when going into the Inquiry. Through experience at the Development Control Committee, negotiation could reduce the proportion of affordable housing secured and he spoke about the resultant pressure this would cause. From a planning policy viewpoint, he considered the proposed percentage would not secure the required levels of affordable housing.

Councillor Mrs. Brown was concerned that this proportion of affordable housing would extrapolate to other areas. She considered the term up to 40% was imprecise and gave a margin for negotiation.

Officers replied that there was a need for the Council to establish a view on the proportion of affordable housing required. This issue would be considered alongside substantial other information during the planning process. Members concerns were noted, but there was an expectation that the level of affordable housing would be at 40%, unless there were good reasons why the proportion should be lower. The Head of Planning Services confirmed that the Regional Spatial Strategy stated a level of 33% of affordable housing, so it was unlikely that provision could be below that level. Once received, the full study would be applied to other sites throughout South Derbyshire.

RESOLVED:-

That the Committee recommends that the Council adopts a figure of up to 40% of affordable housing, up to half of which should be intermediate housing (shared ownership / homebuy) as recommended by the Housing & Community Services Committee at its meeting on 4th September 2007. This resolution only relates to Section 106 agreements for housing sites in the Derby fringe of the District, currently the subject of a Conjoined Planning Inquiry.

Note: Members of the Labour Group wished it to be recorded that they had voted against this decision.

J. BLADEN

CHAIRMAN

The Meeting terminated at 6.25 p.m.