

Affordable Housing Hearing Statement of James Stacey BA (Hons) Dip TP MRTPI

Land to the west of Bridgemont, Whaley Bridge,
Derbyshire

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Outline planning application for affordable housing (up to 42) with access considered and all other matters reserved (resubmission of HPK/2020/0180)

Land to the west of Bridgemont, Whaley Bridge, Derbyshire

Treville Properties Limited

June 2024

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Introduction

Section 1

- 1.1 This Affordable Housing Hearing Statement has been prepared by **James Stacey** of **Tetlow King Planning** on behalf of the Appellant, **Treville Properties Ltd.**
- 1.2 The proposed development is for up to 42 dwellings, of which 100% are to be provided as affordable housing. The tenure split is to be agreed at Reserved Matters stage, to enable the applicant and the Council to determine the optimum mix, based on the latest evidence of need in the area.
- 1.3 The affordable housing provision will be secured either through a condition (as accepted by the LPA on the adjoining site) or via a Section 106 agreement, comprising a Unilateral Undertaking. This will secure the affordable housing provision as 100% but also propose a cascade mechanism to deliver affordable housing to those in need locally. The cascade will ensure that local people are prioritised.
- 1.4 The affordable housing tenure and mix is proposed to be considered at the Reserved Matters stage to ensure the “optimal” mix can be provided at the point of delivery. The appellant’s expectations are all forms of affordable housing, as defined in the NPPF, will be considered when determining the final mix.
- 1.5 The application was jointly submitted by Treville Properties and Great Places Housing Group. My understanding is Great Places remain in place to run and manage the homes, should planning permission be granted. Notwithstanding this, it is my further understanding that Treville Properties have a number of other Registered Providers, who would be similarly interested in running and managing the appeal site.
- 1.6 The site sits entirely within Whaley Bridge Civil Parish and Whaley Bridge Ward.
- 1.7 This Statement deals specifically with affordable housing and the weight to be afforded to it in this planning decision¹ considering evidence of need in the area. This report supports the Planning Hearing Statement prepared by Emery Planning which has been submitted alongside this appeal.

¹ For clarity, the weightings I apply are as follows: very limited, limited, moderate, significant, very significant, substantial, and very substantial.

- 1.8 It is the Appellant’s case, as set out in more detail in the Planning Hearing Statement, that the scheme comprises a rural exception scheme which accords with the adopted High Peak Local Plan policy H5 ‘Rural Exception Sites’. Consequently, the Planning case sets out that the proposals comprise appropriate development in the Green Belt.
- 1.9 Should that not be the case, the need for affordable housing is also a significant factor in demonstrating very special circumstances, where the benefits clearly outweigh harm to the Green Belt and any other harm. The assessment of the planning case and balance is dealt with by Emery Planning. One of the key tests under policy H5 is whether *“The development is of a size and type which can be justified by evidence of need from a local housing needs survey”* and this is disputed between the appeal parties. This Affordable Housing Hearing Statement addresses this matter in particular.
- 1.10 This statement should also be read in conjunction with the application material prepared by Emery Planning, such as the Housing Needs Survey and the Housing Land Supply and Delivery statement, which accompanies the appeal submissions.
- 1.11 My credentials as an expert witness are summarised as follows:
- I hold a Bachelor of Arts (Hons) degree in Economics and Geography from the University of Portsmouth (1994) and a post-graduate diploma in Town Planning from the University of the West of England (“UWE”) (1997). I am a member of the Royal Town Planning Institute (“RTPI”).
 - I have over 28 years’ professional experience in the field of town planning and housing. I was first employed by two Local Authorities in the South West and have been in private practice since 2001.
 - During my career, I have presented evidence at more than 140 Section 78 appeal inquiries and hearings. I act for a cross-section of clients and advise upon a diverse range of planning and housing related matters.
 - In December 2022 I was appointed as Managing Director of Tetlow King Planning. Prior to this I held the position of Senior Director. I was first employed by Tetlow King Planning in 2009.
 - Both Tetlow King generally and I have acted on a wide range of housing issues and projects for landowners, house builders and housing associations throughout the country. Tetlow King Planning has been actively engaged nationally and regionally to comment on emerging development plan documents and supplementary planning documents on affordable housing throughout the UK.

1.12 In accordance with the Planning Inspectorate’s Procedural Guidance, I hereby declare that:

“The evidence which I have prepared and provide for this appeal in this Statement is true and has been prepared and is given in accordance with the guidance of the Royal Town Planning Institute. I confirm that the opinions expressed are my true and professional opinions.”

1.13 Providing a significant boost in the delivery of housing, and in particular affordable housing, is a key priority for the Government. This is set out in the most up-to-date version of the National Planning Policy Framework (“NPPF”), the Planning Practice Guidance (“PPG”), the National Housing Strategy and the Government’s Housing White Paper.

1.14 Having a thriving active housing market that offers choice, flexibility and affordable housing is critical to our economic and social well-being.

1.15 As part of my evidence, I have sought data, upon which I rely, from the Council through a Freedom of Information (“FOI”) request submitted to High Peak Borough Council on 8 February 2024. A full response was received from the Council on 7 March 2024. The full FOI correspondence can be viewed at **Appendix JS1**.

1.16 This Hearing Statement comprises the following seven sections:

- Section 2 analyses the development plan and related policy framework including corporate documents;
- Section 3 sets out the identified affordable housing needs;
- Section 4 examines past affordable housing delivery against identified needs;
- Section 5 reviews the future supply of affordable housing;
- Section 6 covers a range of affordability indicators;
- Section 7 sets out the council’s assessment of the application; and
- Section 8 considers the weight to be attached to the proposed affordable housing provision.

The Development Plan and Related Policies

Section 2

Introduction

- 2.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the appeal should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 2.2 The relevant adopted Development Plan for High Peak comprises the High Peak Local Plan 2011 to 2031 (adopted April 2016) and the Whaley Bridge Neighbourhood Plan 2022 to 2032 (January 2024).
- 2.3 Other material considerations include the National Planning Policy Framework (December 2023), the Planning Practice Guidance (March 2014, ongoing updates), the High Peak Developer Contributions Supplementary Planning Document (October 2023), the Local Plan Review, as well as a number of corporate documents.

The Development Plan

High Peak Local Plan (April 2016)

- 2.4 The High Peak Local Plan was adopted in April 2016 and covers the 20-year period between 2011 and 2031. It covers those parts of High Peak Borough which do not fall within the jurisdiction of the Peak District National Park Authority (the “PDNPA”).
- 2.5 The Local Plan included a number of housing allocations. As the Housing Land Supply and Delivery Statement advises, a number of these, (including some of those within the Central Area, where Whaley Bridge lies) have not been delivered and many remain without a planning permission in place. The delay in these allocations will undoubtedly mean fewer affordable homes are delivered than might have been envisaged when the Local Plan was adopted. This affects those households who have not “yet” had their housing needs met, as expected by the Local Plan.

- 2.6 Section 2 sets out the Key Characteristics and Issues in the Borough. Paragraph 2.10 notes that the geographic position of High Peak and its proximity to Manchester and Sheffield results in commuting between these cities which in turn impacts the local housing market. Paragraph 2.11 notes that 40% of the working age population commute to a workplace outside the plan area.
- 2.7 Paragraph 2.12 identifies the effect of this. Those commuting to work outside the plan area are typically higher earners whose increasing purchasing power has ‘priced out’ those who live and work locally.
- 2.8 Paragraph 2.18 explains that economic and demographic trends in the Borough result in growing demand for housing before market signals or affordability are considered.
- 2.9 Paragraph 2.32 identifies within key issue seven *“a particular need across the plan area to provide affordable housing, and address the needs of an ageing population”*.
- 2.10 The Spatial Vision of the Local Plan was informed by and builds on the Sustainable Community Strategy 2009-2014², which included as part of its vision for the Borough *“affordable, decent homes for local people”*.
- 2.11 Building on this vision, the Spatial Vision for High Peak is set out on pages 20-21 and includes *“affordable homes will be provided to help people remain in, or return to, their local communities according to local needs”*.
- 2.12 Section 3 (Vision and Objectives) includes strategic objective 9 which seeks *“To provide an appropriate mix of housing types, sizes and tenures in sustainable and accessible locations that meets the needs of all residents in the Borough”*.
- 2.13 Section 4 sets out the Spatial Strategy and the strategic policies for the Local Plan. Paragraph 4.33, as part of the spatial strategy, establishes that *“the need for homes will be defined by a number of factors”* including *“affordable housing needs”*.

² Page 20 of the Local Plan, paragraphs 3.1 – 3.4.

- 2.14 Paragraphs 4.34 to 4.36 state the Strategy has been informed by the evidence available at the time the Local Plan was adopted. Paragraph 4.35 is express in requiring the delivery of affordable housing, it states:

“The Strategy requires that all new housing developments address the range of housing needs of local people by meeting the requirements for affordable housing, provide a mix of housing to contribute to sustainable communities and promotes the inclusion of a proportion of suitable housing to meet the needs of newly forming households.”

- 2.15 Paragraph 4.48 sets out the Council’s commitment, pursuant to the NPPF, to “use [its] evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area [...] This is equivalent to 6200 to 7000 dwellings over the plan period. Taking into account the need for affordable housing and the aim of promoting economic growth within the Plan area the housing requirement is 350 dwellings per year”.

- 2.16 Paragraph 4.52 emphasises “there are very significant constraints on the capacity of the plan area to physically accommodate the amount of development required by the SHMA and this is particularly so in terms of environmental considerations with limited scope to amend green belt boundaries”.

- 2.17 Accounting for these limitations, at paragraph 4.53, it is noted that “this evidence has been used to establish that there is sufficient land for 350 dwellings per annum, which can be delivered and reflects the identified infrastructure and environmental constraints. A Sustainability Appraisal Addendum (SA) has also been undertaken of reasonable alternatives for a housing target and the findings of this SA have helped to inform the selection of 350 as the housing requirement”.

- 2.18 Policy H3: New Housing Development sets general requirements for housing of all tenures, and seeks for affordable housing proposals to respond to needs identified in the Strategic Housing Market Assessment:

H3a) *“Meeting the requirements for affordable housing within the overall provision of new residential development as set out in Policy H4”*

H3b) *“Providing a range of market and affordable housing types and sizes that can reasonably meet the requirements and future needs of a wide range of household types including for the elderly and people with specialist housing needs, based on evidence from the Strategic Housing Market Assessment or successor documents”* [emphasis added]’

2.19 **Policy H4: Affordable Housing** is the primary policy by which the Council seeks affordable housing, and states that:

“Residential developments should seek to achieve the following proportions of residential units as affordable housing : 30% affordable housing on sites of 25 units or more 20% affordable housing on sites of 5-24 units (0.16ha or larger)”

“The affordable housing provision should seek to achieve a target of 80% rented accommodation with the balance being provided as intermediate housing. These proportions may be varied where justified and with agreement with the local planning authority.”

2.20 The supporting text for to Policy H4 provides at paragraph 5.149:

‘Affordable Housing is a key issue in the Local Plan area due in part to the high cost of houses, and the relative low incomes of resident based employment. Both the Housing Needs Survey and the Housing Market Assessment suggest that there is a significant need to increase the overall level of affordable housing provision. The Housing Needs Survey indicated a need of between 443 and 591 per annum for new affordable dwellings to meet backlog and emerging needs. The 2014 SHMA indicates that there is a net need of 526 per annum for affordable housing across the Borough.’

2.21 Paragraph 5.150 notes the challenges associated with viability in the Borough and sets out the need to balance the delivery of affordable housing with CIL. This is used to justify an affordable housing threshold that is subject to viability testing and varies between small (5 to 24 dwellings) and large (25 dwellings or more) sites.

2.22 **Policy H5: Rural Exception Sites** provides for sites to come forward for affordable housing led schemes subject to six criteria being met, and is relevant to the appeal scheme:

“In exceptional circumstances, proposals for affordable housing on rural sites that would not normally be released for housing development will be supported provided that:

- *The development is of a size and type which can be justified by evidence of need from a local housing needs survey*
- *The affordable housing would meet a genuine local need as defined in the Affordable Housing Supplementary Planning Document*

- *Appropriate safeguards are put in place that ensure that the housing will remain affordable for successive occupiers in perpetuity*
- *The site is located within or adjoining the settlement boundary of a village and is adequately served by existing services and facilities*
- *The development takes full account of environmental considerations, including European sites*
- *The development provides all affordable housing unless it can be demonstrated that an element of market housing is required to deliver a significant amount of affordable housing”*

2.23 The Affordable Housing Supplementary Planning Document to which the policy refers has not been produced, although in late 2023 the Council adopted a Developer Contributions Supplementary Planning Document, which I discuss in more detail below.

2.24 The supporting text to Policy H5 provides, at paragraph 5.154, the role of rural exception sites *“Affordable Housing provided on rural exception sites deliver much needed housing to those in local need. The local planning authorities will continue to support the provision of affordable housing on rural exception sites”*.

Whaley Bridge Neighbourhood Plan 2022-2032 (January 2024)

2.25 Whaley Bridge and Furness Vale were designated as a neighbourhood plan area 24 October 2013. Following the referendum held 7 December 2023 Whaley Bridge Neighbourhood Plan was ‘made’ 19 January 2024.

2.26 Page 14 identifies 8.7% of the population of Neighbourhood Plan Area as being housed in Social Rented Housing Stock, citing the 2011 census.

2.27 The preamble to the Neighbourhood Plan Policies includes, on page 18, *“the Vision4Whaley Neighbourhood Plan supports the housing growth strategy and associated policies of the adopted Local Plan”*.

Other Material Considerations

High Peak Developer Contributions Supplementary Planning Document (October 2023)

2.28 The purpose of the Developer Contributions SPD (2023) is to clearly set out the Council’s approach, policies, and procedures in respect of planning obligations.

- 2.29 The SPD recognises at paragraph 4.1 that *“To support the Government’s objective of significantly boosting the supply of housing, the NPPF emphasises the importance of meeting the needs of groups with specific housing requirements”*.
- 2.30 Although not relevant to this appeal given it is a proposal for 100% affordable housing, paragraph 4.3 sets out the Council’s current approach to affordable housing in light of updates to national policy since the adoption of the Local Plan in 2016:
- “Since the Local Plan was adopted the NPPF update in 2018 stated that affordable housing should not be sought for residential developments that are not major developments (9) (other than designated rural areas). In light of the ministerial statement, High Peak’s requirement for affordable housing is therefore applicable to sites of 10 or more dwellings, with 20% provision expected on proposed sites of 10-24 homes.”*
- 2.31 The SPD provides guidance on First Homes at paragraphs 4.4 to 4.7. Paragraph 4.5 sets out that following the introduction of First Homes in 2021, the Council seeks an affordable housing tenure split of 25% First homes with the remaining units (75%) delivered in line with Policy H4 of the adopted Local Plan, i.e. 80% affordable rent and 20% shared ownership.
- 2.32 Paragraph 4.7 clarifies that if the affordable housing contribution is not a whole number, up to 0.49 will be rounded down while 0.5 and above will be rounded up to the nearest number.
- 2.33 Paragraph 4.17 at page 14 sets out what the Council means by *“local need”* in the context of Local Plan policy H5, and explains that a Section 106 agreement used to secure the affordable housing on rural exception sites should prioritise those applicants who can demonstrate a local need:
- *“People who have lived continuously in the village or Parish for at least five years;”*
 - *“People who have a strong local connection with the village or Parish by birth or upbringing or by a previous period of residence;”*
 - *“People who need to support their family currently living in the village or Parish or are themselves in need of family support;”*
 - *“People who are employed in the village or Parish”*

Emerging Local Plan

- 2.34 The Council is currently updating its Local Plan. The Council carried out an ‘Early engagement’ consultation between 19th January to 3rd March 2023. The Councils latest Local Development Scheme 2022 indicates that an Options consultation was due to take place later in Q3 of 2023 and a Preferred Options consultation in Q2 of 2024; however, neither of these consultations have taken place yet.
- 2.35 The Local Plan Review is afforded limited weight in the planning balance given it is still in the very early stages of its preparation.

Corporate Documents

- 2.36 The Council’s corporate documents identify the delivery of affordable housing as a high corporate priority of High Peak Borough Council. This includes the:
- Derbyshire Homelessness and Rough Sleeping Strategy 2022-2027 – **Appendix JS2**; and the
 - The High Peak Borough Plan 2023-2027 – **Appendix JS3**.

Derbyshire Homelessness and Rough Sleeping Strategy 2022-2027 – Appendix JS2;

- 2.37 In the preamble, Dean Wallace Director of Public Health for Derbyshire, page 3, sets out the context to the Strategy and some of the drivers of homelessness.

*“Partners in Derbyshire face considerable challenges in responding to homelessness and rough sleeping, set against a backdrop of the global pandemic, increases in the cost of living and an **increasingly unaffordable housing market**” [emphasis added].’*

- 2.38 The Strategy’s vision, page 8, recognises the need to ‘*increase the range of affordable housing options available across the County*’ as part of approach to tackling homelessness. This is included as one of the Strategy’s four priorities (page 10 – 11).
- 2.39 Page 23 sets out the approach to improving housing across the Derbyshire. “*We want to maximise every mechanism to increase the number of affordable housing options available across Derbyshire to both prevent and relieve homelessness ensuring long-term solutions to people’s housing situation. A range of accommodation options is needed across the social, affordable private and supported sector to cater for a wide range of housing needs*”.

2.40 The aim of *“Increasing the provision of appropriate, affordable social housing”* forms part of the first action identified, page 25, in the Strategy for addressing homelessness.

The High Peak Borough Plan 2023-2027 – Appendix JS3.

2.41 The Borough Plan sets out the Council’s commitments to delivering services in the Borough.

2.42 The five aims of the Plan are set out on page 3. Aim 2 is *‘Future proof housing’*. It is recognised that the future need for housing should accommodate the challenges that emerge from house prices that have increased faster than the national average and a rate of affordable housing delivery below that of the net annual need (page 18).

2.43 This is carried forward into the Council’s priority actions to address Aim 2, page 33. This includes developing a strategy to *“increase the supply of social, affordable and specialist housing”*. Priority outcomes, page 34, include an *“increased supply of quality affordable housing”*.

Conclusions on the Development Plan and Related Policies

2.44 The Development Plan for High Peak comprises the High Peak Local Plan (2016).

2.45 It is my opinion that the evidence set out in this section clearly highlights that within adopted policy, emerging policy and a wide range of other plans and strategies, providing affordable housing has long been established as, and remains, a key issue which urgently needs to be addressed within High Peak.

2.46 The appeal proposals provide an affordable housing contribution which meets the requirements of the High Peak Local Plan (2016) and the local area.

2.47 The delivery of up to 42 affordable homes will make a substantial contribution towards the annual affordable housing needs of the Borough and the local area, particularly when viewed in the context of past rates of affordable housing delivery which is considered in more detail in section 4 of my evidence.

Affordable Housing Needs

Section 3

The Development Plan

- 3.1 The adopted Development Plan does not define a numerical target for the provision of affordable homes. Instead, the adopted High Peak Local Plan (2016) has a stepped approach to affordable housing whereby 20% or 30% affordable housing is required on site depending on the size of the development.
- 3.2 In the absence of a defined affordable housing target figure in adopted and/or emerging policy, it is important to consider the objectively assessed need for affordable housing within the most up-to-date assessments of local housing need.

High Peak Strategic Housing Market Assessment and Housing Needs Study (April 2014)

- 3.3 The High Peak Strategic Housing Market Assessment and Housing Needs Study (2014) was published in April 2015 and identifies the overall housing need in High Peak for the period 2011/12 to 2030/31. The 2014 SHMA formed the evidence base for the adopted Local Plan (2016).
- 3.4 The 2014 SHMA also identifies the level of affordable housing need in High Peak; however, this calculation is provided over the much smaller period of five-years from 2011/12 to 2015/16.
- 3.5 Table 9.1 on page 112 of the 2014 SHMA titled 'Net Annual Housing Needs' identifies a need for **878 net affordable dwellings per annum in High Peak (including the parts of the Borough within the Peak District National Park) over the five-year period from 2011/12 to 2015/16.**
- 3.6 It should be noted that the 2014 SHMA was prepared prior to the implementation of the updated Annex 2 definition of affordable housing in the revised NPPF which was published in July 2018. The calculation of need within the 2014 SHMA therefore does not make provision for the range of affordable routes to home ownership within the current definition of affordable housing.

- 3.7 If these households were also to be factored into the calculation of affordable housing need it is likely that the net affordable housing need figure for High Peak would increase further. As such, I consider that the affordable housing need identified within the 2014 SHMA should be considered a minimum at best as it does not reflect the most up to date definitions of affordable housing now enshrined in the NPPF.

High Peak Housing and Economic Land Needs Assessment (September 2022) – Appendix JS4 (Extract)

- 3.8 The 2022 Housing and Economic Land Needs Assessment (“HELNA”) was published as part of the evidence base for the High Peak Local Plan Review and identifies the level of overall and affordable housing need in High Peak for the period 2021/22 to 2040/41. The findings of the 2022 HELNA are yet to be tested at examination.

- 3.9 For clarity paragraph 1.1 of the 2022 HELNA sets out the following:

“Lichfields has been appointed by High Peak Borough Council [HPBC] and the Peak District National Park Authority [PDNPA] to undertake a Housing and Economic Land Needs Assessment [HELNA] for the Borough (including that part which sits within the National Park’s administrative boundaries). For the avoidance of doubt references to ‘the Borough’ and ‘High Peak’ are to the totality of the study area. Reference to ‘National Park’ is solely to that part which lies within High Peak unless expressly indicated otherwise.”

- 3.10 The HELNA takes account of the full definition of affordable housing as set out in Annex 2 of the NPPF.
- 3.11 Table 10.27 on page 173 of the 2022 HELNA titled ‘Suggested Social/Affordable Rent and Intermediate Split’ indicates that there is a **net affordable housing need in High Peak (including the PDNP) of 270 dpa based on single earner income multipliers, falling to 228 dpa based on dual earner income multipliers for the period 2021/22 to 2040/41.**
- 3.12 Supporting paragraph 10.140 states that *“Total affordable needs are in the range between 228 and 270 affordable homes per annum 2021 to 2041. This is a significant proportion of the locally assessed need based on the standard method (260 dpa) of between 88% and 104%.”* (My emphasis).

3.13 Paragraph 14.29 states that:

“In line with the approach envisaged by the NPPF, the affordable housing needs are an important component of the overall need for housing and HPBC should seek to use its planning policy to maximise delivery of affordable housing given the scale of need identified.” (My emphasis).

3.14 With regard to tenure split, paragraph 14.31 specifies that *“the HELNA has identified a need for 65% social rented and 35% intermediate housing (of which 25% should relate to First Homes).”*

Local Housing Need vs Affordable Housing Need

3.15 The councils latest Five Year Housing Land Supply (“5YHLS”) Statement³) published in November 2023 sets out that the council’s housing supply is being measured against a figure based on the Government’s Standard Methodology for assessing Local Housing Need.

3.16 Whilst the Standard Method for calculating Local Housing Need applies an affordability adjustment, the PPG is clear that:

“The affordability adjustment is applied in order to ensure that the standard method for assessing local housing need responds to price signals and is consistent with the policy objective of significantly boosting the supply of homes. The specific adjustment in this guidance is set at a level to ensure that minimum annual housing need starts to address the affordability of homes⁴.”
(My emphasis)

3.17 Evidently providing an affordability adjustment to start to address the affordability of homes in an authority is clearly not the same as calculating an affordable housing need figure. The affordability uplift is simply a function of the standard methodology, and it is not a basis for determining the numerical need for affordable housing nor the types of affordable housing required as defined in Annex 2 of the NPPF (2023).

³ https://www.highpeak.gov.uk/media/8875/High-Peak-5-year-Housing-Land-Supply-April-2023/pdf/High_Peak_5_year_Housing_Land_Supply_April_2023.pdf?m=1702039372913

⁴ Paragraph: 006 Reference ID: 2a-006-20190220

- 3.18 This is further supported by the fact that calculating such need for an authority is dealt with under a separate section of the PPG titled ‘*How is the total annual need for affordable housing calculated?*’ which clearly sets out that:

“The total need for affordable housing will need to be converted into annual flows by calculating the total net need (subtract total available stock from total gross need) and converting total net need into an annual flow based on the plan period⁵.”

- 3.19 Whilst the Standard Method calculation may be appropriate for monitoring general housing needs and supply across the authority it does not provide a need figure for affordable housing in line with the PPG. As such it does not reflect affordable housing need; nor is it an appropriate basis with which to monitor affordable housing supply.
- 3.20 In a similar fashion, the achievement of Housing Delivery Test targets does not signify that affordable housing needs have been met over a period when using the standard method to calculate the ‘number of homes required’ for a Local Authority area.

Conclusions on Affordable Housing Needs

- 3.21 The 2014 SHMA forms part of the evidence base for the adopted High Peak Local Plan (2016). I consider that the 2014 SHMA identified affordable housing need should be considered a minimum at best as it does not reflect the most up to date definitions of affordable housing now enshrined in the NPPF.
- 3.22 The 2022 HELNA is the most recent calculation of affordable housing need for High Peak and is published as part of the evidence base for the High Peak Local Plan Review.

⁵ Paragraph: 024 Reference ID: 2a-024-20190220

Affordable Housing Delivery

Section 4

Introduction

- 4.1 This section of the evidence analyses the delivery of affordable housing in High Peak. It highlights significant shortfalls in meeting identified needs, illustrating a pressing need for a substantial increase in affordable housing provision across the Borough.

Past Affordable Housing Delivery

- 4.2 Figure 4.1 illustrates the gross delivery of affordable housing (“AH”) in High Peak, including completions in the PDNP, since the start of the Local Plan period in 2016.

Figure 4.1: Gross Additions to Affordable Housing Stock, 2011/12 to 2022/23

Monitoring Year	Total Housing Completions (Net)	Additions to AH stock (Gross)	Gross affordable additions as a %age of total completions
2011/12	116	40	34%
2012/13	214	64	30%
2013/14	37	0	0%
2014/15	109	54	50%
2015/16	161	40	25%
2016/17	332	49	15%
2017/18	502	44	9%
2018/19	386	118	31%
2019/20	308	23	7%
2020/21	249	45	18%
2021/22	389	153	39%
2022/23	426	108	25%
Totals	3,229	738	23%
Avg. Pa.	269	62	

Source: Freedom of Information response (7 March 2024)

- 4.3 Between 2011/12 and 2022/23, a total of 3,229 dwellings were delivered in High Peak, equivalent to 269 per annum. Of these, 738 dwellings were affordable tenures, equivalent to 62 per annum. This equates to 23% gross affordable housing delivery.
- 4.4 However, it is important to note that the gross affordable completions figure does not take into account any losses from the affordable housing stock through demolitions nor through Right to Buy (“RtB”) sales from existing Council and Registered Provider (“RP”) affordable housing stock.
- 4.5 Figure 4.2 below calculates the affordable housing delivery per annum since the start of the Local Plan period in 2011/12, net of Right to Buy sales. A net loss of 264⁶ affordable dwellings over this period equates to 36% of the gross affordable housing completions of 738 affordable dwellings over the 12-year period.

⁶ (265 + 6) – 7 = 264 dwellings

Figure 4.2: Net of Right to Buy Additions to Affordable Housing Stock, 2011/12 to 2022/23

Monitoring Period	Total housing completions (Net)	Additions to AH Stock (Gross)	LPA Acquisitions	LPA RtB sales	RP RtB sales	Additions to AH Stock (Net of RtB)	Additions to AH Stock (Net of RtB) as a %age of total completions
	A	B	C	D	E	F (B + C) - (D + E)	G (F / A) X 100
2011/12	116	40	n/a	5	1	34	29%
2012/13	214	64	n/a	9	0	55	26%
2013/14	37	0	n/a	17	0	-17	-46%
2014/15	109	54	n/a	19	0	35	32%
2015/16	161	40	n/a	19	0	21	13%
2016/17	332	49	n/a	32	0	17	5%
2017/18	502	44	n/a	25	0	19	4%
2018/19	386	118	0	21	0	97	25%
2019/20	308	23	0	30	2	-9	-3%
2020/21	249	45	0	24	1	20	8%
2021/22	389	153	4	30	2	125	32%
2022/23	426	108	3	34	0	77	18%
Total	3,229	738	7	265	6	474	15%
Avg. Pa.	269	62	1	22	1	40	15%

Source: Freedom of information response (7 March 2024); DLUHC Live Tables 691 and 693c2; Registered Provider Statistical Data Returns (2011/12 to 2022/23)

- 4.6 Figure 4.2 demonstrates that on average between 2011/12 to 2022/23, the Council has added just 40 affordable dwellings per annum net of Right to Buy sales and additions from acquisitions, equivalent to 15% of the total average number of net housing completions.
- 4.7 The above evidence clearly demonstrates that Right to Buy sales are depleting the affordable housing stock across High Peak faster than the replacements from acquisitions.
- 4.8 The impact of losses as a result of Right to Buy was acknowledged by the Inspector presiding over the appeal at land at the site of the former North Worcestershire Golf Club Ltd, Hanging Lane, Birmingham which was allowed in July 2019 (**Appendix JS 5**). Paragraph 14.108 of the Inspector’s Report sets out that:
- “Mr Stacey’s unchallenged evidence shows that only 2,757 new affordable homes were provided in the City over the first 6 years of the plan period. This represents less than half of the target provision and a net increase of only 151 affordable homes if Right to Buy sales are taken into account. On either measure there has been a very low level of provision against a background of a pressing and growing need for new affordable homes in Birmingham” (my emphasis).*
- 4.9 This was later endorsed by the Secretary of State.
- 4.10 The seriousness of the impact was considered in an article in the Independent newspaper in June 2020. The article is attached as **Appendix JS6**.
- 4.11 The article reports that *“Two-thirds of the council homes sold off under Right to Buy are still not being replaced by new social housing despite a promise by the government, official figures show”*. It goes on to discuss the national picture, explaining that *“Housing charities warned that enough “desperately needed” genuinely affordable housing is simply not being built, with an overall net loss of 17,000 homes this year from social stock. Since the policy was updated in 2012-13, 85,645 homes have been sold through the policy, but only 28,090 built to replace them, statistics from the Ministry of Housing, Communities and Local Government show”*.
- 4.12 The article goes on to quote Jon Sparkes, who was the chief executive at homelessness charity Crisis at the time. He remarked that *“These statistics demonstrate just how serious the current housing crisis is. What few social homes that are available are largely being removed from the market as part of Right to Buy, and the supply is not being replenished in line with this. People in desperately vulnerable*

circumstances are being left with dwindling housing options as a consequence of our threadbare social housing provision.”

- 4.13 The article also notes that a significant proportion of homes sold under the Right to Buy (for instance, around 40% of apartments) have gone on to be let in the private rented sector – in other words, what was once affordable housing is now being let out at full market rates. The article notes that *“Previous studies have shown that around 40 per cent of flats sold under the policy since the 1980s have ended up in the hands of private landlords, who let the homes out to private tenants at higher rates. The proportion is thought to be even higher in areas of high housing pressure like London”.*
- 4.14 It is important, therefore, that gains and losses to affordable housing stock through the Right to Buy and acquisitions are taken into account to reflect the actual level of affordable houses available.
- 4.15 The comments of Crisis underline the serious effect this is having upon the supply of affordable homes and for those people in housing need. For the purposes of subsequent analysis, the net of Right to Buy figures have been applied.

Affordable Housing Delivery Compared to Affordable Housing Needs

- 4.16 Figure 4.3 illustrates net of Right to Buy affordable housing delivery compared to the single income household identified need for 270 net affordable homes per annum as set out in the 2022 HELNA between 2021/22 and 2022/23.

Figure 4.3: Net of Right to Buy Additions to Affordable Housing Stock vs Needs Identified in the 2022 HELNA, 2021/22 and 2022/23 – single income household

Monitoring Year	Additions to AH Stock (Net of RtB)	2022 HELNA AH Needs (Net) – single income household	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2021/22	125	270	-145	-145	46%
2022/23	77	270	-193	-338	29%
Total	202	540	-338		37%
Avg. Pa	101	270	-169		37%

Source: Freedom of information response (7 March 2024); DLUHC Live Tables 691 and 693c2; Registered Provider Statistical Data Returns (2011/12 to 2022/23); 2022 HELNA

- 4.17 Since the start of the 2022 HELNA period in 2021/22, affordable housing completions (net of Right to Buy) have averaged just 101 net affordable dwellings per annum, against a need for 270 net affordable dwellings per annum. A shortfall of -338 affordable dwellings has arisen over the two-year period, equivalent to an average annual shortfall of -169 affordable dwellings.
- 4.18 As demonstrated by Figure 4.3, delivery of only 202 affordable homes net of Right to Buy over the period means that just 37% of identified affordable housing needs were met. Put another way 63% households in need of an affordable home were let down by the Council's inability to deliver.
- 4.19 Figure 4.4 below illustrates net of Right to Buy affordable housing delivery compared to the dual income household identified need for 228 net affordable homes per annum as set out in the 2022 HELNA between 2021/22 and 2022/23.

Figure 4.4: Net of Right to Buy Additions to Affordable Housing Stock vs Needs Identified in the 2022 HELNA, 2021/22 and 2022/23 – dual income household

Monitoring Year	Additions to AH Stock (Net of RtB)	2022 HELNA AH Needs (Net) – dual income household	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2021/22	125	228	-103	-103	55%
2022/23	77	228	-151	-254	34%
Total	202	456	-254		44%
Avg. Pa	101	228	-127		44%

Source: Freedom of information response (7 March 2024); DLUHC Live Tables 691 and 693c2; Registered Provider Statistical Data Returns (2011/12 to 2022/23); 2022 HELNA

- 4.20 Since the start of the 2022 HELNA period in 2021/22, affordable housing completions (net of Right to Buy) have averaged just 101 net affordable dwellings per annum, against a need for 228 net affordable dwellings per annum. A shortfall of -254 affordable dwellings has arisen over the two-year period, equivalent to an average annual shortfall of -127 affordable dwellings.
- 4.21 The delivery of only 202 affordable homes net of Right to Buy over the period means that just 44% of identified affordable housing needs were met. Put another way 56% households in need of an affordable home were let down by the Council's inability to deliver.

Affordable Housing Delivery in Whaley Bridge Parish

- 4.22 Figure 4.5 illustrates the past delivery of affordable housing in Whaley Bridge Parish in recent years. The Council's Annual Monitoring Reports only provide completions data for Whaley Bridge Parish since 2019/20. No additional delivery information to that presented below was provided in the Council's FOI response at **Appendix JS1**.

Figure 4.5: Gross Additions to Affordable Housing Stock in Whaley Bridge Parish, 2019/20 to 2022/23

Monitoring Year	Total Housing Completions (Net)	Additions to AH stock (Gross)	Gross affordable additions as a %age of total completions
2019/20	12	0	0%
2020/21	7	0	0%
2021/22	3	1	33%
2022/23	43	23	53%
Totals	65	24	37%
Avg. Pa.	16	6	

Source: High Peak Annual Monitoring Reports 2019/20 to 2022/23

- 4.23 Over the four-year period between 2019/20 and 2022/23 there have been a total of 65 net overall housing completions and 24 affordable housing completions in Whaley Bridge Parish. Losses to existing stock through the Right to Buy are not recorded on a parish basis. The figure given above is therefore a gross figure.
- 4.24 Affordable housing delivery in Whaley Bridge Parish over the past four years should be viewed in context of the fact that as of 31 March 2023 there were 67 households on the Council's Housing Register specifying Whaley Bridge Parish as their preferred choice of location.

Summary and Conclusions

- 4.25 The above evidence demonstrates that across High Peak, the delivery of affordable housing has fallen persistently short of meeting identified needs.
- 4.26 In the 12-year period since the start of the Local Plan period in 2011/12, net of Right to Buy affordable housing delivery represented just 15% of overall housing delivery, equating to just 40 affordable dwellings per annum. When compared against the net affordable housing needs identified in the 2022 HELNA, a cumulative shortfall of -254 affordable homes is evident.

- 4.27 It is clear that a 'step change' in affordable housing delivery is needed now in High Peak to address these shortfalls and ensure that the future authority-wide needs for affordable housing can be met.
- 4.28 In light of the identified level of need there can be no doubt that the delivery of up to 42 affordable dwellings on the proposed site will make a substantial contribution to the affordable housing needs of High Peak.

Future Supply of Affordable Housing

Section 5

Introduction

- 5.1 This section of the evidence considers the future supply of affordable housing across High Peak in comparison with identified needs.

Addressing the Shortfall in Affordable Housing Delivery

- 5.2 The following exercise is undertaken applying the lower affordable housing need of 228 net affordable homes per annum identified by the 2022 HELNA for the period 2021/22 to 2040/41. This presents a best-case scenario for the Council.
- 5.3 In the first two years of the 2022 HELNA period, the Council have overseen the delivery of 202 affordable homes (net of Right to Buy) against a need of 456 net new affordable homes, which has resulted in a shortfall of -254 affordable homes.
- 5.4 I consider that any shortfall in delivery should be dealt with within the next five years. This is also an approach set out within the PPG⁷ and endorsed at appeal.
- 5.5 The critical importance of understanding the ability of the Council to meet future need was considered in a recent appeal at Sondes Place Farm, Dorking where I provided affordable housing evidence.
- 5.6 The Inspector accepted the findings of the ‘future supply of affordable housing’ evidence and endorsed the use of the Sedgefield approach to clear a previous backlog of affordable housing delivery (**JS7, p.16 [85-86]**):

“Compared to the Core Strategy Policy CS4 target a shortfall of 234 affordable homes has arisen across the current development plan period. The most recent evidence of need points to an increased need for affordable homes (143 dpa). However, in the last three years alone, there has been a shortfall of 396 affordable homes due to the delivery of only 33 dpa in those years.

To clear the backlog 222 affordable homes would need to be delivered each year for the next five years. The number of affordable homes coming forward looks to

⁷ Paragraph: 031 Reference ID: 68-031-20190722

be substantially below that level of delivery. This will mean the existing shortfall will only become worse.” (my emphasis).

- 5.7 The Inspector went on to outline the consequences of not providing sufficient affordable housing (paragraph 88):

“The consequences of not providing enough affordable homes affect people. Being able to access good housing has a bearing upon everyday life and there are socio-economic effects such as financial security and stability, physical and mental health, decreased social mobility and adverse effects on children’s education and development. In Mole Valley the number of people on the housing register has risen, there are increasing affordability ratios and people are paying significantly over 30% of their income on rent.”

- 5.8 It is therefore imperative that the -254 dwelling affordable housing shortfall accumulated since 2021/22 is addressed as soon as possible and in any event within the next five years.

- 5.9 When the shortfall is factored into the 2022 HELNA identified need of 228 affordable homes per annum for the period 2023/24 to 2027/28, the number of affordable homes the Council will need to complete increases by 22% to 279 net affordable homes per annum over the period.

- 5.10 This would ensure that for the remainder of the 2022 HELNA period up to 2040/41 the annual affordable housing need reduces to 228 per annum to deal solely with newly arising needs. This is illustrated in Figures 5.1 and 5.2.

Figure 5.1: Annual Affordable Housing Need incorporating Backlog Needs since the 2021/22 base date of the 2022 HELNA

A	Affordable housing need per annum for the period 2021/22 to 2022/23 identified in the 2022 HELNA	228
B	Net Affordable housing need for the period 2021/22 to 2022/23 (A x 2)	456
C	Net of Right to Buy sales Affordable housing completions for the period 2021/22 to 2022/23	202
D	Shortfall/backlog of affordable housing need for the period 2021/22 to 2022/23 (B – C)	254
E	Backlog affordable housing need per annum required over the period 2023/24 to 2027/28 (D/5)	51*
F	Full affordable housing need per annum for the period 2023/24 to 2027/28 (A + E)	279
G	Full affordable housing need for the period 2023/24 to 2027/28 (F x 5)	1,395

* Please note that figures account for rounding

- 5.11 Further indication of the severity of the situation can be seen in Figure 5.2 below which illustrates that the Council need to deliver 1,395 net affordable homes over the next five years to address backlog needs in line with the Sedgefield approach.

Figure 5.2: Annual Affordable Housing Need 2023/24 to 2027/28 incorporating Backlog Needs Accrued in 2021/22 to 2022/23 when applying the Sedgefield Approach

Monitoring Period	2022 HELNA Net Affordable Housing Need per annum (dual income household)	Net Affordable Housing Need per annum When Addressing Backlog Within Next Five Years
2023/24	228	279
2024/25	228	279
2025/26	228	279
2026/27	228	279
2027/28	228	279
Total	1,140	1,395

- 5.12 It is clear that the backlog of affordable housing needs within High Peak will continue to grow unless the Council takes urgent and drastic action to address needs and deliver more affordable homes.

The Future Supply of Affordable Housing

- 5.13 The Council has published its latest Five-Year Housing Land Supply Statement⁸ (“5YHLS”) in November 2023, covering the period 1 April 2023 to 31 March 2028.
- 5.14 If we were generously to assume that all 1,653 dwellings included in the 5YHLS will come forward on sites eligible for affordable housing; and that all of these sites would deliver affordable housing at the gross prevailing rate (i.e. 23%) as a proportion of overall housing completions, this is likely to deliver only 380 affordable dwellings over the period, equating to just 76 new affordable dwellings per annum.
- 5.15 This figure falls substantially short of the 279 per annum figure required when back log needs are addressed in the first five years in line with the Sedgefield approach. It also falls significantly short of the 228 net affordable housing needs per annum identified in the 2022 HELNA; which is itself the lower end of need identified by the 2022 HELNA.
- 5.16 As Figure 4.2 of this evidence highlights, affordable housing provision has slipped far below policy compliance since the start of the plan period in 2011/12 up to 2022/23. Average delivery on a per annum basis over the same period has been just 40 affordable homes net of Right to Buy.
- 5.17 Consequently, I have no confidence that the Council can see a sufficient step change in the delivery of affordable housing to meet annual needs. This makes it even more important that suitable sites, such as the appeal site, are granted planning permission now in order to boost the supply of affordable housing.

Summary and Conclusions

- 5.18 It is imperative that the -254 dwelling affordable housing shortfall accumulated since 2021/22 is addressed as soon as possible and in any event within the next five years.
- 5.19 When the shortfall is factored into the lower affordable housing need of 228 net affordable homes per annum for the period 2023/24 to 2027/28, the number of affordable homes the Council will need to complete increases by 22% to 279 net affordable homes per annum over the period.
- 5.20 The above evidence demonstrates that Council is unlikely to be able to meet its affordable housing needs over the next five years. Generously assuming all sites in the in the 5YHLS would provide affordable housing at the gross prevailing rate of

⁸ https://www.highpeak.gov.uk/media/8875/High-Peak-5-year-Housing-Land-Supply-April-2023/pdf/High_Peak_5_year_Housing_Land_Supply_April_2023.pdf?m=1702039372913

delivery over the plan period so far, there is a possible supply of just 76 new affordable dwellings per annum.

- 5.21 Consequently, there is a substantial need for more affordable housing now. In light of the Council's poor record of affordable housing delivery and the volatility of future affordable housing delivery there can be no doubt that the provision of up to 42 affordable dwellings on this site to address the Borough-wide needs of High Peak should be afforded very substantial weight in the determination of this appeal.

Affordability Indicators

Section 6

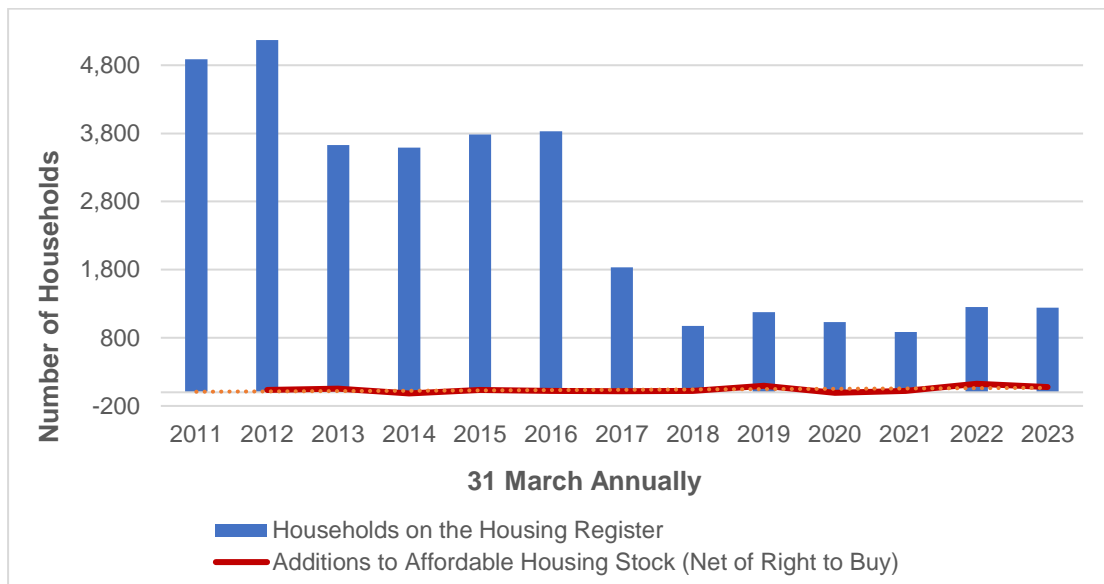
Introduction

- 6.1 The PPG recognises the importance of giving due consideration to market signals as part of understanding affordability. I acknowledge that this is in the context of plan making.

Housing Register

- 6.2 The Council's Freedom of Information response (**Appendix JS1**) confirms that on 31 March 2023 there were 1,243 households on the Housing Register.
- 6.3 Of the 1,243 households on the Housing Register on 31 March 2023, 67 households specified a preference for an affordable home in Whaley Bridge Parish; this represents 5% of the housing register.
- 6.4 Figure 6.1 provides a comparative analysis of the number of households on the Housing Register and affordable housing delivery (net of Right to Buy) across High Peak since the start of the Local Plan period in 2011/12.

Figure 6.1: Number of Households on the Housing Register Compared with Additions to Affordable Housing Stock (Net of Right to Buy), 2011 to 2023



Source: DLUHC Open Data; Freedom of information response (7 March 2024); DLUHC Live Tables 691 and 693c2; Registered Provider Statistical Data Returns (2011/12 to 2022/23)

6.5 As Figure 6.1 clearly illustrates, affordable housing delivery has failed to keep pace with identified need on the housing register by a considerable margin for every single year in High Peak in 2011.

6.6 Footnote 3 of DLUHC⁹ Live Table 600 highlights that:

“The introduction of choice-based approaches in 2003, where applicants have more choice about where they live, has contributed to a rise in the size of waiting lists. The Localism Act 2011 has contributed to a decrease in the size of waiting lists, as it allowed local authorities to set their own qualification criteria. Since households can be on the waiting list of more than one local authority, there is the potential for double counting.”

6.7 Evidently the result of the Localism Act is that many local authorities, including High Peak, have been able to exclude applicants already on Housing Register waiting lists who no longer meet the new narrower criteria but who are still in need of affordable housing.

6.8 Following the changes brought about by the Localism Act, High Peak published a revised Housing Allocations Scheme in 2013 which received further revisions in 2023.

⁹ Department for Levelling Up, Housing and Communities

- 6.9 Despite this it is important to reiterate that the number of households on the Housing Register has actually increased by 41% since 2021, indicating a worsening of affordability across High Peak.
- 6.10 Whilst restricting the entry of applicants on to the Housing Register may temporarily reduce the number of households on the waiting list, this does not reduce the level of need, it merely displaces it.
- 6.11 The ability of Local Authorities to set their own qualification criteria in relation to Housing Registers was recognised by the Planning Inspector presiding over an appeal at Oving Road, Chichester (**Appendix JS8, p.11, [63]**) in August 2017. In assessing the need for affordable housing in the district, and in determining the weight to be attached to the provision of affordable housing for the scheme which sought to provide 100 dwellings; the Inspector acknowledged at paragraph 63 of their report that:

“The provision of 30% policy compliant affordable houses carries weight where the Council acknowledges that affordable housing delivery has fallen short of meeting the total assessed affordable housing need, notwithstanding a recent increase in delivery. With some 1,910 households on the Housing Register in need of affordable housing, in spite of stricter eligibility criteria being introduced in 2013 there is a considerable degree of unmet need for affordable housing in the District. Consequently, I attach substantial weight to this element of the proposal” (my emphasis).

- 6.12 Furthermore, in the recent appeal decision at Oxford Brookes University Campus at Wheatley, (**Appendix JS9, p74, [13.101]**) Inspector DM Young asserted at paragraph 13.101 of their report that in the context of a lengthy housing register of 2,421 households:

“It is sometimes easy to reduce arguments of housing need to a mathematical exercise, but each one of those households represents a real person or family in urgent need who have been let down by a persistent failure to deliver enough affordable houses” (my emphasis).

- 6.13 The Inspector went on to state at paragraph 13.102 that:

“Although affordable housing need is not unique to this district, that argument is of little comfort to those on the waiting list” before concluding that “Given the importance attached to housing delivery that meets the needs of groups with specific housing requirements and economic growth in paragraphs 59 and 80 of the Framework, these benefits are considerations of substantial weight”.

6.14 In undertaking the planning balance, the Inspector stated at paragraph 13.111 of their report that:

“The Framework attaches great importance to housing delivery that meets the needs of groups with specific housing requirements. In that context and given the seriousness of the affordable housing shortage in South Oxfordshire, described as “acute” by the Council, the delivery of up to 500 houses, 173 of which would be affordable, has to be afforded very substantial weight”.

6.15 In determining the appeal, the Secretary of State concurred with these findings, thus underlining the importance of addressing needs on the Housing Register, in the face of acute needs and persistent under delivery. In my opinion the numbers on the LPA’s housing register remains high.

6.16 It is important to note that the Housing Register is only part of the equation relating to housing need. The housing register does not constitute the full definition of affordable housing need as set out in the NPPF – Annex 2 definitions i.e. affordable rented, starter homes, discounted market sales housing and other affordable routes to home ownership including shared ownership, relevant equity loans, other low-cost homes for sale and rent to buy, provided to eligible households whose needs are not met by the market.

6.17 In short, there remains a group of households who fall within the gap of not being eligible to enter the housing register but who also cannot afford a market property and as such are in need of affordable housing. It is those in this widening affordability gap who, I suggest, the Government intends to assist by increasing the range of affordable housing types in the most recent NPPF.

6.18 The Franklands Drive Secretary of State appeal decision in 2006 (**Appendix JS10**) underlines how the Housing Register is a limited source for identifying the full current need for affordable housing. At paragraph 7.13 of the Inspector’s report the Inspector drew an important distinction between the narrow statutory duty of the Housing Department in meeting priority housing need under the Housing Act, and the wider ambit of the planning system to meet the much broader need for affordable housing.

6.19 As such the number of households on the Housing register will only be an indication of those in priority need and whom the Housing Department have a duty to house. But it misses thousands of households who are in need of affordable housing, a large proportion of whom will either be living in overcrowded conditions with other households or turning to the private rented sector and paying unaffordable rents.

Waiting Times

- 6.20 The Council’s Freedom of Information response (**Appendix JS1**) shows that successful applicants for affordable housing face lengthy and increasing waits for an affordable home in High Peak.
- 6.21 Figure 6.2 illustrates that, based on the dwelling size, successful applicants in the 2022/23 period experienced average waiting times ranging from 206 days (approximately 7 months) to 720 days (approximately 2 years) for an affordable home.

Figure 6.2: Housing Register Average Waiting Times, March 2024

Size of Affordable Property	Average Waiting Time to be Housed (31 March 2023)
1-bedroom home	206 days
2-bedroom home	250 days
3-bedroom home	325 days
4+ bedroom home	720 days

Source: Freedom of Information response (7 March 2024)

- 6.22 It is crucial to note that these figures represent averages, implying that some households may have been waiting even longer than the indicated times. Additionally, these statistics only capture the waiting times for successful applicants, typically those in the highest priority need. Households with less urgent needs can anticipate significantly lengthier waiting periods.

Housing Register Bids and Lettings

- 6.23 The Council’s FOI response (**Appendix JS1**) confirms that as of 31 March 2024, there were 67 households who specified a preference for an affordable home in Whaley Bridge Parish. This represents 5% of the total Housing Register (1,243 households). This is an increase of 2 households at the time the application was reported to committee.
- 6.24 Figure 6.3 below demonstrates average number of bids per property in Whaley Bridge over the 2022/23 monitoring period for a range of types of affordable property.

Figure 6.3: Bids Per Property in Whaley Bridge Parish, April 2023 to March 2024

Type of Affordable Property	No. of Lettings	Average Bids Per Property
1-bed affordable dwelling	21	25.8
2-bed affordable dwelling	5	78.4
3-bed affordable dwelling	4	90
4+ bed affordable dwelling	0	n/a

Source: Freedom of Information response (7 March 2024)

- 6.25 Figure 6.3 demonstrates that between 1 April 2023 to 31 March 2024 there were an average of 25.8 bids per 1-bed affordable dwelling let in the parish, 78.4 average bids per 2-bed affordable dwelling and 90 average bids per 3-bed affordable dwelling. No 4+ bed affordable dwellings were let in the 2022/23 monitoring period.
- 6.26 For every successful letting, there are clearly tens, if not hundreds of households who have missed out and are left waiting for an affordable home. Evidently, there is a clear and pressing need for affordable homes within the Whaley Bridge Civil Parish this is not being met.

Temporary Accommodation

- 6.27 DLUHC statutory homelessness data highlights that on 31 March 2023, there were 32 households housed in temporary accommodation by the Borough.
- 6.28 Of these, 16 households (50%) were households with children. The Council has a responsibility to house these households.
- 6.29 Not only does this mean that those in need of affordable housing are being housed in temporary accommodation, which is unlikely to be suited to their needs, but they may also be located away from their support network, at significant cost to local taxpayers.
- 6.30 The Derbyshire Homelessness and Rough Sleeping Strategy 2022 to 2027 notes on page 8 that:

“... temporary accommodation is an essential part of a household’s journey out of homelessness. There has been an increase in the use of temporary accommodation across Derbyshire over the last three years, including increases in the use of bed & breakfast accommodation...”

- 6.31 The *“Bleak Houses: Tackling the Crisis of Family Homelessness in England”* report published in August 2019 by the Children’s Commissioner found that temporary accommodation presents serious risks to children’s health, wellbeing, and safety, particularly families in B&Bs where they are often forced to share facilities with adults engaged in crime, anti-social behaviour, or those with substance abuse issues.
- 6.32 Other effects include lack of space to play (particularly in cramped B&Bs where one family shares a room) and a lack of security and stability. The report found (page 12) that denying children their right to adequate housing has a *“significant impact on many aspects of their lives”*.

Homelessness

- 6.33 DLUHC statutory homelessness data shows that in the 12 months between 1 April 2022 and 31 March 2023, the Council accepted 195 households in need of homelessness prevention duty¹⁰, and a further 164 households in need of relief duty¹¹ from the Council.
- 6.34 The Vision set out on page 8 of the Derbyshire Homelessness and Rough Sleeping Strategy 2022 to 2027 specifies that to reduce homelessness in High Peak (and the other Derbyshire counties) the range of affordable housing options available across the County must be increased.
- 6.35 A 2017 report by the National Audit Office (“NAO”) found that *“The ending of private sector tenancies has overtaken all other causes to become the biggest single driver of statutory homelessness in England.”*
- 6.36 It is for this reason that the Private Rented Sector (“PRS”) is not a suitable substitute for affordable housing and does not have an equivalent role in meeting the housing needs of low-income families. It is highly pertinent that in the NPPF, PRS housing is not included within the Annex 2 definition of affordable housing.
- 6.37 It should also be noted that there has been an exponential shift in the PRS market in recent years with many private landlords exiting the market following the Government’s removal of tax relief on interest payments in 2020 and as a consequence of higher interest rates as well as the prospect of further rental reforms / regulations.

¹⁰ The Prevention Duty places a duty on housing authorities to work with people who are threatened with homelessness within 56 days to help prevent them from becoming homeless. The prevention duty applies when a Local Authority is satisfied that an applicant is threatened with homelessness and eligible for assistance.

¹¹ The Relief Duty requires housing authorities to help people who are homeless to secure accommodation. The relief duty applies when a Local Authority is satisfied that an applicant is homeless and eligible for assistance.

- 6.38 Research conducted by global real estate advisor, CBRE in 2023 found that since the start of 2022, when the Bank of England began increasing the base rate (from 0.25% to now 5%) prompting higher mortgage costs, it estimated that 126,500 rental properties had been sold.
- 6.39 Additionally, the CBRE research found approximately 273,500 rental properties were sold between 2016 and 2021, aligning with the additional rate of stamp duty for second properties, introduced in 2016, and phasing out of mortgage interest relief. In total, this equated to a loss of 400,000 rental homes.
- 6.40 Scott Cabot, head of Residential Research at CBRE, noted that if sales continue at a similar trajectory, the numbers will represent a loss of almost 10% of the UK’s private rented households by the end of 2023.

Private Rental Market

- 6.41 Valuation Office Agency (“VOA”) and Office for National Statistics (“ONS”) data show that median private rents in High Peak stood at £625 per calendar month (“pcm”) in 2014/15. This represents a 26% increase from 2013/14 where median private rents stood at £495 pcm.

Figure 6.4 Median Private Sector Rents, 2014/15 to 2022/23

Area	Median rent in 2014/15	Median rent in 2022/23	% change
High Peak	£495	£625	+26%

Source: VOA and ONS

- 6.42 In the last 12-months alone median rents in High Peak have increased by 14%, from £550 in 2021/22 to £625 in 2022/23.
- 6.43 Lower quartile private sector rents are representative of the ‘entry level’ of the private rented sector and include dwellings sought by households on lower incomes.
- 6.44 The average lower quartile monthly rent in High Peak in 2022/23 was £446 pcm. This represents a 5% increase from 2014/15 where average lower quartile monthly rents stood at £425 pcm.

Figure 6.5: Lower Quartile Private Sector Rents, 2014/15 to 2022/23

Area	Lower quartile rent in 2014/15	Lower quartile rent in 2022/23	% change
High Peak	£425	£446	+5%

Source: VOA and ONS

6.45 In the last 12-months alone lower quartile rents in High Peak have increased by a concerning 13%, from £395 in 2021/22 to £446 in 2022/23.

6.46 It is important to note that VOA/ONS rental data is calculated using all transaction data i.e., existing lets as well new lettings over the period. The data is therefore not necessarily representative of the cost of renting for new tenants in High Peak.

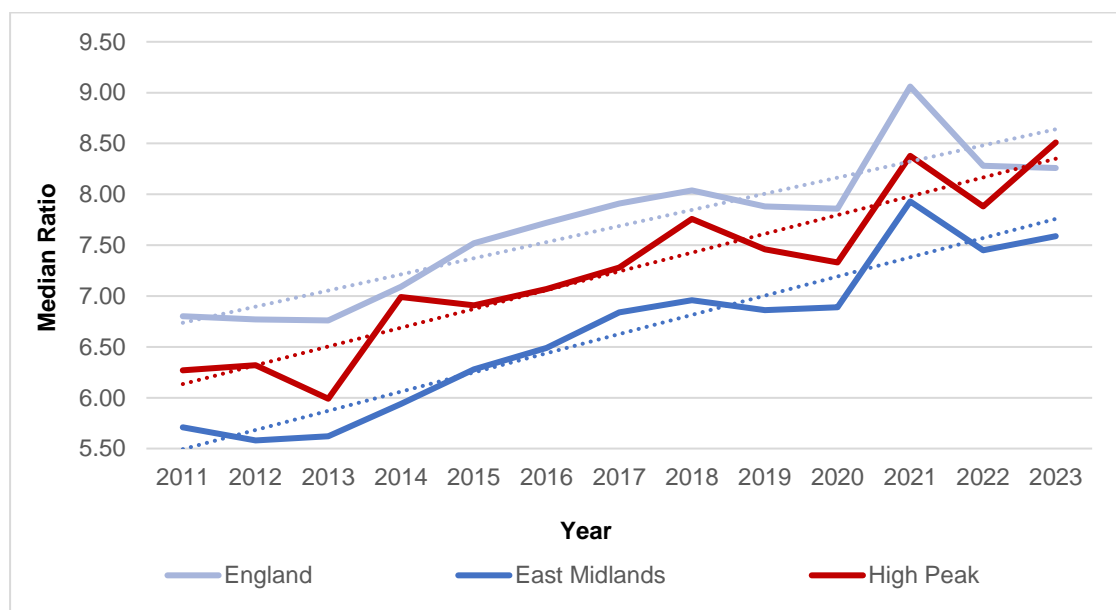
Median House Prices

6.47 The ratio of median house prices to median incomes in High Peak now stands at **8.51**, a 36% increase since the start of the Local Plan period in 2011 where it stood at 6.27.

6.48 It can be seen in Figure 6.6 below that in 2023 the median affordability ratio, for the first time since the start of the Local Plan period, is higher in High Peak than nationally.

6.49 A ratio of 8.51 in 2023 stands substantially above the national median of 8.26 (+3%) and significantly above the East Midlands median of 7.59 (+12%).

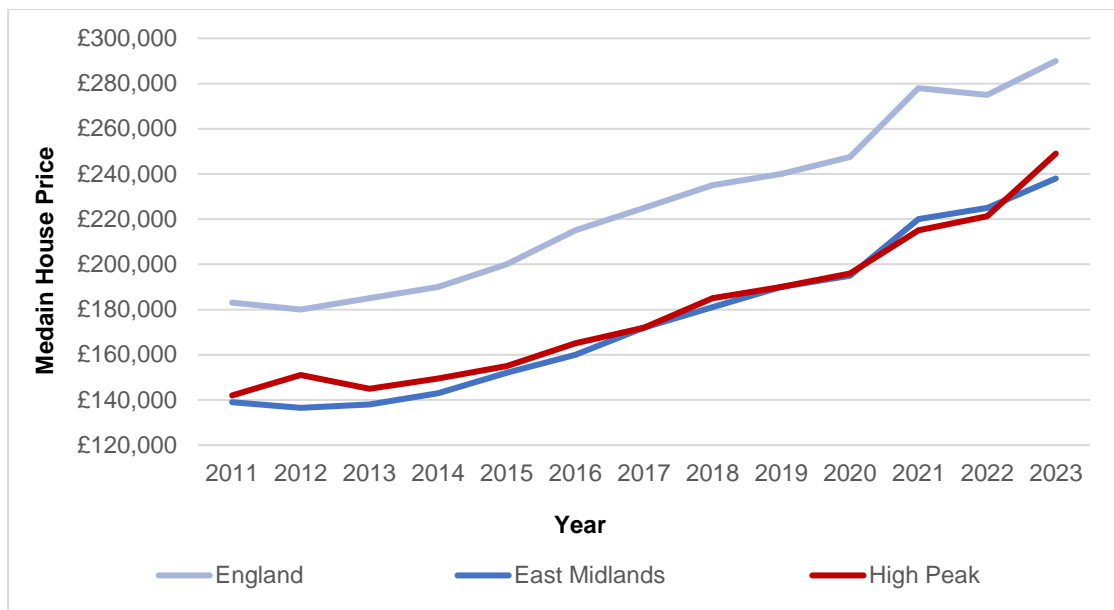
Figure 6.6: Median Workplace-Based Affordability Ratio comparison, 2011 to 2023



Source: ONS

6.50 Figure 6.7 illustrates the median house sale prices for England, the East Midlands, and High Peak. It demonstrates that they have increased dramatically between the start of the Local Plan period in 2011 and 2023.

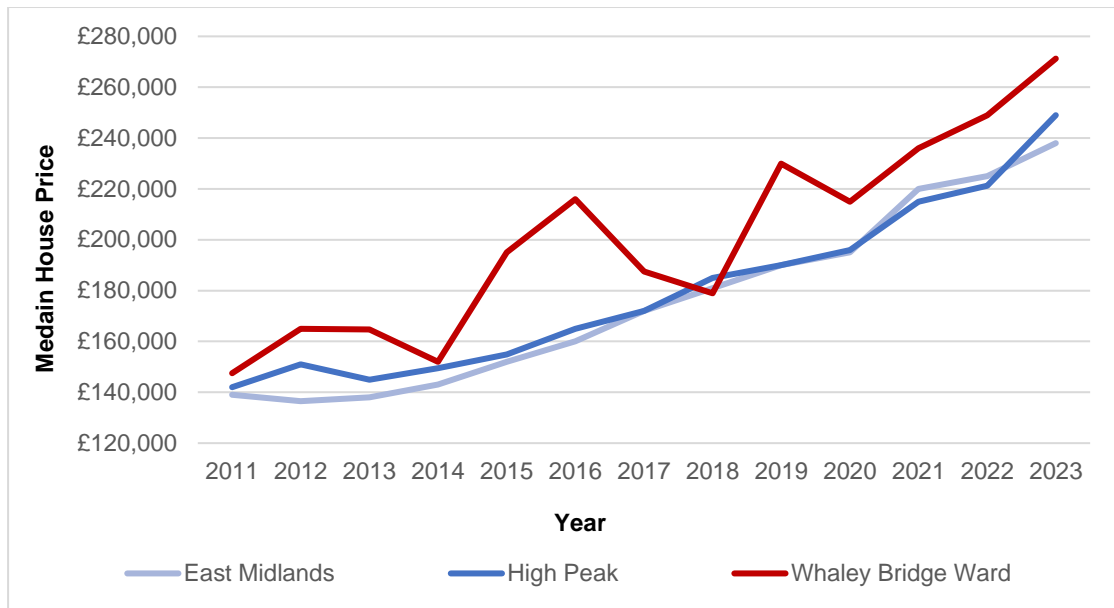
Figure 6.7: Median House Price Comparison, 2011 to 2023



Source: ONS

- 6.51 The median house price across High Peak has risen by 75% from £142,000 in 2011 to £249,000 in 2023. This figure is some 12% lower than the national figure of £290,000, which has seen an increase of 58% over the same period, although 5% higher than the East Midlands figure of £238,000 which has seen an increase of 71% over the same period.
- 6.52 Figure 6.8 below compares the median house sale prices in the Whaley Bridge Ward with High Peak and the East Midlands. It demonstrates that they have increased dramatically between the start of the Local Plan period in 2011 and 2023.

Figure 6.8: Median House Price Comparison, 2011 to 2023



Source: ONS

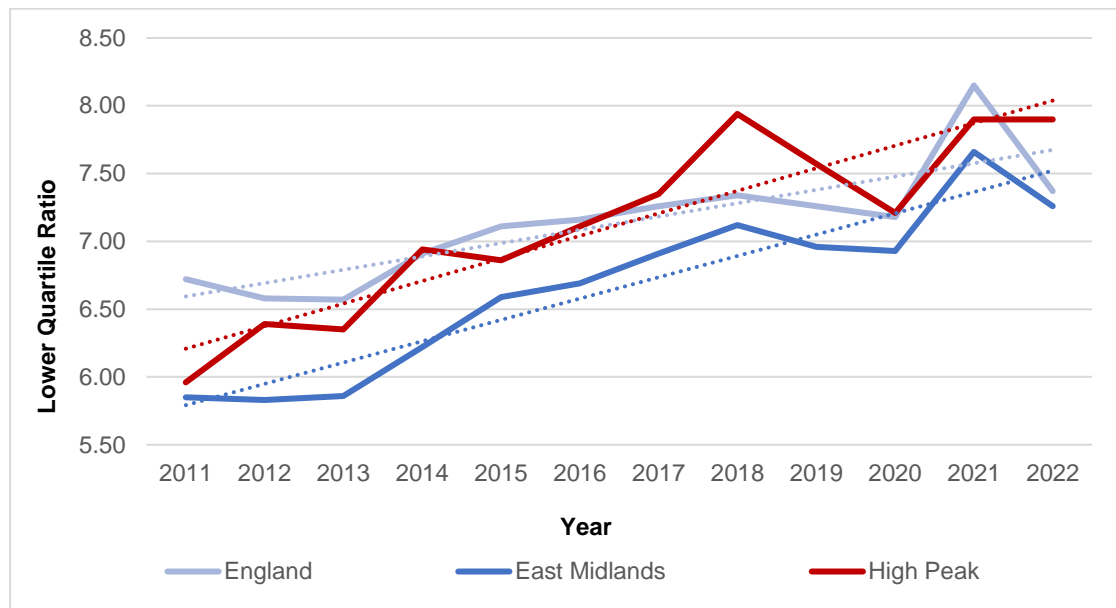
- 6.53 The median house price across Whaley Bridge Ward has risen by 84% from £147,500 in 2011 to £271,250 in 2023. This figure is 9% higher than the High Peak figure of £249,000, (which has seen an increase of 75% over the period) and 14% higher than the East Midlands figure of £238,000 (which has seen an increase of 71% over the period).

Lower Quartile House Prices

- 6.54 For those seeking a lower quartile priced property (typically considered to be the 'more affordable' segment of the housing market), the ratio of lower quartile house price to incomes in High Peak in 2022¹² stood at **7.90**, a 33% increase since the start of the Local Plan period in 2011 when it stood at 5.96.
- 6.55 This means that those on lower quartile incomes in High Peak, seeking to purchase a median priced property, now need to find almost eight times their annual income to do so.
- 6.56 Once again it remains the case that the ratio in High Peak stands substantially above the national average of 7.37 (+7%) and significantly above the East Midlands average of 7.26 (+9%). It follows that housing in this area is significantly unaffordable for a significant part of the local population.

¹² Please note that lower quartile house price to income ratio data is only available up to 2022.

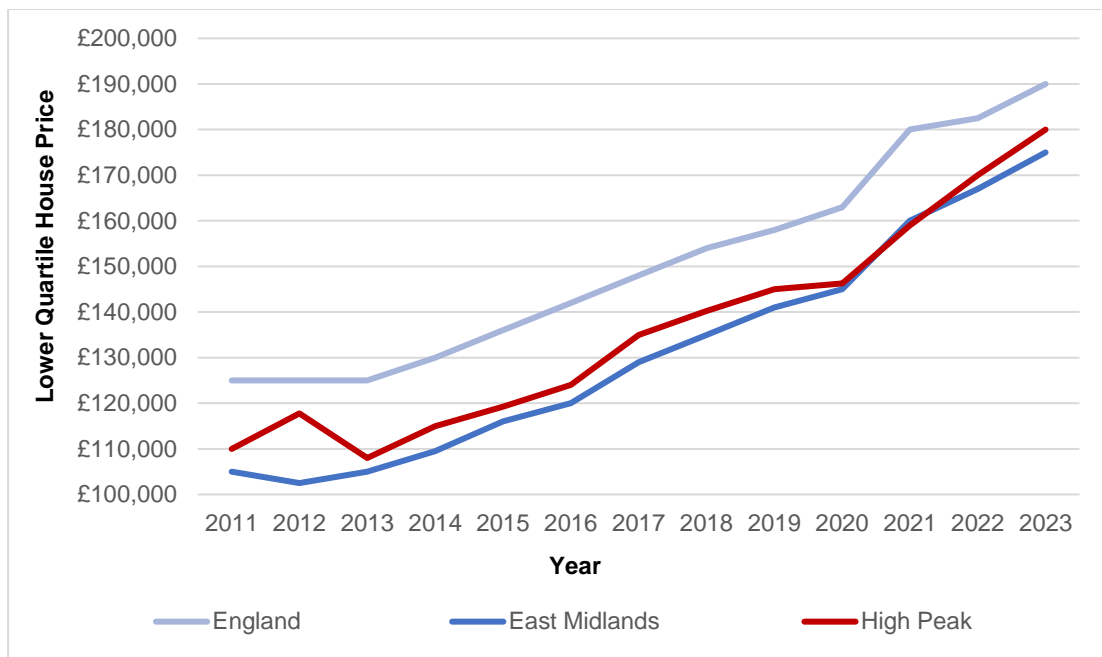
Figure 6.9: Lower Quartile Workplace-Based Affordability Ratio comparison, 2011 to 2022



Source: ONS

- 6.57 It is also worth noting that mortgage lending is typically offered on the basis of up to 4.5 times earnings (subject to individual circumstances). Here, the affordability ratio is some 76% higher than that.
- 6.58 Figure 6.10 illustrates the lower quartile house sale prices for England, East Midlands, and High Peak. It demonstrates that they have increased dramatically between the start of the Local Plan period in 2011 and 2023.

Figure 6.10: Lower Quartile House Prices, 2011 to 2023

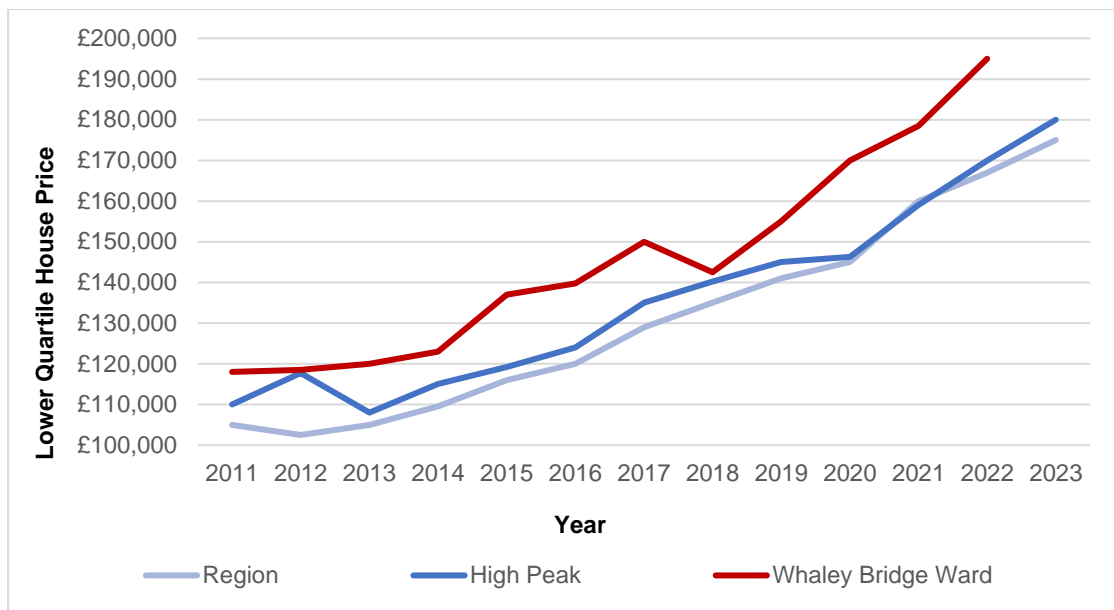


Source: ONS.

- 6.59 The lower quartile house price across High Peak has risen by 64% from £110,000 in 2011 to £180,000 in 2023. This compares to a 67% increase across the East Midlands and a national increase of 52% over the same period.
- 6.60 In 2023 lower quartile house prices in High Peak (£180,000) were 3% higher than across the East Midlands (£175,000), although 5% lower than the national figure (£190,000).
- 6.61 Figure 6.11 below compares the lower quartile house sale prices in the Whaley Bridge Ward with High Peak and the East Midlands. Once again it demonstrates that they have increased dramatically between the start of the Local Plan period in 2011 and 2022¹³.

¹³ 2023 ONS Lower Quartile data for Wards been discontinued.

Figure 6.11: Lower Quartile House Price Comparison, 2011 to 2022



Source: ONS.

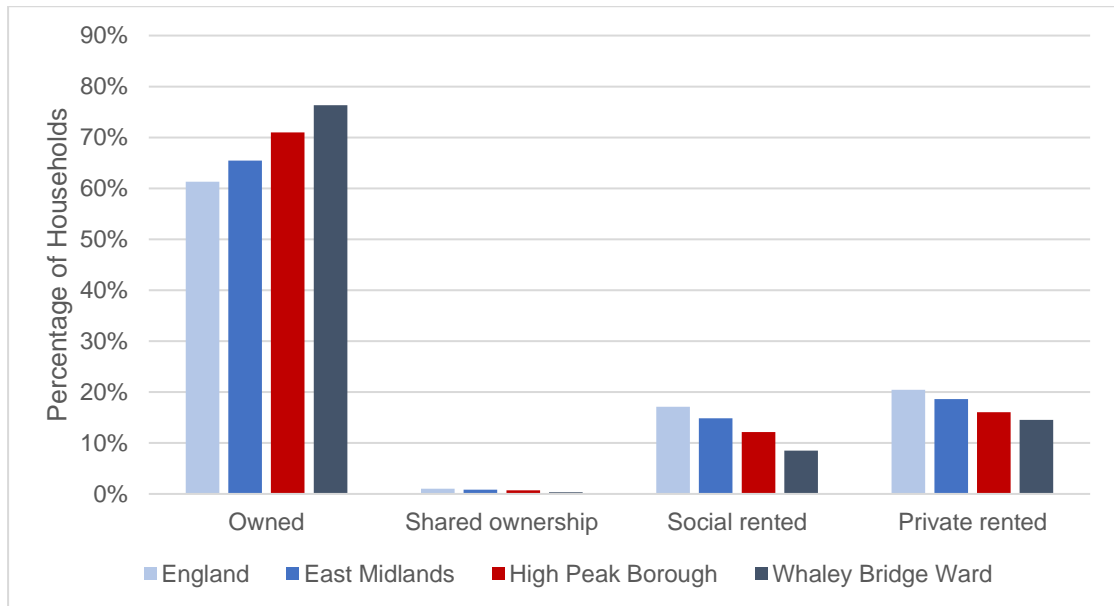
- 6.62 The lower quartile house price across Whaley Bridge Ward has risen by 77% from £118,000 in 2011 to £195,000 in 2022. This figure is 15% higher than the 2022 High Peak figure of £170,000, (which has seen an increase of 64% over the period) and 17% higher than the East Midlands figure of £167,000 (which has seen an increase of 67% over the period).

Tenure

- 6.63 Figure 6.12 below shows the tenure mix across Whaley Bridge ward (including Bridgemont and Furness Vale areas) and High Peak borough, compared with England and the East Midlands. This is based on data in the 2021 Census.
- 6.64 It reveals that social renting is significantly underrepresented in High Peak borough, where it accounts for 12% of households (compared with 17% in England) and even more so in Whaley Bridge where it accounts for just 9% of households i.e. fewer than one-in-ten.
- 6.65 By contrast, ownership is over-represented in High Peak and Whaley Bridge, and the private rented sector is under-represented. This means that, even outside of the affordable housing sector, there are fewer opportunities to access a home without the up-front deposit required to access homeownership.

6.66 Shared ownership accounts for a small proportion of homes at all geographic levels. Strikingly, in Whaley Bridge there are just 9 households who reported that they occupied a shared ownership home in 2021.

Figure 6.12: Tenure, 2021



Source: Census 2021

Summary and Conclusions

- 6.67 As demonstrated through the analysis in this section, affordability across High Peak has been, and continues to be, in crisis.
- 6.68 The affordable housing indicators above indicate a dysfunctional housing market where additional pressure is put on households and their household spending on their accommodation. The pressures arise from rising affordability ratios above the regional figure, rising private sector rents and rising house prices.
- 6.69 It is for this reason that a broad mix of affordable housing tenure is required to be considered to provide a broad spectrum of need as envisaged by the NPPF Annex 2 Definition. This does not just relate to those in most need of affordable housing, but includes households who require Shared Ownership or discounted market housing.
- 6.70 The exact tenure mix has been deliberately left to the Reserved Matters stage to ensure the optimal mix can be agreed at the point of delivery.

- 6.71 Furthermore, I note there is nothing within local or national policy which specifies a preference or ranking of one form of affordable housing tenure above another. This is sent out in the Hawkhurst appeal, attached as **Appendix JS11**, where the inspector indicated the following at paragraph 114.

*“114. The Council has noted that the tenure offered by the scheme is not that which emerging policy supports and also sets out that there needs to be a focus on social rented housing, so that they will be affordable to a greater number of local people than affordable rents. However, the Council has not sought to demonstrate that there is no need for affordable rent in the borough **and there is nothing in adopted local policy or national policy or guidance that justifies ranking one form of affordable housing need over another. The Government’s Planning Practice Guidance is clear that all households whose needs are not being met by market housing and who are eligible for one or more of the types of affordable housing specified in the Glossary to the Framework are in affordable housing need**”.* (My emphasis).

- 6.72 House prices and rent levels in both the median and lower quartile segments of the market are increasing whilst at the same time the stock of affordable homes is failing to keep pace with the level of demand. This only serves to push buying or renting in High Peak out of the reach of more and more people.
- 6.73 Analysis of market signals is critical in understanding the affordability of housing. It is my opinion that there is an acute housing crisis in High Peak, with a lower quartile house price to average income ratio of 7.90 in 2022.
- 6.74 Market signals indicate a worsening trend in affordability in High Peak and within Whaley Bridge Ward. By any measure of affordability, this is an authority in the midst of an affordable housing crisis, and one through which urgent action must be taken to deliver more affordable homes.

Council's Assessment of the Application

Section 7

Introduction

- 7.1 This section of the evidence considers the Council's Assessment of the appeal proposals during the course of the application and the appeal process.

Committee/Officer Report

- 7.2 The application was refused on 11 December 2023 by the Council's Planning Committee. The Committee Report can be seen at **Appendix JS12** which recommended the application for refusal. A further Update Note (**Appendix JS13**) was issued to the Planning Committee in advance of the Committee taking its decision.

Third party comments including objections and support

- 7.3 Section 5 of the Committee Report summarises the public comments received in respect of the application. It reports that 21 objections were received, including some which raised specific concerns in respect of affordable housing. These concerns generally relate to the extent of recent or committed affordable housing development in the local area, or a preference for a smaller scale of development at the site.
- 7.4 Conversely, 7 letters of support were received, which discussed the need for affordable housing for local people; rising house prices and difficulties in affording a house in the area; households being forced to relocate or remain living with parents; and a lengthy housing register.
- 7.5 The Whaley Bridge Amenity Society also wrote in support of the application on the proviso that the proposed housing is affordable and is allocated to households on the housing waiting list.
- 7.6 Similarly, Whaley Bridge Town Council also wrote that it "*strongly supports*" the application provided that "*all houses are provided as affordable houses and will remain to be affordable houses*".

Housing Need in the Context of Policy H5

- 7.7 To recap, Policy H5 ‘Rural Exception Sites’ of the adopted Local Plan requires that (among the five other matters) rural exception sites can demonstrate that “*The development is of a size and type which can be justified by evidence of need from a local housing needs survey*”.
- 7.8 The Committee Report’s discussion in respect of affordable housing need is focused upon the extent of housing register data in the Whaley Bridge, Bridgemont and Furness Vale areas, and the wider Central Area of the Borough; followed by and the extent to which committed development is able to meet this need:
- a. Table 1 illustrates the existing housing register data for Whaley Bridge, Bridgemont and Furness Vale, showing a total of 65 applicants across all four priority bands;
 - b. Table 2 then illustrates the existing housing register data across the wider Central Area, showing a total of 315 applicants across all four priority bands;
 - c. Table 4 summarises extant permissions for affordable housing in both the Whaley Bridge, Bridgemont and Furness Vale local area, and the wider Central Area;
- 7.9 Paragraph 7.31 concludes that in the Whaley Bridge, Bridgemont and Furness Vale local area, there remains an extant need for 27 one-bedroom affordable dwellings, with existing commitments accounting for the remainder of housing register applications.
- 7.10 Paragraphs 7.33 to 7.36 explain that across the Central Area there is an extant need for 155 one-bedroom affordable dwellings but that needs for two- and three-bedroom affordable dwellings can be addressed through existing commitments.
- 7.11 The Update Note goes further, by seeking to discount households in the lowest housing register priority band D, meaning that the Council considers there is a need for just 7 one-bedroom dwellings in the Whaley Bridge, Bridgemont and Furness Vale local area.
- 7.12 Paragraphs 7.46 and 7.47 summarise the Council’s position on whether the proposed development is justified by local evidence of need. They conclude that it has not been demonstrated that the scheme would respond to the “*current housing needs assessment*” and that the scheme does not align with the Home Options data for the parish area (which indicates an extant need for 27 one-bedroom dwellings, rather than the mix of up to 42 two- and three-bedroom dwellings that are indicatively proposed).

Comments upon the LPA position

7.13 In my view, the Council's position in respect of this element of policy H5 is flawed, since:

- a. **It takes a limited view of 'need' based solely on Housing Register data from June 2023.** It is important to note that a "*local housing needs assessment*" is not defined in policy H5, its supporting text, nor the SPD. There is therefore nothing in the Development Plan that defines the methodology that such an assessment might take, nor its geographical scope. The Council chooses to rely upon the Housing Register information as a proxy. But this is not an exhaustive source of affordable housing need, and the HELNA identifies a sizeable unmet need for affordable housing across High Peak. Furthermore, both Whaley Bridge Town Council (which is democratically elected and by proxy is representative of local people) the Whaley Bridge Amenity Society, and seven members of the public, have written in support of the application.
- b. I further note that the Housing Register only encompasses those who have joined, but does it not include those households who are in need but have not joined the register because they see little prospect of their needs ever being met. Given that social rented housing accounts for only 9% of households in Whaley Bridge (compared with 17% nationally; see figure 6.10 above), the prospects for anybody on the Housing Register are slim – raising the question as to "*why bother applying?*".
- c. **The commentary in the Update Note (Appendix JS13), which seeks to reduce the Council's position on need from 27 to 7 households by excluding 'Band D' households from the calculation, is unduly narrow.** ; As the Update Report explains, Band D applicants are "*(1) private tenants with a desire to live in social housing (2) social housing tenants with a desire to move (3) owner occupiers with a desire to live in social housing or (4) all other applicants*". Whilst these households might not necessarily be facing the kinds of overcrowded, hazardous or insanitary accommodation that would qualify for Bands A, B or C on the housing register, they are still in need:
 - i. Private tenants seeking a social rented home may well be facing the challenges of high rents and insecurity of tenure that are intrinsic to the private rented sector. By contrast, an affordable rented home places less pressure on household budgets, and offers far greater security of tenure to allow households to 'put down roots', bring up a family or keep a pet.

- ii. Social housing tenants may wish to move for a variety of reasons, for example to be closer to friends, family, education and employment (thereby reducing the need to travel); or to downsize from an existing larger home. By discounting the needs from these households, the Council is failing to acknowledge that social tenants should have any degree of choice in their housing situation. It also does not account for the fact that existing social homes will be released and can be let to other applicants on the Housing Register;
 - iii. Owner-occupiers seeking a social rented home are typically few in number, but may be facing particular financial hardship or require sheltered accommodation.
 - iv. Households in any of the above categories can be in housing need whether they are on the Housing Register or not.
- d. **The Council’s view of need is inconsistent with the definition of affordable housing in the NPPF.** Annex 2 of the NPPF describes Affordable Housing as *“housing for sale or rent, for those whose needs are not met by the market”*. The Housing Register only identifies needs from those households requiring an affordable rented home – there is no equivalent register for those households ‘priced out’ of homeownership and whose needs fall squarely within the broader spectrum encompassed within the NPPF Annex 2 definition.
- e. **The Council deducts dwellings with planning permission to arrive at the net need, even though their delivery is not guaranteed.** I have been informed there are material doubts as to whether housing will come forward at the Buxton Road, Furness Vale site (37 affordable dwellings, of which 30% (11 dwellings) are secured through a Section 106 agreement). Given that delivery at these sites is not guaranteed, and that the need for new housing is now, the proposed development of up to 42 affordable homes can provide greater surety that housing needs will be addressed and can ‘fill the void’ left should these sites not deliver.
- 7.14 In my view the Council has adopted an unduly restrictive approach since it treats the Housing Register as an exhaustive assessment of local housing needs. Accordingly, the Council seeks to downplay, discount and dismiss any element of need or demand that has not already been identified through the Housing Register. In doing so, the Council fails to account for benefits that might accrue to individual households, the flexibility that the proposed affordable housing might provide, or more fundamentally, the broader NPPF definition of affordable housing.

- 7.15 **The scale of the unmet need at the authority-wide level** is also important. The Council itself recognises through paragraph 5.194 of the Local Plan the “*significant need to increase the overall level of affordable housing provision*”. Similarly, paragraph 14.29 of the HELNA recommends that: “*HPBC should seek to use its planning policy to maximise delivery of affordable housing given the scale of need identified*”. In the context of the scale of the need, the ongoing shortfalls I set out in Section 4 of this Statement, and the challenging affordability situation in High Peak, it is essential that more affordable housing is delivered across High Peak.
- 7.16 Two appeal decisions in the settlement of Sowerby, North Yorkshire in June and July 2021 underline the importance of meeting authority-wide needs for affordable housing. In both cases, the local planning authority sought to criticise the Appellant for not undertaking a local housing needs survey (this forms part of High Peak Borough Council’s objection to the appeal scheme here). Yet two different Inspectors were satisfied that there were pressing authority wide needs.
- a. In the decision at Saxty Way, Sowerby (**Appendix JS14**), where I gave evidence, the Inspector discusses the wider case for affordable housing at paragraphs 17 to 28 including poor affordability indicators (paragraph 19), limited opportunities for new affordable housing delivery in the local area (paragraph 21), the proposed housing mix (paragraphs 23 and 24). Of direct relevance to policy H5 is whether a local housing needs study was presented in support of the application; the Inspector concluded at paragraph 26 that “*With regard to whether a local housing needs study has been presented with the proposal, a substantial amount of evidence on affordable housing need is before me. Based on the totality of that evidence, I am satisfied that the proposal would contribute towards meeting local affordable housing need*” and at paragraphs 27 and 28 confirms that the scheme complied with the relevant policies.
 - b. In a subsequent decision at Back Lane, Sowerby (**Appendix JS15**), where a colleague presented the evidence, the Inspector reached similar conclusions, highlighting a persistently lengthy waiting list (paragraph 21), noting that the “*housing waiting list is not a definitive indicator of housing need*”. At paragraph 24, the Inspector observes that “*It seems to me that local need for affordable housing has been demonstrated through the numbers on the housing waiting list, the local ratio of house prices to income, the numbers expressing a preference for Thirsk/Sowerby and the current low delivery of affordable housing on the Sowerby Gateway site*”. The Inspector considers the potential for other sites to contribute

towards meeting that need at paragraph 25, stating that *“I accept that there are other sites which have recently been approved within the area that will deliver 100% affordable housing, although they do not yet appear to be at the delivery stage. However, given the current need that has been demonstrated and the acceptance by the parties that the requirements for affordable housing set out in the policies are floors not ceilings I find that the appeal proposal would contribute to meeting the local need for affordable housing”*.

- 7.17 As stated above Tetlow King Planning gave evidence to both these appeals and I am now pleased to confirm that both sites are presently being built-out for the registered provider Karbon Homes, as 100% affordable schemes.
- 7.18 At paragraph 7.43, the Council expresses scepticism about the deliverability of the proposed development, raising concerns that the quantum of development is not fixed; that more time will be needed to obtain reserved matters application; that there are *“no legal assurances of partnership working to deliver the proposed affordable housing”* and that there is no evidence of Homes England funding. In my experience, having worked on several 100% affordable housing schemes in recent years, these criticisms are wholly unfounded – they simply relate to the fact that the scheme is in outline with certain elements (e.g. the identity of the eventual Registered Provider, and the detailed design of the scheme) to be confirmed. There is nothing unusual about this arrangement and I have worked on several similar projects for 100% affordable housing which are being successfully delivered by registered providers.
- 7.19 In summary, it is my view that the Council’s Committee Report and Update Report both seriously underplay the benefit of the proposed affordable housing, by seeking to narrow the extent of affordable housing need in the local area, and by treating the Housing Register data upon which it relies as an exhaustive indication of need.

Summary and Conclusions

- 7.20 I do not consider that the Council has sufficiently assessed the substantial affordable housing benefits that the scheme would achieve.
- 7.21 The acute level of affordable housing need in High Peak, coupled with a persistent lack of delivery and worsening affordability, will detrimentally affect the ability of people to lead the best lives they can.

- 7.22 For the reasons set out above, I disagree with the Council's findings that the scheme does not comply with policy H5. There is a wealth of evidence that supports a need in Whaley Bridge and a general Borough need for affordable housing. I consider this in more detail in Section 8 below.
- 7.23 In my opinion, the Council have deliberately sought to downplay the provision of up to 42 affordable homes at the appeal site. It is my view that affordable housing is an individual benefit of the appeal proposals which should be afforded **very substantial weight** in the determination of this appeal.

The Weight to be Attributed to the Proposed Affordable Housing Provision

Section 8

- 8.1 The NPPF (December 2023) is clear at paragraph 31 that policies should be underpinned by relevant up-to-date evidence which is adequate and proportionate and takes into account relevant market signals.
- 8.2 Paragraph 59 of the NPPF sets out the Government’s clear objective of “*significantly boosting the supply of homes*” with paragraph 61 setting out that in order to “*determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment*”.
- 8.3 The NPPF requires local authorities at paragraph 63 to assess and reflect in planning policies the size, type and tenure of housing needed for different groups, “*including those who require affordable housing*”.
- 8.4 An appeal that considers the issue of benefits is the development for 71 dwellings, including affordable provision at 40%, equal to 28 affordable dwellings on site at Hawkhurst in Kent (**Appendix JS11**). In critiquing the Council’s views regarding the affordable housing benefits of the scheme, the Inspector made the following comments:
- “The Council are of the view that the housing benefits of the scheme are ‘generic’ and would apply to all similar schemes. However, in my view, this underplays the clear need in the NPPF to meet housing needs and the Council’s acceptance that greenfield sites in the AONB are likely to be needed to meet such needs. Further, I agree with the appellant that a lack of affordable housing impacts on the most vulnerable people in the borough, who are unlikely to describe their needs as generic.”* (Paragraph 118)
- 8.5 I agree, the recipients of 42 affordable homes here will not describe their needs as generic.
- 8.6 I summarise below the Appellant’s position in respect of compliance with Local Plan policy H5.

Policy H5 criteria	Criteria met?	Comments
The development is of a size and type which can be justified by evidence of need from a local housing needs survey	✓	<p>Policy H5 does not in itself define the scope of a 'local housing needs survey'. However, there is a wealth of evidence to support a need in Whaley Bridge and across the Borough, such as:</p> <ul style="list-style-type: none"> • The high number of local preferences • The support from the Town Council • The support from a number of local residents • The past under delivery • The shortfalls in affordable housing delivery compared to the net annual requirement • The ongoing need identified in the 2022 HELNA • The inadequate future supply • The rising house prices • The rising local rents • The interest from registered providers to deliver this site.
The affordable housing would meet a genuine local need as defined in the Affordable Housing Supplementary Planning Document	✓	There is no such SPD, although the LPA produced a Developers Contributions SPD in 2022. However, the proposed affordable housing will meet the definition of affordable housing, as set out in the NPPF. These homes will be available to a variety of households who are unable to meet their needs on the open market. The unilateral undertaking includes a cascade mechanism to ensure that applicants with a local connection (as set out at paragraph 4.17 of the SPD) are prioritised.
Appropriate safeguards are put in place that ensure that the housing will remain affordable for successive occupiers in perpetuity	✓	The proposed affordable homes will be secured by condition and/or a planning obligation.
The site is located within or adjoining the settlement boundary of a village and is adequately served by existing services and facilities	✓	The appellant considers that the site is sustainably located and this is not disputed by the LPA.
The development takes full account of environmental considerations, including European sites	✓	There are no technical objections on this matter.
The development provides all affordable housing unless it can be demonstrated that an element of market housing is required to deliver a significant amount of affordable housing	✓	The site proposes 100% affordable housing.

- 8.7 It is for these reasons that the Appellant suggests that the proposal is in accordance with Policy H5.

Relevant Secretary of State and Appeal Decisions

- 8.8 The importance of affordable housing as a material consideration has been reflected in several Secretary of State (“SoS”) and appeal decisions.

Appeal Decision: Land Rear of 248 Hart Road, Thundersley (May 2023) (**Appendix JS16**)

- 8.9 This appeal decision, in respect of a 100% affordable housing scheme of 44 dwellings, concerns a site in Thundersley, Castle Point District. I presented evidence to the hearing. It was demonstrated via this appeal that affordable housing can constitute a very special circumstance (“VSC”).
- 8.10 At paragraph 38 at page 6 of the decision letter, the Inspector notes the potential for alternative sites to be developed but explains that the proposed development should be considered on its own merits:

“While some concerns have been raised regarding the availability of empty homes, there is no substantive evidence before me to demonstrate this is a particular problem in the settlement or the Borough. Similarly, at the Hearing I was referred to the potential for other sites to be developed in preference of the appeal site, including on brownfield land, but I have not been referred to specific sites and, in any event, I must consider the proposal that is before me”.

- 8.11 Paragraph 39 at page 7 sets out the Inspector’s view on third party concerns in relation to providing homes in the right places to meet needs. It states that *“at the Hearing, interested parties identified that homes need to be in the right locations for people that need them, including young people with lower wages, and that house prices influence the availability of homes to local people, with greater competition given the proximity to London. The proposal would assist in the provision of homes for precisely those people”.*
- 8.12 Fuller findings in respect of affordable housing need are set out at paragraphs 44 to 52 at pages 7 to 9 of the decision. Paragraph 46 sets out the extent of the affordable housing shortfall, confirming that net additions to the affordable housing stock have averaged just 9 dwellings per annum since 2014/15; that a shortfall of -2,546 homes has arisen over the same period when compared to identified needs; and that only 3%

of the need has been met. The Inspector’s findings corroborate the figures I present in section 4 of this Statement.

8.13 Paragraph 47 goes on to discuss the affordability challenge in Castle Point, recognising the “*very limited*” affordable housing stock in the Borough, lengthy waiting times; a rising Housing Register (which I note has increased further still since the decision was issued), for which the Inspector comments that “*the outlook is very bleak*”.

8.14 Paragraph 48 at page 8 turns to the real-life impacts of the affordability crisis; the Inspector sets out the ‘acute’ nature of the challenge in no uncertain terms:

“It is impossible to ignore the reality that the under delivery of homes and the consequences of increasing house prices and decreasing affordability will be certain to have a significantly harmful impact on the lives of those households affected. The persistent under delivery of affordable housing in Castle Point and the unmet need for these homes therefore represent acute problems.”

8.15 Paragraph 49 at page 8 considers whether there is any realistic prospect of an improvement to affordable housing delivery or a plan-led solution becoming available. The Inspector considers there was no evidence to suggest that an improvement is likely, and highlights the Council’s decision to withdraw its sound Local Plan:

“At the Hearing, the Council accepted there is a severe need for affordable housing, it is not meeting and has historically not met this need, and has to produce more homes. However, there is no substantive evidence before me that there is likely to be a marked improvement in the delivery of affordable homes or a plan-led solution in the short- to medium-term. Moreover, the Council withdrew a sound local and its indicative timetable for the production of a new Local Plan would result in adoption, at best, in March 2026.”

8.16 Paragraphs 50 and 51 summarise the Inspector’s findings, taking account of the contribution the scheme would make compared with past records of delivery:

“Affordable housing is a scarce resource in Castle Point and the proposal would deliver more such homes than have been provided across the Borough in the last five years”

8.17 In concluding the discussion on affordable housing, paragraph 51 attributes “*very substantial weight to the delivery of 44 affordable homes in this location*”.

Appeal Decision: land off Aviation Lane, Burton-upon-Trent (October 2020) (Appendix JS17)

- 8.18 The Inspector presiding over the appeal at land off Aviation Lane, Burton-upon-Trent, considered a scheme for 128 affordable homes (100%). I also presented evidence at this hearing.
- 8.19 In respect of considering the Rural Exception Site policy the inspector at paragraph 27 indicated that,

“Policy SP18 is permissive of small developments of new affordable housing on suitable sites outside settlement boundaries where there is a need for such that would be not otherwise be met, subject to certain criteria. With regard to those criteria, the Council maintained that this is not a small development and that the need for affordable housing would be otherwise met within settlement boundaries. The Council also asserted that the policy is aimed at ensuring that affordable housing need arising in small rural villages is provided. However, there is nothing in the policy itself, or the reasoned justification, that indicates that it only applies to small rural villages.”

- 8.20 The Inspector went on to advise at paragraph 28 that

“I accept that 128 dwellings may not be considered to be a small development and, with regard to the definition of Rural Exception Sites in the Framework, that this may not be a “small” site, although there is no definition of small in either the Local Plan of the Framework in this regard. However, having regard to the other criteria, the scale of development would, in this case, be appropriate given the size of Burton upon Trent. As set out above, I have found that it is not certain that the current and future identified need for affordable housing could be accommodated in the short term, by existing sites with planning permission some of which are within settlement boundaries.”

- 8.21 In the planning balance the inspector accepted plan conflict but went onto say,

“In this case I have found that the delivery of the site for 100% affordable housing would be a very significant benefit. Indeed, the SOCG sets out agreement that the weight to be afforded to the provision of affordable housing is at least significant. On a straightforward development plan balance, I am firmly of the view that the provision of the affordable housing proposed is a significant material consideration which, in this instance, outweighs the development plan conflict.”

- 8.22 The Appellant in this case does not accept that the proposal is contrary to the Development Plan.
- 8.23 Of particular interest is the amount of weight which has been afforded to affordable housing relative to other material considerations; many decisions recognise affordable housing as an individual benefit with its own weight in the planning balance. A collection of such SoS decisions can be viewed at **Appendix JS18**.
- 8.24 Some of the key points I would highlight from these examples are that:
- Affordable housing is an important material consideration;
 - The importance of unmet need for affordable housing being met as soon as possible;
 - Planning Inspectors and the Secretary of State have attached substantial weight and very substantial weight to the provision of affordable housing; and
 - Even where there is a five-year housing land supply the benefit of a scheme's provision of affordable housing can weigh heavily in favour of development.

Summary and Conclusion

- 8.25 There is a wealth of evidence to demonstrate that there is a national housing crisis in the UK affecting many millions of people who are unable to access suitable accommodation to meet their housing needs.
- 8.26 What is clear is that a significant boost in the delivery of housing, and in particular affordable housing, in England is absolutely essential to arrest the housing crisis and prevent further worsening of the situation.
- 8.27 Market signals indicate a worsening trend in affordability across High Peak and by any measure of affordability, this is an authority amid an affordable housing emergency, and one through which urgent action must be taken to deliver more affordable homes.
- 8.28 Against the scale of unmet need in the Borough and a need in Whaley Bridge, there is no doubt in my mind that the provision of up to 42 affordable homes will make a substantial contribution.
- 8.29 In light of all the evidence I consider that it should be afforded **very substantial weight** in the determination of this appeal.